



A Curated Conspectus of the Life, Love, Law,  
Literature and Laughter of Albie Sachs

## THE BOOYSEN CASE – VIDEO TRANSCRIPT

### CHAPTER: FIRST SALVOS BY THE COURT IN RELATION TO IMMIGRATION

THANDI MATTHEWS

The next case I'd like to talk to you about, Judge, is the Booysen Case. It had to do with what I think was called the Aliens Act at the time, and the implications of foreign national spouses and their applications for work permits.

JUSTICE ALBIE SACHS

Yes. I don't think I played a major role in that case. I supported the main decision. But it was, if you like, some first salvos by the Court in relation to immigration. Until then, their attitude was immigration, immigration officials have complete power, they can push people around, they are lucky if we let them in, we are doing them a favour. That was the approach.

And now, a completely different approach was required. Particularly in the case of spouses of South Africans, and their right to have a relationship; their union. It was the right both of the spouse and the spouse, if you know what I mean, of both parties. So it was just underlining that particular point.

### CHAPTER: LANGUAGE THAT MATTERS

And by the way, the term '*aliens*' became alien. By its very nature, it's an alienating term, depriving people of dignity. Language does matter in cases like this.

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