

“Victory for the South African Chinese Community as Hate Speech case is Won”.

During the week of January 29th in 2017, following the broadcasting of donkey skin trade in South Africa, there was a flood of hate speech by fellow South Africans, full-on verbal assault, demonizing, dehumanizing, propagating hatred including inciting harm against the Chinese as a racial group on Facebook posts of Karoo Donkey Sanctuary (KDS), Carte Blanche, and The Chinese Association (TCA).

For decades many in the Chinese community suffered in silence. But 5 years ago, they decided to change that by using their voices and the South African legal system that protects the rights of all South African citizens.

“It is a very proud day for our Chinese community. Though it has taken 5 years for this outcome, it has also been over 400 years since our forefathers experienced the indignities and hate of the past. During those days, we were told to keep our head down, take it on the chin and not to cause any trouble”. Says Erwin Pon, Chairman of The Chinese Association (TCA).

Today’s result is also not only a win for the South Africa Chinese and Asians but can be celebrated across the world for people or communities that, continue to suffer and face repeated prejudice against them without consequence.

In the last few years during covid, many Chinese and Asian felt the brunt of this anti-Chinese/Asian sentiment. In some way, South African Chinese were protected due to the strict lockdowns and most attacks took place via social media, but in other countries many Asian and Chinese were physically attacked, injured and hurt!

“We hope that today’s judgment will not only send a message here in South Africa, but we expect it will echo across the world. Highlighting the fact that hate and discrimination against Chinese, Asians or any other community is NOT ok; it will not be accepted and that there will be consequences”. says Joyce Nam-Ford – Attorney for TCA.

When asked about what was next for the TCA, Mr Pon mentioned that the team will be taking a much-needed break, but the work will continue. They strive to create a better mutual understanding between the Chinese communities and the broader South African communities.

TCA will continue to host many cultural events and discussions in the future to ensure that there is opportunity for more people to experience and gain a better understanding of the South African Chinese Community. It is an ongoing process.

TCA is also celebrating the Association's 120th anniversary next year and hope to continue the work for the next 100 years!

TCA applauds the Honourable Justice Makume for fulfilling the court's constitutional duty in eradicating racism, in this instance, inflicted against Chinese people and restoring their human dignity. We are extremely thankful for the hard work of our lawyers Nam Ford Attorneys, Advocates Faizel Ismail SC, Ben Winks, Kerry Williams and Kathleen Hardy.

"We also want to thank the many other non-Chinese associations and groups that stood with us during these very difficult and challenging times, not forgetting our witnesses Melanie Yap, Professor Joon-Park and Henry Wing who dedicated their time and effort towards the case." concludes Mr Pon.

The resolution from the hate speech case will be posted on Nam-Ford's separate Facebook page created for this specific case and the TCA website www.tcagp.co.za.

About TCA

The Chinese Association – Gauteng was founded in 1903 and is the oldest Chinese association in South Africa. Most of our members are multi-generational South African Chinese. We look after the interests of the Chinese community, whilst at the same time partnering and working together with the broader South African communities in developing a mutual understanding of each other.

About Joyce-Nam Ford

Joyce Nam Ford is a South African attorney of Chinese descent and the owner of Nam-Ford Incorporated ("Nam-Ford"), which has been in existence for 30 years, specializing in conveyancing, litigation and commercial matters. Joyce used her position on a pro-bono basis, to take legal action against fellow South Africans involved in this torrent of verbal abuse.