



## **ZUMA'S REFUSAL TO COMPLY WITH THE CONSTITUTION AND TO OBEY THE CONSTITUTIONAL COURT**

The FW de Klerk Foundation welcomes the strong reaction of the Zondo-Commission in responding to Jacob Zuma's statements that he will not obey a summons to appear before the State Capture Inquiry. The Commission (the State Capture Inquiry) is on record as having stated that such an act by the former President showed that he considered himself to be 'above the law and the Constitution'.

The order of the Constitutional Court compels Mr. Zuma to comply with a summons by appearing before it and answering questions that may be put to him. In terms of the summons Mr Zuma is due to appear before the Commission between 15 and 19 February 2021.

The Commission went further to note that "while Mr Zuma refuses to comply with the Constitution and to obey the order of the Constitutional Court, on the one hand, he continues to enjoy the benefits that the Constitution grants to all former Presidents in terms of his pension and other benefits paid for by the taxpayers'.

Zuma, has in the meantime, made it clear he will not comply with the Constitutional Court order and the summons to appear before the Commission and would rather face jail time.

**The secretary of the Commission has been instructed to lay a criminal complaint against Zuma for not appearing on 18 to 22 January 2021.**

One of the founding values of the South African Constitution is 'supremacy of the Constitution and the rule of law' and section 9(1) of the Bill of Rights determines that 'everyone is equal before the law'.

Mr Zuma's conduct not only amounts to blatant contempt of the Commission but also shows a clear disregard for the rule of law, the Courts and the Constitution. If Mr Zuma wants to call on the protection of the law in defence of his rights, he must also act in accordance with the law, as other law-abiding citizens must do.

It is imperative that Mr Zuma is dealt with decisively by the Commission, the relevant authorities and the courts. Failure to do so would set a dangerous precedent: it would undermine both the rule of law and President Ramaphosa's efforts to restore integrity in government.

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