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Editorial

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Kader Asmal's legacy will live on

The news of Kader Asmal's death has left a sense of shock and loss, not only in the UWC community, not only among his comrades in the African National Congress but in many circles of society, in South Africa and abroad, where his forthright and often controversial views found an echo.

It comes as a shock because, despite health problems, Kader was in many ways larger than life – his spirit so indomitable, his outlook so vigorous, that it's hard to believe that he's gone.

The story of his life, of his work as a lawyer, an activist and a Cabinet minister, has amply been told in the phenomenal outpouring of tributes sent from around the world.

We at UWC Law Faculty knew him as an energetic colleague and rigorous scholar who, as Extraordinary Professor, maintained an ongoing association with the Faculty. Significantly, he also found time to support *LDD* which he saw as “providing a radical perspective, especially on constitutional issues ... in the best traditions of this University”. In 2006, for example, he wrote an editorial introducing a special issue devoted to the theme “[Constitutionalism and human rights](#)”, which is worth rereading. And he also rolled up his

sleeves to assist in the mundane work of fund-raising, where his input proved invaluable. His place on our Editorial Board will be very difficult to fill.

But, even more importantly, we – like others – shall remember him as a public figure of courage and objectivity who did not hesitate to criticise when he believed it was called for, whether by opponents or friends.

It was this innate integrity that made him a leader of the highest calibre. Politics for him was never a case of “my party right or wrong”. It was about the achievement of social objectives, giving access to justice for all, restoring human dignity and equality to those who had been robbed of it. This conviction, too, epitomised his role as a constitutional lawyer which was at the heart of his activities over several decades: not only as an academic and an author of our Constitution but an embodiment of its aspirations.

He therefore did not suffer fools gladly. When he pronounced someone to be a “dunderhead”, it was something to think about. And yet he was not judgemental. As a person he was attentive and respectful towards others. His concern, one sensed, was to bring out the best in people, to encourage them as fellow-campaigners for a better world in whichever capacity they were able and willing (this was the important thing) to contribute.

So, an erudite but compassionate voice has fallen silent, and yet will live on. Perhaps it is fitting to end with a sample of tributes that have been paid to Kader Asmal, not so much to show their number but to reflect the diversity of those who have honoured him, representing and bringing together so many different strands of our complex, historically fractured society. Here are just a few:

“He will be remembered for his energy, forthrightness, efficiency and commitment to making this country a better place each day. He will also always be remembered for his passion for human rights for all.” – President Jacob Zuma.

“A close associate of our Founder, Mr Nelson Mandela, Prof Asmal struggled for decades in South Africa and in exile for an end to apartheid and for the achievement of a constitutional democracy in which all, regardless of gender, race or political affiliation would be regarded as equals ... Hamba Kahle qabane, your voice will be missed.” – Achmat Dangor, author, poet and Chief Executive of the Nelson Mandela Foundation.

“Asmal was far more than a politician. He represented the best of a generation of struggle heroes who made unimaginable sacrifices to realise a democratic South Africa ... Asmal will be remembered for many things, but particularly for his scholarship, and his contribution to entrenching constitutionalism in South Africa.” – Helen Zille, leader of the Democratic Alliance.

“Comrade Kader was one of the cadres of the ANC who stood for the total emancipation of women. He also played a big role in drafting the ANC Women's League constitution before the unbanning of the ANC liberation movement. Our heartfelt sympathy is extended to his family, which will in this hour of need, be in our prayers and those of the nation he served bravely as a leader, a Minister of Water Affairs and Forestry (from 1994) and Education (from 1999), a

vibrant parliamentarian and a daring champion of constitutional democracy.” – The ANC Women’s League.

“Kader Asmal was a man of integrity and courage. Phenomenal mind and excellent company. Vaarwel, kameraad!” – Max du Preez, journalist, author and documentary film-maker.

“One of the best intellectuals produced by the movement ... At times we differed but he will be missed by many because of his contribution to public debate.” – Julius Malema, President of the ANC Youth League.

“He served his people and his nation, without a thought of self-enrichment or aggrandisement ... He added substance and vigour to whatever he did, from the international anti-apartheid movement, to the negotiations that gave birth to our democratic nation, and later, our Constitution; and from the cabinets in which he served under presidents Mandela and Mbeki, to the generations of academics and students he inspired, from Trinity College in Ireland to the University of the Western Cape.” – Emeritus Archbishop Desmond Tutu.

But perhaps the last word in capturing Kader Asmal’s legacy, and his sense of tolerance and humour, is claimed by Zapiro in a cartoon entitled “[Kader Asmal 1934 – 2011: If ye seek his monument...](#)”:

“Asmal is depicted as the ANC’s ‘moral compass’ – a neat representation of an oft-referenced image in criticisms of the ruling party. Asmal is pointing to the side of the compass which has the words ethics, humanism, accountability, non-racialism and constitutionality inscribed on it. The opposite side of the compass is engraved with the words tenderpreneurship, cadre deployment, racial populism, corruption and Secrecy Bill. ... In the corner of the cartoon is an image of Zapiro drawing Asmal, with the sentence “You’re still drawing my nose too big!” written above him.” – Deshnee Subramany [“Zapiro: What SA lost with Kader Asmal’s death”](#), *Mail&Guardian online*, 24 June 2011.

Farewell, Kader. We’ll miss you but will do our best to take forward the values you have fought for.