

Acceptance Speech for the Centre for Human Rights Vera Chirwa Award

delivered by

**Redson Edward Kapindu, PhD,
Judge of the High Court of Malawi,
At the Aula Auditorium, University of Pretoria,
9th December, 2022.**

- Vice Chancellor and Principal of the University of Pretoria, Professor Tawana Kupe,
- The Deputy Vice Chancellor and Deputy Principal, Professor Loretta Feris,
- The Dean of the Faculty of Law, Professor Elsabe Schoeman,
- The Director of the Centre for Human Rights, Professor Frans Viljoen,
- All Faculty staff,
- The Malawian High Commissioner to the Republic of South Africa, Her Excellency Mrs. Stella Ndau,
- My Vera Chirwa prize co-awardee, Ms. Yvonne Dausab, Honourable Minister of Justice, Republic of Namibia,
- Graduating students for various Masters and Doctoral Degrees conferred today – and Congratulations to you all!

- My daughter Chisomo who is in the audience,
- Distinguished ladies and gentlemen.

I wish to begin by saying that I accept this award with great humility and with deep gratitude. As I accept the award, I am keenly mindful of the high distinction that the the Vera Chirwa Prize represents.

As a Malawian citizen and a firm devotee of human rights and constitutional democracy, allow me to say a few words about the great woman after whom this prize has been named.

This award represents a call to all graduates of the LLM in Human Rights and Democratisation in Africa to work towards the excellence, the distinction, the bravery, the integrity and the great valour of Dr. Vera Mlangazuwa Chirwa.

Dr. Vera Chirwa is a great daughter of the Republic of Malawi and a great daughter of the African soil. She goes down in history as one of the first female lawyers on the continent.

Vera Chirwa , and her equally highly esteemed husband, the late Orton Ching'oli Chirwa, QC, showed great bravery during the difficult days of authoritarian rule in Malawi. As accused persons during their sham of a trial in the early 1980s, and indeed as political prisoners, they stood with their heads raised high as fearless and unfazed fighters of human rights and democratization in Malawi and beyond.

After her release from prison, Dr. Vera Chirwa served with distinction in various capacities including as a two-term

Commissioner of the African Commission on Human and Peoples Rights and as a Special Rapporteur on Prisons and Conditions of Detention in Africa.

I can go on and on about the distinguished credentials of Dr. Vera Chirwa.

In view of the foregoing, you will therefore understand, distinguished ladies and gentlemen, how greatly humbled and honoured I feel to receive the great recognition that this award represents.

I am also keenly aware, from the prize award narration that has just been given, that among the principal factors that motivated the decision to confer this award on me was the nature and context of some of the judicial work and decisions that I have recently been involved in, some of which decisions were rendered collectively with others.

In that regard, I view this award not just as a personal recognition of my own work, but also as a collective recognition and reflection of the national and Pan-African pride that the institution of the Malawi Judiciary, to which I belong, brings to the great Republic of Malawi, and to the great continent of Africa at large.

This award shall, to me, remain a constant reminder of the vision of an Africa that Dr. Vera Chirwa, the Centre for Human Rights, the University of Pretoria and like-minded universities and other institutions, and indeed myself personally, would wish to see realised. It is an Africa that I wish not only for my children and their generation, but also one that I still hope to see in my lifetime.

The award shall remain a constant reminder that a sustainably developmental, democratic, non-racial, non-sexist, non-class-based and corrupt-free Africa, based on the values of respect for umunthu and human dignity, remains achievable, but that at present we should be realistic to admit as a continent, that we are not there yet.

Huge challenges in the area of human rights and democratisation remain on the African continent. In many parts of Africa, democracy remains under serious threat. Unlawful military takeovers, staged without any evident consequence, seem to be re-emerging. The African Union, notwithstanding its instruments and resolutions proscribing such conduct, seems like a mere paper tiger unable to bring to an end such miscreant regimes. Elsewhere on the continent, free expression rights remain highly elusive. Unfair discrimination on various grounds and great intolerance amongst ourselves as Africans, remain rife. Such declarations as the Durban Declaration and Programme of Action that address these matters remain but a hollow ring. Political rights that give people a say in the running of public affairs are often manipulated or suffocated in a number of African countries. The list of these enduring challenges on the continent is long.

We therefore, as the peoples of Africa, have our work cut out for ourselves to work towards the achievement of that shared vision of a truly democratic Africa where human rights thrive. Let us remind ourselves of the words of the late Professor Christof Heyns that human rights are often, if not always, realised through struggle – what he called the “*struggle approach to human rights*”. In the words made famous by the late Mozambican President Samora Machel, we should continue to say to ourselves: “*aluta continua!*” - “*the struggle continues!*”

To our colleagues on the LLM Programme in HRDA who have just graduated today, my wish and hope is that this quest for a truly democratic Africa, where human rights flourish, shall remain your lifetime project.

Distinguished ladies and gentlemen, with these remarks, it is with great humility that I accept this year's Vera Chirwa award, and also in a very special way congratulate my co-awardee, Ms. Yvonne Dausab, for receiving the same honour this year.

I thank you all.