

CHAIRPERSON'S SPEECH

Cape Bar Dinner 2016 held at the Cape Town City Hall

The Honourable Judge President, Deputy Judge President, judges of the Western Cape High Court and Labour Court, retired judges, members of the Cape Bar and colleagues from the NPA. Welcome to the annual dinner of the Cape Bar. A special thank you to Tracey Dicker and her team for their time and effort in organising this event. I am sure you will agree with me that the venue looks absolutely fabulous. A special thank you also to Vaughan Fransch and the musicians. We have the pleasure of Andrew Ford on piano. We have a full evening ahead of us so my message will be short. But it is an important message.

With the consistent growth in black membership, there is an acknowledgment and recognition that the identity of the Cape Bar is fast changing. The current discourse on transformation in the advocates profession however reveals a disconnect between the needs of black advocates in particular, and the cemented traditions of the Bar. And when I refer to the Bar in this context, I refer to the profession as a whole as this is not unique to the Cape Bar. This disconnect demonstrates the need not only to change but to transform.

The plain dictionary meaning describes transformation as a marked change in form, nature or appearance with synonyms such as alteration, modification, revision, metamorphosis and evolution. But what does transformation mean for the Bar? To me a change in the racial and gender composition is but one indicator of transformation, but it is certainly not just about demographics and a change in complexion. It is about cultural identity, removing prejudices and assumptions of ability based on race and gender, and providing an enabling bias-free environment where black and female advocates can be given opportunities to pursue a fulfilling career. If you are South African, and if you live in South Africa, then you must know that transformation is not a choice. And if we don't transform as a Bar, we will perish. In the words of Friedrich Nietzsche, one of the first existentialist philosophers, *"The snake which cannot cast its skin has to die. As well the minds which are prevented from changing their opinions; they cease to be mind."*

There is honour in being a member of the Cape Bar. Let us dispel the unfounded narrative that has been peddled in the media that the Cape Bar is anti-transformation and that we are unwilling to transform. Let us continue to implement our vision to work together toward a fully transformed Bar and let us not be distracted by political rhetoric and political posturing.

Let us remain resolute in who we are and what we stand for: the independence of the legal profession, the promotion and maintenance of the rule of law, and an independent judiciary. In a country where these values are constantly under attack, they must be jealously guarded.

On that note, judges, colleagues, please stand and join me in a toast to the Republic of South Africa.

I will now hand over to Judge President Hlophe to say a few words.

TANYA GOLDEN SC

**Chairperson
The Cape Bar**

4 November 2016