

MEDIA STATEMENT

Unisa dismisses with contempt media reports suggesting that it awarded honorary doctorates to Chief Justice Zondo and Deputy Chief Justice Maya to curry favour with the judiciary.

Approved for public release.

Date: Monday, 16 October 2023

The University of South Africa (Unisa) has noted with concern recent reports on two media platforms (*The Star/Pretoria News, 11 October 2023 and The Daily Maverick, 13 October 2023*). These newspapers intentionally misrepresented the correct facts regarding the awarding of honorary doctorates to Chief Justice Raymond Zondo and Deputy Chief Justice Mandisa Maya.

The awarding of honorary doctorates by the university to the two justices is a separate matter from the pending litigation between the university and the Minister of Higher Education, Science and Innovation.

The articles are premised on a so-called petition to the Deputy Judge President of the Gauteng Division of the High Court, Justice Aubrey Ledwaba; and purport to be from aggrieved Unisa staff members and students.

In the body of the petition itself, the authors advance the point that Council and Executive Management, in pursuing the legal action against the Minister, are advancing their own personal interests and not those of university staff and students. Interestingly, nothing in the petition itself provides any proof that the petition itself has indeed been authored and signed by bona fide staff members and students of the university. There is also no evidence that the authors of the petition genuinely represent the views of all the staff members and students of the university or a majority of them; or when, how and on what basis they obtained the mandate to speak on their behalf.

It appears at best to be a petition by faceless (or even fake) people masquerading as Unisa staff and students, who are just on a frolic of their own; and who are advancing their own petty, narrow and factional interests, working with their embedded and 'hired guns' in the media.

The articles arising out of this petition, written by two journalists notorious for their hostile stance against the university and with no ethical bone in their bodies, are nothing but a classical example of gutter journalism, whose aim is clearly to exert pressure on the courts to act in a manner aligned only with their own interests.

On the awarding of honorary doctorates to Justices Zondo and Maya

The university dismisses with contempt any insinuation that the recent awarding of honorary doctorates to Chief Justice Raymond Zondo and Deputy Chief Justice Mandisa Maya was an attempt on its part to curry favour with or capture the judiciary regarding the pending litigation between the university and the Minister.



The awarding of honorary degrees is an age-old tradition in the higher education sector and recipients are bestowed with these degrees in recognition of their sterling, individual contributions in the relevant fields in which they are honoured.

Chief Justice Zondo and Deputy Chief Justice Maya were bestowed with these awards in their individual and private capacities and in recognition of their respective contributions in the legal profession in South Africa and Africa over their many years of practice.

The awarding of honorary degrees always follows a rigorous process of nominations by members of the university community, which goes through the various decision-making structures of the university and Council sub-committees, before the final decision by Council. The current process began on 14 April 2023 until the decision by Council on 29 June 2023 and is in no way related to the matter of the Independent Assessor's report or the Minister's decision in that regard.

Furthermore, the two judges are amongst nine other candidates successfully nominated to receive honorary doctorates during the current round of awards, all of whom are being recognised for their contributions in the respective fields.

There is neither an expectation nor a request from the university for any of them to interfere with the rule of law on its behalf. At any rate, it is an open secret that the architecture of the judiciary in South Africa makes it difficult - and illegal - for any judge to unduly influence another judge to act in a certain way. In fact, that is an impeachable offense.

Any insinuation that with these awards, the university was attempting to bring the judiciary closer to itself in light of its legal battle with the Minister is silly, preposterous and slanderous. It also undermines the intelligence and integrity of the Chief Justice and the Deputy Chief Justice.

On the ensuing legal process in the Pretoria High Court

The university reaffirms its position that it respects the courts in South Africa and believes that they (the courts) are capable of discharging their constitutional mandate without fear, favour or prejudice. The university also believes that every individual and juristic person has a constitutional right to approach the courts to adjudicate on a matter they feel requires such adjudication.

It is on this basis that the university approached the Pretoria High Court, in the first instance pertaining to the application to review and set aside the report of the Independent Assessor. The university brought an urgent application against the Minister not to take a decision pending the review application. The parties to this dispute are awaiting the date from the Deputy Judge President.

The judgment by Her Ladyship Justice Kooverjie delivered on 06 October 2023 interdicted the Minister not to take a decision pending the finalisation of the review application. The minister violated Judge Adam's order granted on 24 August 2023 that the Minister will not take a decision to appoint an administrator pending the finalisation of an urgent interdict.

The parties to the dispute will hold a case management meeting with the Deputy Judge President on 27 October 2023.

/Ends.

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