



Press Statement

11 February 2026

Campaign for Free Expression to Intervene as *Amicus* in Gabrielle Goliath Venice Biennale Challenge

The Campaign for Free Expression (CFE) has applied to be admitted as an *amicus curiae* in today's urgent proceedings before the Gauteng High Court, arising from the Minister of Sport, Arts and Culture's ouster of artist, Gabrielle Goliath's work, *Elegy*, to represent South Africa at the upcoming Venice Biennale.

This case – the first of its kind to come before our Courts – places at its centre the constitutionally guaranteed right to freedom of expression, and in particular the freedom of artistic creativity, and the limits these freedoms impose on executive power. Artistic expression, particularly of a political nature, lies at the heart of any healthy democracy. That is especially true in South Africa and the critique, dissent, remembrance, and public debate it enables has been a leitmotif both of our democracy and the fight for it.

CFE, as amicus, seeks to make two main arguments before the Court. The first examines the manipulative impact the Minister's conduct has on the artistic freedom of all South African artists. His conduct – the termination of the exhibition of Goliath's work at the 2026 Venice Biennale – communicates to South African artists generally that the support of the Department of Sports, Arts and Culture (DSAC) is conditional on the Minister's personal approval of the artistic message. This is the very definition of what it means to impermissibly limit free speech and artistic creativity.

It is these pernicious effects of the Minister's conduct on the artistic freedoms of all South African artists that means this remains a live issue, even if – as the Minister contends – the deadline for official submission to the Biennale has passed and so renders the matter moot.

The second argument advanced by CFE is directed at the Minister's own speech which, when justifying his conduct of termination, was untruthful. While ordinary citizens may have an expansive right to free expression that even includes, within the limits set by our laws, a right to lie, this is not the case for officials who wield executive power. When dealing with the public who they are entrusted to serve, they are required to act with truthfulness and transparency.

Both in his public statements and in his representations to the Court, the Minister has been serially vague and evasive. Conduct by senior government officials which is dishonest, underhanded and designed to evade accountability must attract the strongest censure of our Courts.

CFE is being represented in the matter by attorneys, Jac Marais and Thandiwe Seboletswe of Adams & Adams and by advocate, Ben Winks.

Media enquiries:

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