

The Burgers Park Case: 120-Word Summary

In December 2023, South Africa's High Court ruled in favor of 26 homeless individuals living in cardboard shelters in Pretoria's Burgers Park. Judge Ngalwana condemned South Africa as a "cesspool of lawlessness," exposing the hypocrisy of criminalizing homelessness while tolerating government corruption. The court ordered the City of Tshwane to provide alternative accommodation within 48 hours, holding the municipality accountable to its constitutional obligations and stated housing policies. The judgment established that constitutional rights to housing are enforceable in court, that government cannot use by-laws as a substitute for housing policy, and that the rule of law must apply equally to all. This landmark case offers vulnerable communities a powerful legal tool to challenge government inaction and hold authorities accountable for their failures.