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PROGRAM NAME: WOMANITY – WOMEN IN UNITY

GUEST NAME: JUDGE THANDO MANKGE – MPUMALANGA DIVISION OF THE HIGH COURT

SPEAKER	TRANSCRIPTION
DR. MALKA	Hello, I'm Dr. Amaleya Goneos-Malka, welcome to 'Womanity– Women in Unity'. The show that celebrates prominent and ordinary African Women's milestone achievements in their struggles for liberation, self-emancipation, human rights, democracy, racism, socio-economic class division and gender based violence.
DR. MALKA	Joining us today in our series on Women in the Judiciary is High Court Judge Thando Mankge from the Mpumalanga Division of the High Court . As a high court judge, Judge Mankge has worked in various sections of the high court, civil court, criminal court, motion court, urgent court and appeal courts. Welcome to the show Judge!
JUDGE MANKGE	Thank you so much, I feel very much welcome and I like the drive behind this platform; I love it already, thank you.
DR. MALKA	To being with Judge Mankge, today you sit on the bench as High Court Judge of the Mpumalanga Division of the High Court, please will you walk us through some of the key landmarks in your career that got you to this point that you're at today?
JUDGE MANKGE	Thank you very much Dr. Malka, first let just say I am so much and highly favoured for the opportunity that has been presented to me this afternoon, especially because we know what is happening in our country, we have buried some colleagues, we've buried some friends and relatives, so really it is a pleasure and one can only be grateful for being alive during the times like this, so really I appreciate the opportunity and I feel very honoured. Now I just want to share with you first that you will be surprised that I got into law actually by default. As I was at university I registered for Bachelor of Administration because my high school subjects were accounting and economics, but when I got into university, just to cut a long story short, one or two months into the university in my Bachelor of Administration degree I got to meet a different group of people and most of them were from the law faculty, so I used to visit their classes when I don't have classes and then I developed interest into law, I liked the way they interacted with the lecturers, I liked the boldness that they had and then I quickly found out from the professor whether I can still change and do law. Luckily it was still within time to change and then I was allowed, the professor was kind enough to say no if you want to try, try it you still have a month or so to try and change and indeed I tried, but remember because my parents were not aware of that, then it put so much pressure on me to make sure that I passed and I indeed passed. So when I found myself into law, when I started to work, one thing that to me is key and a landmark in my career is the fact that I developed as early as my first year of working, that I'm called for bigger things and to me bigger things, it meant bringing justice to the people and those people who are very much remote to the elite world, so that is what drove me from the early years of my career. Let me make an example; when I started working as a prosecutor, immediately where I was working were two prosecutors and obviously two courts, but because there was always a shortage of interpreters only one court was sitting and it would have to be the court of the senior prosecutor where I would go and observe because it

	<p>was my very first year and when I discovered, Dr. Malka, that cases get postponed now and again because of the absence of interpreters, to prove to you that that sense of justice in me was eating me, I made sure that I approached the head of office and I said to him may I please be sworn in as an interpreter, because in any event I'm not sitting when Court A is sitting because there is no interpreter in my court. Afraid as I was of that man, he allowed me and he made sure that I'm sworn in as an interpreter and to tell you Dr. Malka, for the better year of 1997 when I started, I worked as an interpreter in that court and that made sure that cases don't get postponed now and again because of the absence of the interpreter.</p>
DR. MALKA	<p>And judge Mankge, based on you stepping in and filling that additional role of interpreter, what did that impact have on the courts backlog and helping people achieve the justice that they were seeking?</p>
JUDGE MANKGE	<p>I'm telling you Dr. Malka, we started to see matters getting finalised because there was never a time where a matter would be postponed because of the lack of interpreters, those elderly women who were coming very early in the morning to wait to be heard in court, they got a space to be heard because matters were being heard and they were rolling like never before and to me that was the greatest achievement that I've ever achieved as early as then in my career.</p>
DR. MALKA	<p>It seems such a simple intervention, but with massive, massive impact. Thinking about other moments in your career and as you were elevated to the bench, what have been some of the standout cases for you that you've presided over?</p>
JUDGE MANKGE	<p>I have presided over various types of cases, but mostly for me what impacted in my career is those cases which are to do with the matters of the heart wherein you preside on cases over the dispute over children, the adoption of children, the children that get neglected and mostly the children that are in conflict with the law, so for me, those are the cases that impacted my career and that are very close to my heart, because those are the cases that when you are sitting, either as a magistrate or as a prosecutor or as an advocate or as a judge, those are the cases that makes you to be in direct contact with the hearts of the people that you are serving at that particular time.</p>
DR. MALKA	<p>I would imagine it must be incredibly emotive. Looking from your position today, do you feel that the South African legal system has developed according to your expectations?</p>
JUDGE MANKGE	<p>To me yes, I would say yes. Our constitution and the courts in particular in our country, they strive to promote and protect social justice with the decisions that they make and the decisions that they make it supports the constitution. So to me yes, our legal system has developed to my expectation and to a certain degree, Dr. Malka, to beyond my expectation, I say so because of the following; it has stood the test of time on so many levels. It is accessible to people to start with and if I can just highlight, even people who are not South African citizens for an example, they have access to justice in this country and even people who are South Africans they have and are being served with the justice, so yes we have, in my view have that well seasoned legal system and the improvements obviously are always good and necessary in every sphere and it can only be achieved when we make sure that the system that we are in, we are intentional about improving it and we put people first. You see, I worked a lot for the Department of Justice even before I resigned as a magistrate, one of the organised efforts of the justice system in South Africa or the government departments in South Africa is to achieve improving access to people, so</p>

	<p>to me, if the system is intentional about improving the system itself and make sure that they put people first, which in my view is happening, that's why I am saying yes, it has improved a lot and beyond my expectations.</p>
DR. MALKA	<p>That's a good success story, I'm very, very happy that those improvements have brought fruition and have exceeded your expectations. Sometimes however, I wonder if the general public know what rights they're entitled to and Judge Mankge you certainly have an ethos with regards to social justice and part of your social responsibility, I understand you took it upon yourself to initiate a project with the Department of Education, to educate learners in local schools about law as well as basic human rights standard. Please can you tell us more about this project and some of its achievements?</p>
JUDGE MANKGE	<p>Thank you Dr. Malka, when you are talking about these projects we are touching the deepest corner of my heart. These projects actually started as a result of me enrolling with the University of Pretoria doing human rights and constitutional practice and as I was there I realised that even myself as an ordinary law student, I did not understand that much, the basic human rights and I asked myself what more about the children in the township, because remember I was working in the township by then and it happened that it coincided with the era of the child justice act in the country, which aimed at keeping children away from the formal criminal justice system. So to me it said, for the children to understand that they need to be away from the formal criminal justice system, firstly they must be aware of their rights and their basic rights and to me it was a way of saying if I can plant a seed as a lawyer, a seed that will germinate with time, I would know that I have impacted people and I have impacted children and I have contributed in keeping children away from the criminal justice system and allow them to be children at school with the understanding of their rights and who they are and there are responsibilities that comes with those rights. So that's what started that project and the achievements of that project I will tell you, it only extended, it even went beyond educating them about rights, I even became like a social worker, I even became like their friend, because then I could see that they appreciated that there is someone out there who decided to throw away her robe as a magistrate, but decided to come and sit with us and listen to us and hear us, hear our problems, hear our plight and maybe guide us from an informed position that now this person understands why we are even doing crime in the first place and what our rights and what are our responsibilities. So it extended to different schools in the township that I was in, I was invited in those different schools by different principals to come and sit with the children, I ended up sitting with children, with all the children in conflict with the law in those schools and I can say achieved a lot and I have a number of them who are still in communication with me, thanking me, they have achieved a lot, some are in university, some are even working, ya, and they remain very grateful for what happened at that time around 2008.</p>
DR. MALKA	<p>That's very heart-warming and the fact that you've had such an impact on young people's lives and that they've gone on to be successes themselves.</p>
	<p>AD BREAK</p>
DR. MALKA	<p>Today we're talking to High Court Judge Thando Mankge from the Mpumalanga Division of the High Court. We would love to receive your comments on Twitter: @WomanityTalk.</p>
DR. MALKA	<p>Judge Mankge, statistics from around about 2017 indicates that only 37% of South African judges are women. In our programme we've learned about the</p>

	<p>South African Chapter of the International Association of Women Judges as an instrument for capability and capacity building to help develop female judges, but looking at the fact that women only represent 37% of judges, so in other words men account for 63%, it doesn't seem to be enough. Given your experience and interaction with people, what else do you think needs to be done to help increase the representation of female judges in South Africa?</p>
<p>JUDGE MANKGE</p>	<p>Thank you Dr. Malka. Let me start by saying it is really a bit sad that in 2021 we are still having such conversations, but at the same time sad as it is, I am happy that we still converse in this manner because the more we converse about these kinds of topics is the more we will see change in my view and I am certain that this, what I am about to say, is going to answer all your questions which have to do with women and inequality and prejudices that are experienced by women, especially in the legal fraternity. Dr. Malka there is proof that if a country or an organisation empowers women there is better growth in terms of productivity and I will leave the issue of statics to the statistician, I cannot take that point any further, but to think of it, women are created beings who produce, we all know that and by the very nature of them being nurturers who produce, they give life into things. Now having said what I have said, I want to say one of the things, in my view, which makes the progress slow is actually the fact that women are still in my view regarded as less able than men, which is very unfortunate. We know that women in the first place they are left with children to raise, feed and take care of children, so for me, that on its own, should make any other person out there to appreciate that this species called women are able and they are doing a sterling job when it comes to what I've just identified. Now, how do we doubt such a being, is beyond me. What should be done in my view, to answer your question, is one; everybody should be intention and radical about this cause of empowering women. Two; they should follow it up and monitor whether the cause is still being pursued, because in my view there is no point in being intentional and radical about it and once you start it and at the end of the day we are not following up, you don't even know whether it is still pursuing the cause that you wanted to pursue. No point is having this thing on paper, it must be followed-up, be monitored, so that you can see the improvement in the legal field in particular, that women are empowered. Women should be educated enough, like the project that was I doing in schools, I was educating them about law, as young as they are, to say you can come and be a lawyer, but if we don't educate them they won't even know and if they don't know they won't even know that there are opportunities out there for them in law, if they now have those opportunities, they need to be supported. People who are administering the system, they should in my view, make sure that they monitor, to see to it that women are empowered on a daily basis, but, I am still of the view that the responsibility is not only on men, as in males, it is on women. Women, if they have been given an opportunity, like for example like I was given an opportunity to act as a judge, I should make sure that I open a space for other women as well so that even those who were doubting our ability can see that we are able, because remember Dr. Malka, you are not going to be in a position to show that you are able if you've got no opportunity, if you've got no exposure, so if you have been exposed and you have an opportunity as a woman, make sure that you bring other women with you so that we hold this fort as we march forward to the success of women being empowered, we make sure that we march with other women, because if we are united as women we are going to win this battle.</p>

DR. MALKA	Thinking about some of the elements that you've just spoken about, recently we had a very interesting conversation with Dr. Suchard from the National Institute of Communicable Disease and one of the things that she said and it relates to your point about if you're given the opportunity, go and take it. She said that sometimes she feels that women almost limit themselves, that they in a way self-sabotage because they put in place these barriers, which are often just mental barriers as opposed to actual barriers, like they will say oh I can't do this because I might have another child or I can't take this opportunity because I haven't got this qualification, rather than embracing those opportunities and then building the capacity you need to go ahead and materialise those options.
JUDGE MANKGE	That's very, very, very true. We, as I was saying, sometimes we limit our own scope as women and it's unfortunate, it's not supposed to be like that, we're supposed to really want to run with the opportunities as if there is no tomorrow, to be grateful of those opportunities, approach them with gratitude, humility, with all that we have so that we are seen as people who are indeed able, because in any event, this society has been doubting us, but if we show that we are able, when we run with these opportunities, grab them with both hands, run with them, with the greatest degree of humility, with the greatest degree of integrity, then, by the time we leave this earth Dr. Malka we will know that we have multiplied as women.
DR. MALKA	And it allows ambitions to be fulfilled and not denied, I think there's nothing worse than having an ambition that you think oh, it might have been, it could have been but you didn't take that brave step of moving forwards to make it happen.
JUDGE MANKGE	Indeed, indeed, ya, but you know what Dr. Malka there are lots of prejudices and experiences that most women they come across with and when you sit down with some of them you realise what makes them into shame so that when even the opportunity is presented they can't grab it. So it's deeper than what the society or men in particular they see in women, it's deeper than that, it's a whole lot of things and if we are allowed platforms like the one that you are affording me this afternoon, we talk about such things and then they learn to understand that not all women have the ability to run with the opportunities, but if these prejudices are dealt with, surely they can be in a position to run with the opportunities and the exposure that is afforded to them.
DR. MALKA	You're completely right and it would be really remiss of me to say that having a couple of prejudices were the only things that stood in women's way, but thinking about the law and thinking about some of the gender equality instruments that have been developed, such as the Commission on the Status of Women, the Beijing Declaration and Platform for Action, the Convention on elimination of all forms of discrimination against women, the United Nations Sustainable Development Goals, in particular goal number five which speaks to gender equality and women's empowerment; these all confirm that women's participation and representation in decision-making bodies is a human right, but as we've discussed, despite this, women are still under-represented in professional careers. How do you think we can use policy more effectively or cleverly to help drive change or on the other hand, change policies to better support women?
JUDGE MANKGE	As I said earlier on Doctor, there is no point in having it on paper and not make sure that it is followed-up or intentional decisions are taken to make sure that the policies they really speak to the empowerment of women, that is why to me, it is very key that people who understand the plight of women must be strategically placed in the position where they are going

	<p>to make sure that the policies that are created for such purpose and all the declarations and anything that is on paper which speak to the empowerment of women, it is put into practice. But I just want to pass on this point; I know that there are policies, there are organisations like this, some of them you have mentioned yourself, but do you know that in such organisations you will also sometimes find us women creating a bottleneck for whatever efforts that the structures are created for, we are ourselves become our own enemies within the very same structures. So to me, even if we are to be assisted about the policies, we must make sure that these policies they are alive to the plight of women and they are radical, the issues that are addressed by those policies, we sit them down on our table and we make sure that they are put into practice. The policies must be alive to issues like sharing of power to women equally and with our counterparts, sharing of responsibilities must be allocated to women in terms of those policies and structures, women must be exposed to the policies as I said earlier on and this must be an intention of the policies, we must see to it that it's there, otherwise we will only be having policies that are not capable to assist our cause.</p>
DR. MALKA	You've raised some really important points there, one of education, one of not allowing things to remain as purely paper rhetoric.
JUDGE MANKGE	AD BREAK
DR. MALKA	Today we're talking to High Court Judge Thando Mankge from the Mpumalanga Division of the High Court. We would love to receive your comments on Twitter: @WomanityTalk.
DR. MALKA	Judge Mankge, August is a special month in South Africa for women and its regarded as Women's Month and in this space it also pays tribute to the more than twenty thousand women who marched to the Union Buildings on the 9 th of August in 1956, in protest against the extension of pass laws to women. This year's theme is Realising Women's Rights for An Equal Future; in the short-term, what types of mechanisms do you think could be used to reduce inequalities that women still experience today?
JUDGE MANKGE	<p>Thank you Dr. Malka, one of them already I spoke to it, that women should be given opportunities, but let me start by saying South Africa for example, it is still difficult by way of an example to have a female president for an example, in twenty years of democracy, I mean twenty years, if you are still struggling to move towards the direction of acknowledging that we can even have a woman president, imagine what is happening in the other structures. Men in the legal world, they have in my view, a responsibility to come up with ways of supporting women to gain power and have control of their own lives in the way that we make sure that they overflow to other women who are not even aware that there is such a platform that has been opened. Not only men, as I said earlier on, even women, people who are in leadership positions in this country, starting with the courts itself, the decisions that they make, the rulings that they make, it must speak to that to say it is discouraged at all costs to make sure that women are being deprived, opportunities to be in decision-making structures, decision-making positions, judgements and rulings should also speak to such things. So, education is one of them, making sure that even the language we speak in the politics, the language we speak in courts, the language that we speak in the normal civil organisational structure, it should speak to that Dr. Malka, in my view and in my view that's what will reduce inequality and repeating it all the time as we have conversations, it will make sure that the inequalities will</p>

	die down one day, I have got no doubt.
DR. MALKA	The same things over and over again and using appropriate language is really what helps to penetrate people's thinking and I can't help but think about the Nordic countries, in particular Norway, which has had several female presidents and when you use our reference point of the fact that we've had over twenty-six years of democracy now and we still haven't got a view of a female president in our country and I'll never forget, in conversation with one of the Norwegian Ambassador's, she was relaying a story where a little boy said to his mother; "Mommy, can boys be presidents?" and it was just of this view that he had been in a world where there have been female presidents of countries, so in his mind presidents were women.
JUDGE MANKGE	Wow! Wow! Can you imagine?
DR. MALKA	And that speaks to this factor of having visibility, of having presence of the impact that visual identities have on people.
JUDGE MANKGE	It's so true, especially on children, it's very true and remember, children is our investment, if we invest right and plant right to the children, I'm telling you, the process of those seeds developing and they develop with that in their mind that everyone is equal, women are equal to men, men are equal to women, I am so sure that in twenty years, thirty years, forty years down the line, our generations to come, they will see a different world from what we are seeing, but if we are doing nothing about it, we are bound to be fighting the very same fights that we are still fighting in 2021.
DR. MALKA	And you underlined a very important point there, who is the biggest influence in a child's life; it's his or her mother.
JUDGE MANKGE	Very true.
DR. MALKA	Judge Mankge we're coming towards the end of the show now and one question that I'd like to ask you is about your personal journey and factors of success; please can you tell us, in your opinion, what have been some of the key drivers to your success?
JUDGE MANKGE	Dr, Malka you will laugh that it's going to be the most basic of them all. To me the drive is more about love and love for people. I decided very early in my life that I will follow my name; my name by the way is Thandoluhle so the direct translation for that is 'beautiful love', so I chose very early in my life to follow my name, so to me it's more about loving people. If you really love people you have got no malice and whatever intention that you are having is going to serve those people. To me it's more about being a servant of the people, I serve wherever I am Dr. Malka, not only at work, even in my family setup I serve, at church I serve, with my friends I serve and there is power in loving people and making sure that you are loud when you love, because when you serve you serve without any reservations. So that is why I was saying to you, to me the drive is very, very basic. I won't lie and say I have been focused all the time in making sure that I love loudly, sometimes I will be distracted here and there, but it has always been my key drive to say I love people, I serve people and the very same principle that I use in my personal life, I have taken it into my workplace, I serve. I serve people of Mpumalanga where I am, I serve people of South Africa, where I am, I just serve, I just love because in any event, I am Thandoluhle which is beautiful love. So that's the basic part of what I can answer your question with.
DR. MALKA	That is so beautiful and such an authentic driver and I think you're the only person that can really own that, given your namesake.

JUDGE MANKGE	I'm telling you, I am telling you.
DR. MALKA	Please can you tell us about some of the important moments in your life growing up?
JUDGE MANKGE	Well there are a lot of them, but the most important one is, I'm going to be a little bit sad now; overcoming being bullied by other people whom I always thought they are better people than me and I've allowed those people to bully me, to walk all over me and I remember taking a decision in my life that I know who I am, but by the way I believe when you take such decisions, you have a higher power, depending on what is your higher power, personally I am a Christian and I knew, when I took the decision, I said I know who I am and who I am is not going to allow me to be bullied, and from that moment I took a decision that I will never allow any person to bully me. As much as I am not going to be a fighter about it, as much as I am not going to be aggressive about it, but I'm going to stand firm on this point and this point alone and also Dr. Malka, to be deaf on anything that is negative coming towards my path as I walk this path called life, there are lots of criticism, negative criticism, anything that can weigh you down, I decided to be deaf when it comes to those things and to me, that's what has helped me to be where I am even today.
DR. MALKA	Those conscious decisions really put you in a place of power and one which protects you.
JUDGE MANKGE	Very, very true and if you do take note or you allow them to disturb you, they will derail you, they will disturb you and they will work on your esteem and you will stay very, very far from reaching your goals and you will delay even getting to your goals in my view.
DR. MALKA	Judge Mankge can you please tell us about some of the women who have been important role models or influences in your life?
JUDGE MANKGE	You know, I do not put a name into faces right now, because I cannot remember their names, but it is those women who wake up as early as three am, make those vetkoeks, take them to the bus rank, take them to train station and sell to people early hours, cold winter nights, to be in a position to feed their children, to be in a position to take their children to school. Some of them its illiterate women who today have judges as children, those to me are women that I look up to, I cannot put name right now into their faces, but I know them. As I speak to you I even remember those gogo's that I am referring you to, those are the people that have inspired me. I do have a lot in the legal fraternity, in fact to tell the truth, all female judges in South Africa, to me they are those women in my life because I know how difficult and how hard it has been for them to be where they are today.
DR. MALKA	And what would you like your legacy to be?
JUDGE MANKGE	My legacy, one, it will be to make sure that when I'm no longer here I have multiplied, I have people who are speaking the same language as me, the same language of making sure that justice is taken to the ordinary people, to the poorest of the poor, I will make sure, I will know that I would have multiplied. Those people who make sure that one, they give each other opportunities to excel, two, they support and value other's strengths, three, they grasp they opportunities that afforded given to them, they run with those opportunities with gratitude and with humility, to me that would have be the legacy that I would have left and by then, I would have multiplied.
DR. MALKA	That's such a wonderful gesture and vision, which has an amplification effect. Finally, as we close off today's conversation and in recognition of women's

	month, please can you share a few words of inspiration or wisdom that you'd like to pass onto girls and women who are listening to us on the continent?
JUDGE MANKGE	I want to say to them; let us plant right so that even our generations to come can benefit from the seeds that we are planting now. I want to say let's do that with love, with humility, with integrity, but in particular to women in law, I want to say to them let us support one another, let us be considerate to one another, let us be sensitive to one another's issues, let us make sure that as we march towards this success that we shall see one day, that we do everything with hard work, integrity, humility and they must always remember that when you are a woman in law, it's not about glitz and glam, it's not about making money, it's about working hard in serving the people of your country; that's all that I can say to them.
DR. MALKA	Thank you for that beautiful, inspiring, practical message. It's been a pleasure having you on the show today.
JUDGE MANKGE	It is my greatest pleasure Dr. Malka, I really appreciate and it was lovely speaking to you.
DR. MALKA	Thank you for the energy that you've brought to the show, the love and the dynamic of servant leadership; it really has been inspirational.
JUDGE MANKGE	I really really appreciate and the pleasure is all mine Dr. Malka, thank you so much.
	PROGRAMME END