

**FACULTY
OF LAW**

Legal Education since 1921

FAKULTEIT REGSGELEERDHEID

Regsopleiding sedert 1921



UNIVERSITEIT
iYUNIVESITHI
STELLENBOSCH
UNIVERSITY

100

1918 · 2018

Stellenbosch University

Starting out with four faculties (Science, Education, Arts and Social Sciences, and AgriSciences), 503 students and 40 lecturing staff on 2 April 1918, Stellenbosch University today is home to 10 faculties, a vibrant and cosmopolitan community of more than 30 000 students and 3 000 staff members, spread over five campuses. The historical oak-lined university town is situated amongst the Boland Mountains in the winelands of the Western Cape. This creates a unique campus atmosphere, which attracts local and foreign students alike. On the main campus, paved walkways wind between campus buildings – some dating from previous centuries; others just a few years old. Architecture from various eras attests to the sound academic foundation and establishment of an institution of excellence. This, together with the scenic beauty of the area; state-of-the-art, environmentally friendly facilities and technology, as

well as visionary thinking about the creation of a sustainable 21st-century institution, make for the unique character of Stellenbosch University.

Academic excellence and innovation

The University is amongst South Africa's leading tertiary institutions based on research output, student pass rates and rated scientists, and is recognised internationally as an academic institution of excellence. It consistently boasts amongst the highest weighted research output per full-time academic staff member of all South African universities and the second-highest number of scientists in South Africa who have been rated by the National Research Foundation (NRF). It also has the highest student success rate in the country.

The current Rector and Vice-Chancellor is Prof Wim de Villiers.

The current Chancellor is Justice Edwin Cameron. He is the 15th Chancellor of Stellenbosch University and alumnus of the Law Faculty.

Faculties and campuses

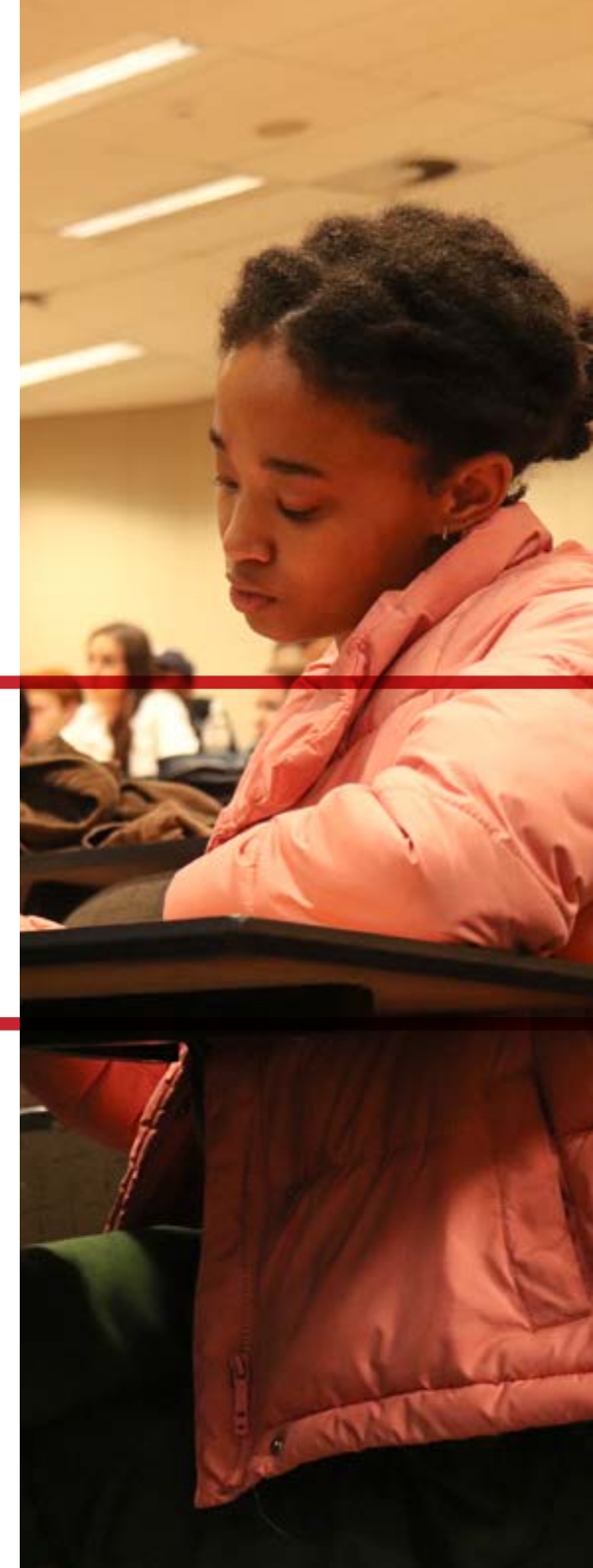
SU has ten faculties: AgriSciences, Economic and Management Sciences, Medicine and Health Sciences, Engineering, Military Sciences, Arts and Social Sciences, Science, Education, Law and Theology. The Faculties are spread over different campuses and the Faculty of Law is situated at the Stellenbosch campus.

Stellenbosch is situated about 50 km from Cape Town and just 30 km from Cape Town International Airport.

*The University is
amongst South
Africa's leading
tertiary institutions.*



Stellenbosch University Campus



Faculty of Law

The Ou Hoofgebou (Old Main Building) is home to the Stellenbosch Law Faculty and is situated on the corner of Victoria and Ryneveld Streets in the centre of Stellenbosch.

The Faculty of Law was established in 1921 and initially the Faculty only offered the LLB degree and focused on training and equipping students, not merely as legal practitioners, but also as jurists.

Stellenbosch University Law Faculty Building (below)

Today the Faculty offers the following **undergraduate programmes** to around 1200 students:

BAcc LLB

This unique combined 5 year degree is only offered at Stellenbosch. Students are introduced to both the essentials of jurisprudence, as well as Financial Accounting, Management Accounting, Tax and Auditing. Graduates satisfy the academic requirements to commence with the professional training to become an attorney, advocate or chartered accountant.

BA (Law)

A three year degree that enriches one's understanding of languages, human behaviour and social issues, while providing a basis for further legal study by providing entry to the 2 year LLB.

BCom (Law)

A three year degree that is business orientated and combines commerce with law. It is ideal for students who are interested in commercial law or a career in the business sector and it provides an entry to the 2 year LLB.

LLB as first degree

A four year professional degree that focuses mainly on law. This programme aims to provide students with a sound grasp of all branches of law essential for a career as a legal practitioner.

LLB as second degree

A two year degree that can be completed by BA (Law) or BCom (Law) graduates or a three year degree for Bachelor graduates from any other field of study.

The Faculty recruits academically strong and an increasingly more diverse cohort of students from South Africa and abroad. All SU law programmes have stringent admission and selection criteria. Innovative research, excellent lecturers, good facilities and a writing-across-the-curriculum teaching strategy prepare students for postgraduate studies, a career in the legal profession, in business or in the public sector.

Student opportunities

The Juridical Society, Moot Court Society, Students for Law and Social Justice, Responsa Meridiana and the Law and Leadership short course are just some of the student initiatives within the Faculty.

The Faculty of Law actively promotes and participates in exchange agreements that exist between the Faculty and different individual institutions.

Postgraduate Programmes

The LLM degree (by thesis) was awarded in 1976 for the first time to two students. The Law Faculty introduced the LLM by course work in 1994. Today the Faculty offers the following **postgraduate programmes** to around 220 students:

Postgraduate Diploma in Tax Law

A two year programme aimed at law, accounting and commerce graduates focusing on the interpretation of tax law.

Postgraduate Diploma in Intellectual Property Law

A one year programme aimed at law, science and engineering graduates focusing on Copyright Law, Trademark Law and Patent Law.



Postgraduate Diploma in Public Procurement Policy and Regulation

A one year programme aimed at graduates with an interest in public procurement focusing on public procurement policy, compliance, corruption, as well as infrastructure and defence procurement.

Master of Laws (LLM) by course work

A one year programme where students can follow the general programme or can enrol for one of the specialisations, namely Alternative Dispute Resolution, Intellectual Property Law, International Trade Law, Labour Law or Public Procurement Law. The programme requires students to complete 4 taught modules and 1 research paper of around 15 000 words.

Master of Laws (LLM) by research

A one year programme where students are required to complete a thesis of around 60 000 words under supervision of a specialist in the relevant area of law.

Doctor of Laws (LLD)

A two year programme where students are required to complete a dissertation of around 100 000 words under supervision of a specialist in the relevant area of law.

Graduates of the Faculty include leading judges, advocates, attorneys, business people, politicians and academics.

Staff

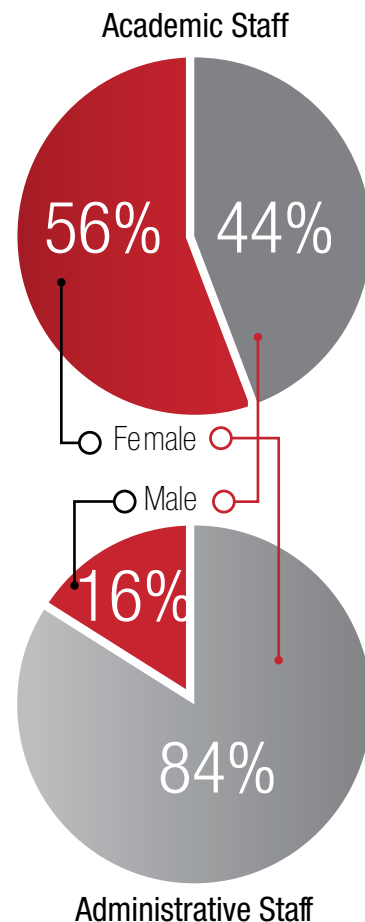
The staff of the Faculty of Law is passionate about legal education, research and social impact.

37 academics and 19 administrative staff supported by postdoctoral fellows and extraordinary appointments

14 National Research Foundation (NRF) rated researchers (1A, 6B, 5C, 2Y) that signify their international and national esteem as researchers.

There is currently only 3 A-rated researchers in the field of Law in South Africa.

Stellenbosch University is engaged in several international consortia and has an extensive network of collaborators. Active cooperation agreements exist with several leading Faculties of Law, including Aberdeen, Amsterdam, Bucerius, Leiden, KU Leuven, Maastricht, and Utrecht. A new joint Stellenbosch-KU Leuven LLM programme starts in 2020.



The Faculty is home to 4 research chairs, namely:

The HF Oppenheimer Chair in Human Rights

Professor Sandra Liebenberg is the incumbent of the Chair. She is an internationally renowned scholar in the field of socio-economic rights. She served as Chair of the expert committee advising the SA Constitutional Assembly on the Bill of Rights in the 1996 Constitution.

The Anton Mostert Chair in Intellectual Property Law

Professor Sadulla Karjiker is the incumbent of the Chair. He is an admitted attorney in South Africa and a solicitor in England, and has practised in corporate and commercial law in both jurisdictions. He also worked for a UK legal publisher on its technology related projects.

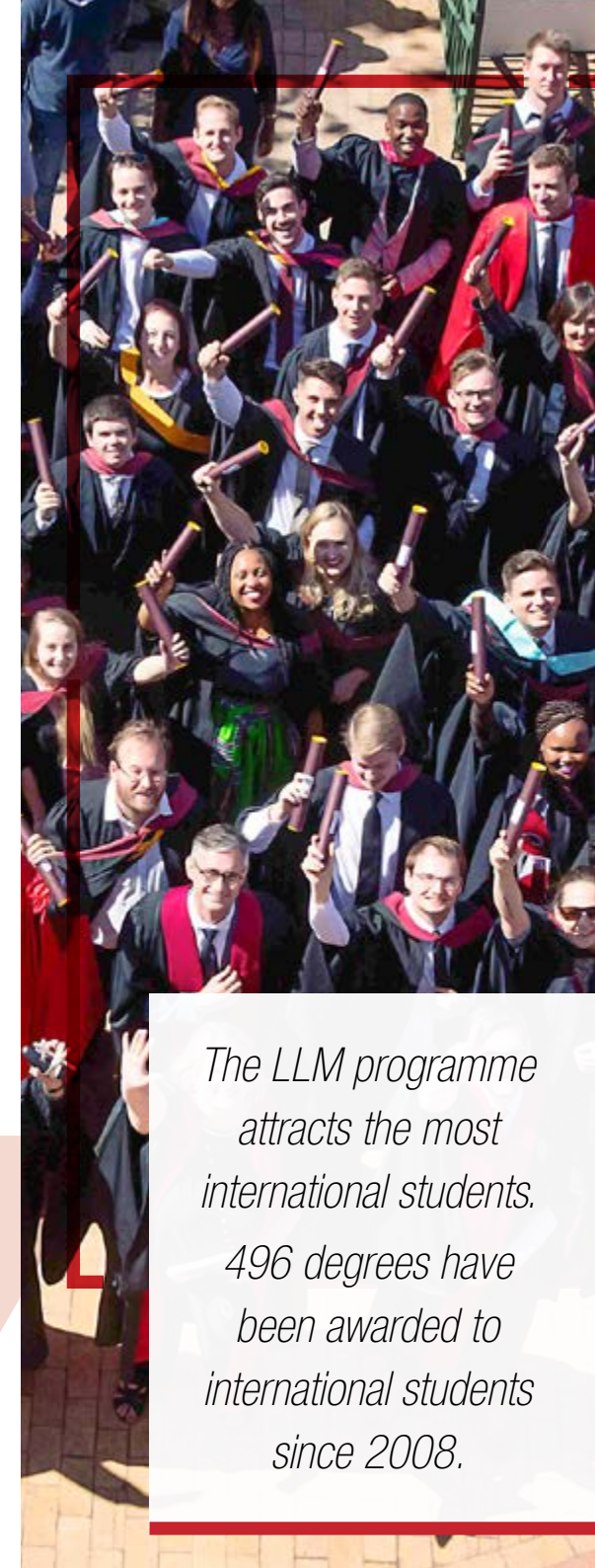
The Law Faculty Trust Chair in Social Justice

Professor Thuli Madonsela is the first incumbent of the Chair. Named one of TIME100's most influential people in the world in 2014 and Forbes Africa Person of the Year 2016, Prof Madonsela is one of the drafters of South Africa's Constitution and co-architect of several laws that have sought to anchor South Africa's democracy. She is also the former Public Protector of South Africa.

The South African Research Chair in Property Law

Professor Zsa-Zsa Boggenpoel is the incumbent of the Chair. She is an alumna of the Chair and has received a number of awards including the Vice-Rector Award for one of the researchers who made a substantial contribution toward research outputs of the University.

The LLM programme attracts the most international students. 496 degrees have been awarded to international students since 2008.



The Law Clinic

The Faculty is the home of the SU Law Clinic. The Law Clinic transitioned into a fully-fledged Legal Aid Clinic in 1987, after starting out in 1975 as a Legal Aid Scheme operated by senior law students who provided legal assistance to indigent communities of Stellenbosch.

Today the Law Clinic presents practical legal training to law students and continues to offer legal services to indigent persons. The Law Clinic assists with various civil matters, for example divorces, contracts, family law and debt. The Law Clinic also hosts workshops and provides training relating to evictions, debt collection and family violence. The Law Clinic has 650 active client files and more than 2000 individuals approach the Clinic each year for legal assistance. The staff of the Clinic consists of a Manager, 4 attorneys, 6 candidate attorneys, 2 legal consultants, 1 paralegal and 3 administrators.

The Law Clinic has been awarded a number of prizes and recognition for excellent contributions:

- 2019 South African Specialist Law Firm of the Year, 10th Annual Global Law Experts Awards
- 2019 South African Social Justice Law Firm of the Year, 10th Annual Global Law Experts Awards
- CCASA Achievement Award, 2018 African Legal Awards
- Finalist, Specialist Law Firm of the Year, 2018 African Legal Awards

Stellenbosch Law Review/Stellenbosch Regstydskrif

The Stellenbosch Law Review is an accredited law journal that was established in 1990. The journal includes full-length articles, book reviews, case discussions as well as commentaries.

3 editions are published each year and contributions are published either in English or Afrikaans.

The Stellenbosch Law Review was named among the top 5 most-quoted South African law journals by the Washington & Lee School of Law: Law Journal Ranking Project in 2018. This project evaluated law journals per country based on a 2010-2017 survey.

Academic Profiles

DEAN

Prof Nicola Smit

BLC [cum laude] LLB [cum laude] (Pret) LLD (RAU/UJ)

E-mail: nsmit@sun.ac.za

Fields of specialisation: Labour Law; Social Security Law

Nicola Smit started her academic career as a junior lecturer at UNISA. She joined the University of Johannesburg (then RAU) in 1996 as a lecturer. She progressed to full professor and also served as Vice Dean, Faculty of Law of the University of Johannesburg. In 2013 she joined the North West University Faculty of Law as Executive Dean in Potchefstroom. Prof Smit has been Dean and Professor of Law of the Faculty of Law at Stellenbosch since August 2017. Her areas of specialisation include labour law (both collective and individual) and social secu-

rity law. Prof Smit is a NRF-rated researcher and she publishes widely and delivers keynotes and presentations at national and international conferences. Although Prof Smit does not currently teach at undergraduate level, she continues to supervise postgraduate students in the fields of labour and social security law.

Prof Smit is a commercial mediator, member of the International Advisory Board of *The International Journal of Labour Law and Industrial Relations*, member of the editorial board of *International Labor Rights Case Law Journal*, and co-editor and co-author of various books, including *Law@work*, *Principles and Practice of Labour Law*, *Social Security: A Legal Analysis*, *Introduction to Social Security*, *Age Discrimination and Labour Law* and *The Law of Commerce*.



Prof Smit states that "the Faculty is known for excellence in legal education, research and social impact. The strong relationships that the Faculty has established over many years significantly contribute to the success of our endeavours. 2021 is the centenary year of the Faculty and the Faculty is looking forward to continue working with past and present collaborators whilst also establishing new partnerships. The Old Main Building, CL Marais and Crozier Street 18-24 are our home in the heart of

Stellenbosch, and we would like to invite interested parties to come and dream with us and work towards a South Africa where our constitutional democracy is the backbone of a more sustainable, equal and equitable society."

The Stellenbosch Law Review is highly regarded by the academic community.

Stellenbosch University Library. The law section consists of more than 24 000 books.

DISTINGUISHED PROFESSORS

Prof Jacques du Plessis

BCom•LLB•LLM [cum laude]•(Stell)•PhD
(Aberdeen)

E-mail: jedp@sun.ac.za

Fields of specialisation: Law of Contract; Unjustified Enrichment; Comparative Law and Legal History

Jacques du Plessis is a Distinguished Professor in the Department of Private Law. He was awarded the NRF's President's Award, a B1 evaluation, an Alexander von Humboldt-Fellowship, the Toon van den Heever-medal for Legal Science and Rector's awards for excellence in research. He was awarded the *Tijdschrift voor Privaatrecht Wisselleerstoel* (Exchange Chair) at the Katholieke Universiteit Leuven for 2019.

Prof du Plessis is Vice-President of the World Society of Mixed Jurisdiction Jurists, a member of the editorial boards of a number of international law journals, and an Associate member of the International Academy of Comparative Law. He is also an Invited Fellow of the Institute for European Private Law in Maastricht, a Visiting Researcher at the Max Planck Institute for Foreign Private and Private International Law in Hamburg and a Visiting Fellow at the Institute of European and Comparative Law in Oxford. He is engaged in a number of international comparative and historical studies on the law of contract and unjustified enrichment.

Professor du Plessis is admitted as an attorney of the High Court of South Africa and obtained a Certificate in Legal Practice (cum laude) from the University of Cape Town.

Prof Sandra Liebenberg

BA•LLB•(UCT)•LLM [cum laude] (University of Essex, UK)•LLD•(Witwatersrand)

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Fields of specialisation: Constitutional Law; International Human Rights Law; Socio-Economic Rights

Sandra Liebenberg is the HF Oppenheimer Chair in Human Rights Law and Distinguished Professor in the Department of Public Law. Prof Liebenberg has published widely in the field of socio-economic rights, and is the author of the monograph, *Socio-Economic Rights: Adjudication under a Transformative Constitution* (2010, Juta & Co) and co-editor of *Law and Poverty: Perspectives from South Africa and Beyond* (2011, Juta & Co). Her research and advocacy focus in the area of socio-economic rights has made a significant contribution internationally to legal scholarship on these fundamental rights. She serves on the editorial boards of several national and international human rights law journals, including the *Human Rights Law Review*, the *Queen Mary Human Rights Law Review*, the *South African Journal on Human Rights*, and *Constitutional Court Review*. In 2011 she was Distinguished African Scholar at Cornell University Law School, and JC Smith Trust Fund Distinguished Visiting Scholar, School of Law, University of Nottingham for 2014 – 2015.

She serves on the staff of the Global School on Economic, Social and Cultural Rights and co-organises an annual flagship Advanced International Course on the Justiciability of Socio-Economic Rights with the Åbo Akademi Institute of Human Rights, Finland and the Norwegian Centre for Human Rights. She has also served on the drafting committee to prepare the Guidelines and Principles for Interpreting the Economic, Social and Cultural Rights in the

African Charter on Human and Peoples' Rights adopted by the African Commission on Human and Peoples' Rights.

During her time at Stellenbosch University she has been the recipient of a number of Rector's Awards, including for teaching excellence. In December 2014, she received the University of Stellenbosch's top accolade, a Chancellor's Award, for her contribution to community service in the field of law in South Africa.

She previously served as Chair of the Technical Committee advising the Constitutional Assembly on the drafting of the Bill of Rights in the 1996 Constitution of South Africa. She has been involved in a number of landmark socio-economic rights cases which have been decided in the Constitutional Court through assisting in the drafting of amicus curiae (friend of the court) submissions in cases such as *Grootboom*, *Treatment Action Campaign*, *Modderklip* and *Occupiers of 51 Olivia Road*. In addition, she has served on the board of directors of a number of human rights NGOs involved in socio-economic

rights advocacy and litigation, including as Chair of the Board of Directors of the Women's Legal Centre and the Socio-Economic Rights Institute of South Africa. In 1997, she founded the Socio-Economic Rights Project at the Community Law Centre (now Dullah Omar Institute, UWC) and its flagship publication, *ESR Review*.

In 2017 Prof Liebenberg was elected as a member of the United Nations Committee on Economic, Social and Cultural Rights, the body which supervises compliance by States Parties with their obligations under the International Covenant on Economic, Social and Cultural Rights (1966). In 2019 she was elected as Vice-Chair of the Committee. Her current research is focused on the contribution of the Covenant to developing innovative mechanisms for implementing, monitoring and adjudicating economic, social and cultural rights at a global level. She is also conducting research into the implications of the concept of sustainable development for interpreting economic, social and cultural rights in both South African and international law.



HONORARY PROFESSORS

Emeritus Justice Lourens Ackermann

Lourens Ackermann (BA, LLB, LLD (Stell), MA (Oxon)) is a honorary professor at the University of Stellenbosch and a Honorary Research Associate in the Department of Public Law, University of Cape Town. He practiced as an advocate at the Pretoria Bar from 1958 to 1980, becoming Senior Counsel in 1975. After a number of acting appointments from 1976 onwards, he was permanently appointed to the Transvaal Provincial Division of the Supreme Court in 1980 and served as such until September 1987. After his resignation from the Bench in 1987, he inaugurated the newly established Harry Oppenheimer Chair in Human Rights Law at the University of Stellenbosch, the first of its kind in South Africa. He held this position until the end of 1992. He also served as a judge on the Lesotho Court of Appeal and on the post-independence Namibian Supreme Court. In January 1993 he accepted reappointment to the South African Supreme Court, on the Cape of Good Hope Provincial Division bench.

In August 1994, he was appointed to the first Constitutional Court of South Africa. During his time on the Constitutional Court he chaired its library committee and has been intimately involved with developing it into what will, it is hoped, be a world-class resource. His particular field of interest is fundamental rights under the Constitution, specifically the role dignity in equality jurisprudence. In 2002, he was awarded honorary LLD by Stellenbosch University and in 2003 elected as an Honorary Fellow of Worcester College, Oxford. On retiring from service on the Constitutional Court in January 2004 he continued to participate in the development of the Constitutional Court library and for years chaired the South African Institute of

Advanced Constitutional, Public, Human Rights and International Law (SAIFAC) on Constitution Hill, Johannesburg.

Appeal Court Judge Fritz Brand

Fritz Brand studied at the Stellenbosch University and University of Leiden in the Netherlands (BA LLB LLM (cum laude)). He started his career as an academic in the Faculty of Law, Stellenbosch before he joined the Cape Bar in 1977. He practised as advocate, becoming Senior Counsel in 1989. In September 1992 he was appointed as judge in the High Court in Cape Town. After serving as acting judge of appeal at the Supreme Court of Appeal in Bloemfontein in 2000, he was appointed permanently to that court from 1 December 2001. In 2010 he was appointed as an acting judge to the Constitutional Court for two terms, retaining his permanent position on the Supreme Court of Appeal. Justice Brand always retained his interest in the academia and continued publishing, especially in the field of Defamation and Enrichment. In this capacity he has contributed to the South African Law Journal and the Law of South Africa (LAWSA) specifically. As visiting lecturer and honorary professor he has lectured in various universities and institutions, locally and abroad. When his first term as honorary professor lapsed at the end of 2016 Justice Brand accepted a further term in the Department of Private Law.

Professor Katharina Boeli-Woelki

Katharina Boeli-Woelki is the Dean of Bucerius Law School in Hamburg, Germany. She is an internationally acclaimed expert in various legal fields, including Private International Law, Comparative Law and Family Law. In this capacity she has published widely and has lectured in both the Netherlands and Germany. She is the president of the Dutch Association of Family Law, member of the board of the Dutch Association of Comparative Law, and a member of several editorial boards of Dutch, European and South African law journals. To date she received three honorary doctorates, in 2011, 2015 and 2016 respectively, from the University of Uppsala, the University of Lausanne and the University of Antwerp. She has been the President of the International Academy of Comparative Law (of which she is also a titular member) since 2014. As Honorary Professor in the Department of Private Law she presents annual training sessions and master classes in Comparative Law research methodology to Stellenbosch Law Faculty's post-graduate cohort.

Professor Christopher Forsyth

Christopher Forsyth holds a BSc and LLB from the University of Natal and a LLB and PhD from the University of Cambridge. He is a leading international scholar in the fields of Administrative Law and Private International Law. His career shows academic leadership, specifically organising the first international conference on human rights in South Africa in 1979, and involvement in collaborative publishing ventures. To this end, he authored and co-authored numerous publications including standardized authoritative textbooks across the common law world, in Private International Law and Administrative Law.

He has a long record of effective involvement at the highest level in the administration of several important public bodies. Professor Forsyth has been and is involved in working with or advising governments over constitutional issues. He is also a part-time judge, sitting as a Recorder in the Crown Court and as a Deputy High Court Judge in the Administrative Court. He has given invited evidence to many Law Commissions and Select Committee in several jurisdictions. Furthermore, he is a barrister as well as an Academic Benchers of the Inner Temple with Chambers in London and an advocate of the Supreme Court of South Africa.

Chief Justice Sandile Ngcobo

Sandile Ngcobo graduated from the University of Zululand with a BProc (Bachelor of Law), in 1975. From 1983 to 1985 he studied for an LLB at the University of Natal, Durban. In 1985, he completed an orientation course on the United States' legal system, given by the International Law Institute at the Georgetown Law Centre in Washington DC. From 1985 to 1986 he attended Harvard Law School, where he studied for an LLM. He concentrated on constitutional law, labour law, international legal process and international human rights. His career was interrupted for one year in 1976 when he was detained and held in solitary confinement following the student uprising in 1976. Upon his release, he worked briefly as a clerk in the magistrate's office, before joining the law firm of KK Mthiyane and Company in 1978, firstly an articled clerk and then as an associate attorney. In 1982, he joined the Legal Resources Centre, a public interest law firm in Durban, as a staff attorney. There he tried public-interest civil and criminal cases.

In terms of his judicial career, he has been appointed as a part-time presiding officer in the Labour court (1993); presiding officer of the Independent Election Commission's Electoral Tribunal (1994); judge of the Supreme Court of Good Hope Provisional Division (1996); judge of

the Labour Appeal Court (1997). In this regard he held a dual appointment as a judge of the Supreme Court and the Labour Appeal Court. Chief Justice Ngcobo was also appointed to serve on the amnesty committee of the Truth and Reconciliation Commission in February 1998. He was then appointed as acting Judge President of the Labour Courts and Labour Appeal Court. In August 1999, he was appointed to the Constitutional Court and as Chief Justice of the Republic of South Africa in 2009, a post he held until his retirement in 2011. Upon retirement, he has been serving as Acting Judge of the Supreme Court of Namibia at the request of the President of the Republic of Namibia.

Baroness Judge Christine Van Den Wyngaert

Christine Van den Wyngaert graduated from Brussels University in 1974 and obtained a PhD in International Criminal Law in 1979. She was a professor of law at the University of Antwerp (1985-2005) where she taught criminal law, criminal procedure, comparative criminal law and international criminal law. She authored numerous publications in all these fields. Judge Van den Wyngaert was a visiting fellow at the University of Cambridge (Centre for European Legal Studies (1994–1996), Research Centre for International Law (1996–1997)) and a visiting professor at the Law Faculty of the University of Stellenbosch since 2000. Her

merits as an academic were recognised in the form of five Doctorates Honoris Causa, awarded by the University of Uppsala, Sweden (2001), the University of Brussels (2010), Case Western Reserve University, Cleveland Ohio (2013), the University of Maastricht (2013) and the University of Stellenbosch (2018).

Judge Van den Wyngaert gained expertise in various governmental organisations. She was a member of the Criminal Procedure Reform Commission in Belgium (Commission Franchimont) (1991-1998) and served as an expert for the European Union in various criminal law projects. She served in the International Court of Justice as an ad hoc judge in the Arrest Warrant Case (2000-2002) and was elected as a judge in the International Criminal Tribunal for the former Yugoslavia (ICTY) where she served for more than five years (2003 – 2009). She served as a judge at the International Criminal Court (ICC) from 2009 till 2018, where she also presided over cases in the Appeals Division. In 2013, the Flemish Government awarded her a golden medal for her achievements in international criminal law. In 2014, she was elected Vice President of the International Association of Penal Law. Judge Van den Wyngaert was granted the title of Baroness by the King of Belgium for her merits as an academic and as an international judge.



The Faculty offers undergraduate programmes to around 1200 students and postgraduate programmes to around 220 students.

PROFESSORS

Prof Zsa-Zsa Boggenpoel

BCom•LLB•LLD•(Stell)
E-mail: zsazsa@sun.ac.za

Fields of specialisation: Property Law; Constitutional Property Law; Property Theory
Zsa-Zsa Boggenpoel is a Professor in the Department of Public Law. She completed her LLD in 2010 with a dissertation entitled "Building encroachments and compulsory transfer of ownership".

Professor Boggenpoel has received numerous awards from Stellenbosch University and from universities abroad, including the Henry Arthur Holland Scholarship in Law from the University of Cambridge, London (2009), a Visiting Scholarship from the Molengraaff Institute for Private Law at Utrecht University, Netherlands (2009), the Mellon Academic Development Award from the Division for Research Development at Stellenbosch University (2014) and the Vice-Rector Award for one of the researchers who made the biggest contributions at Stellenbosch University in accredited publications, and/or supervision of postgraduate students.

She has published numerous journal articles and 1 book since commencing her academic career in 2011 and has presented nationally and internationally at conferences associated with her field of interest. She is also actively involved in postgraduate supervision of postdoctoral fellows, doctoral dissertations and masters' theses as she is passionate about the next generation of scholars tasked with the responsibility of developing the law in line with the Constitution.

In 2016, Professor Boggenpoel was awarded the NRF rating in the category Y1.

Prof Boggenpoel was promoted to full professor in the Department of Private Law at Stellenbosch University in 2017. She was awarded the South

African Research Chair in Property Law (Tier 1) under the NRF: South African Research Chairs Initiative (SARChI) in March 2018.

Prof Henk Botha

BLC•LLB•(Pret)•LLM•(Columbia)•LLD•(Pret)
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Fields of Specialisation: Constitutional Law; Constitutional Theory; Legal Philosophy; Constitutional Interpretation; Comparative Constitutional Law

Henk Botha is a Professor in the Department of Public Law and the current Head of the Department of Public Law. He currently teaches Legal Philosophy and Interpretation of Enacted Law, and has previously taught Constitutional Law. Prior to joining the law faculty at Stellenbosch University in 2006, he was a professor of Constitutional Law at Unisa.

Prof Marius de Waal

BCom•[cum laude]•LLB•[cum laude]•LLM [cum laude]•LLD•(Stell)
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Fields of specialisation: Law of Succession and Law of Trusts

Marius de Waal is a Professor of Private Law and the current Head of the Department of Private Law. He is the co-author of standard South African textbooks on the law of succession and the law of trusts. Prof de Waal has also taught other subjects in the area of private law such as agency, Law of Property and the Law of Delict. He has been awarded an Alexander von Humboldt Scholarship on three occasions (1994, 2000 and 2008) for research at German academic institutions. Since 2010, Prof De Waal has been a visiting professor at the University of Paris Descartes (Paris V) in Paris, France and in 2016 he was the occupier of the *Tijdschrift voor Privaatrecht Wisselleerstoel* (Exchange Chair) at the University of Leuven, Belgium. In 2017 he

was the recipient of Stellenbosch University's Chancellor's award for research.

Prof Sonia Human

BMil•LLB•(Stell)•LLM•Unisa)•LLD•(Stell)
E-mail: shum@sun.ac.za

Fields of specialisation: Advanced Family Law; International Law and Children's Rights

Sonia Human is a Professor in the Department of Private Law and previous dean of the law faculty at Stellenbosch University (2012-2017). She is a qualified Commercial and Family Law mediator and co-authored textbooks on Family Law and the Law of Persons. Prof Human is an award winning lecturer and regularly presents at national and international conferences. She lectures both at undergraduate and postgraduate level.

Prof Sadulla Karjiker

BSc•LLB•(UCT)•LLM•(London)•LLD•(Stell)
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Fields of specialisation: Intellectual Property Law; Company Law; Data Protection Law and Information Technology Law

Sadulla Karjiker is the Anton Mostert Chair in Intellectual Property Law and a Professor in the Department of Mercantile Law. He joined the Faculty in 2008 and is admitted as an attorney in South Africa and as a solicitor in England, and has practised in corporate and commercial law in both jurisdictions. He also worked for a UK legal publisher on its technology-related projects.

Prof Karjiker received his BSc degree in Mathematics in 1991 at the University of Cape Town. He then completed his LLB in 1994 also at the University of Cape Town, followed by a LLM at the University of London in 1997. In 2012 he received the LLD degree for his dissertation entitled "Open-source software and the rationale for copyright protection of computer programs" at the Stellenbosch University. He is the co-au-

thor of the Handbook of South African Copyright Law, the leading text on copyright law in South Africa. He teaches Copyright Law (LLM), Trade Mark Law (LLM), and Intellectual Property Law (LLB). He previously taught the following courses (or parts thereof): Intellectual Property Law (LLM), Information Technology Law (LLM), Internet Law (LLB), Company Law (LLB) and Roman Law (LLB).

Prof Gerhard Kemp

BA•LLB•LLM•(Stell)•ILSC•(Antwerpen)•LLD•(Stell)
E-mail: gkemp@sun.ac.za

Fields of specialisation: International Criminal Law; International Humanitarian Law; Criminal Law; Criminal Procedure; Post-conflict Studies

Gerhard P Kemp is a Professor of Public Law. He studied law at the universities of Stellenbosch and Antwerp (Belgium). Prof Kemp serves on the board of directors and executive committee of the Institute for Justice and Reconciliation (IJR) and is a member of the advisory council of the Crimes Against Humanity Initiative, Whitney R Harris World Law Institute, Washington University (St Louis). He was previously an Erasmus Mundus visiting scholar at the Institute for Global Studies, University of Wroclaw, Poland and a senior research fellow at the Robert Bosch Stiftung, Berlin. Prof Kemp is a recipient of the prestigious Alexander von Humboldt Research Fellowship. He is a fellow of the Stellenbosch Institute for Advanced Study (STIAS) and is an internationally acclaimed (B3) NRF rated researcher. In addition to his research, teaching and community involvement, he is also active in the broader academic community and is the regional editor of the *Criminal Law Forum* (Springer Press), assistant editor of the *African Yearbook of International Humanitarian Law* (Juta), editor of the *South African Journal of Criminal Justice* (Juta) and serves on the

editorial boards of the *South African Yearbook of International Law* (Juta) and the *Zeitschrift für Internationales Strafrechtsdogmatik* (ZIS).

Prof Thuli Madonsela

BA•(Swaziland)•LLB•(Witwatersrand)
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Thulisile “Thuli” Madonsela is the Law Faculty Trust Chair in Social Justice and Law Professor at the University of Stellenbosch, where she conducts and coordinates social justice research and she co-teaches Constitutional and Administrative Law. She is also the founder of the Thuma Foundation, an independent democracy leadership and literacy social enterprise.

An Advocate of the High Court of South Africa, Prof Madonsela has been a lifelong activist on social justice, constitutionalism, human rights, good governance and the rule of law. Prof Madonsela is one of the drafters of South Africa’s Constitution and co- architect of several laws that have sought to anchor South Africa’s democracy. Among laws she helped draft, are the Promotion of Equality and Prevention of Unfair Discrimination Act, the Employment Equity Act and the Recognition of Customary Marriages Act.

In 2016 she completed a 7 year term as South Africa’s Public Protector, a quasi-judicial administrative oversight body responsible for investigating and redressing maladministration, corruption, executive ethic violations and related improprieties in state affairs. Before she became the Public Protector, Prof Madonsela served in various leadership capacities in civil society and government, including, Full-Time Commissioner in the South African Law Reform Commission.

Prof Madonsela is a co-architect and Founding Chairperson of the African Ombudsman Research Centre. She is also co-founder and one of the inaugural leaders of the South African Women Lawyers Association (SAWLA).

Her work has received national and global recognition, including several Lifetime Achievement

Awards, among them an award by the Premier of Gauteng in 2018. She has seven honorary doctor of law degrees, from Wits University, Stellenbosch University, University of Cape Town, University of Fort Hare, North-West University, Rhodes University and the Law Society of Ontario. Peer recognition includes the South African Law Society’s Truth and Justice Award, The General Council of the Bar’s The Sydney and Felicia Kentridge Award, Botswana Lawyers Association Honorary Membership of the Botswana Bar and the Commonwealth Lawyers Association’s Truth and Justice Award.

Prof Madonsela is a Paul Harris Fellow, recipient of Transparency International’s Integrity Award, the German Africa Prize and Africa Anticorruption Crusader Award, among her innumerable accolades. A Tallberg Global Leader, among others, she spent a year at Harvard in 2017 as an Advanced Leadership Fellow.

Prof Juanita Pienaar

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Fields of specialisation: Property Law; Land Reform and Customary Law

Juanita M Pienaar is a Professor in the Department of Private Law and extraordinary professor at the North-West University. She lectures Customary Law, Property Law and Advanced Property Law. Her research focus is Property Law in general and land reform and related matters in particular. The latter culminated in an all encompassing publication *Land Reform* (Juta 2014), forming part of the *Juta Property Law Library*. She has co-authored some of the standard Property Law publications, including *Silberberg and Schoeman’s Law of Property* (with Badenhorst P and Mostert H) and *Principles of the Law of Property* (Mostert H and Pope A (eds)). She is also responsible for the Land Reform section of the *LAWSA*

“Land” title (2010, with Mostert H and Van Wyk J) and the chapter on “Land” in *Constitutional Law of South Africa* (with Brickhill J). She was a member of the Advisory Committee of the Law Commission (*Land Legislation* 2008-2011) and was acting judge in the Land Claims Court for the period 2006-2007. She is a fellow of the NRF Research Chair in Property Law and was a frequent recipient of the Vice-Rector Research’s Award for researchers who contributed most to accredited outputs. For the period 2014-April 2019 she was a member of the Expert Panel – NRF Ratings, the last two years as convenor. In 2016 she was awarded the Chancellor’s Award for Research. Prof Pienaar is one of four international advisors approached by the Scottish Land Commission to participate in the Scottish Land Reform Programme, currently in progress.

Prof Geo Quinot

BA•LLB•[cum laude]•(Stell)•LLM•(Virginia)
MA•[cum laude]•(Free State)•MPA [cum laude]
(Birmingham)•LLD•(Stell)
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Fields of specialisation: Administrative Law; Public Procurement Law and Legal Education

Geo Quinot is a Professor in the Department of Public Law. He teaches Administrative and Public Procurement. He is a recipient of the Stellenbosch University’s Chancellor’s Medal, the annual award for the most outstanding final-year student at the university, which he received upon graduating with his LLB degree. Other noteworthy awards include the Rector’s Award for Community Interaction, which he received jointly with Prof Sandra Liebenberg in 2008, the CHE/HELTASA National Excellence in Teaching and Learning Award in 2012 and the Stellenbosch University Chancellor’s award for teaching in 2016. His research focuses on Administrative Law, with a particular interest in commercial conduct of the state, including public procurement as well as legal education. He is the founding director of the

African Procurement Law Unit and an editor of the *African Public Procurement Law Journal*. Prof Quinot was also appointed as a university teaching fellow for the period 2013-2015 with a focus on the development of a pedagogy of law in South Africa and completed the national Teaching Advancement at Universities (TAU) Fellowship programme 2016.

Prof Annika Rudman

LLB•(Lund)•LLM•(Utrecht)•LLM•(Lund)•PhD
(Gothenburg & Malmö)
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Fields of specialisation: International Human Rights Law with specific focus on the African human rights system, women's rights, rights of sexual minorities, gendered rights; Feminist Legal Theory; African feminism and queer theory

Annika Eva Rudman is a Professor in the Department of Public Law and a visiting professor at the Southern and Eastern African Regional Centre for Women's Law in Harare, Zimbabwe. She specialises in International Human Rights Law with specific focus on the African human rights system, women's rights, rights of sexual minorities, gendered rights, feminist legal theory, African feminism and queer theory. Her current research focuses mainly on the procedural aspects of the African Court on Human and Peoples' Rights, the interpretation and application of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa ('Maputo Protocol') alongside a keen interest in the developing jurisprudence of the African Court.

Prof Rudman has published peer-reviewed book chapters and articles both nationally and internationally with publishers such as Springer, Routledge and Liber.

Prof Rudman was the first receiver of the International Association of Law Schools (IALS) visiting professor scholarship to St John's University, New York in 2015. She also received

the 2013 Infosys Faculty Innovative Curriculum Awards presented by the IALS. Prof Rudman is the current editor of the *State Practice and International Law Journal*, Sellier European Law Publishers. She serves on the Editorial Board of the *Brunel Journal of International Law*, published by the University of Brunel in the UK as well as on the International Advisory Board of the *International Human Rights Law Review*, a Martinus Nijhoff publication.

Prof Rudman holds a LL.B. degree from the University of Lund, Sweden, a LL.M degree in International Human Rights Law from the University of Lund, Sweden, and a Ph.D degree in Peace, Development Research and International Studies from the School of Global Studies, University of Gothenburg, Sweden. She completed her doctoral studies under Prof Mikael Spång and Prof Helena Lindholm. The topic of her thesis was: *Equality before Custom? - A study of property rights of previously disadvantaged women under land reform and communal tenure in post-apartheid South Africa*.

Prof Oliver Ruppel

LLBHons•[State Exam]•(Germany)•LLM•(Stell)
MM•(Hagen)•LLD•(CU)
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Fields of specialisation: International Economic Law; Sustainable Development Law; African Union and Regional Community Law in Africa; Environmental Law

Oliver C. Ruppel is a Professor in the Department of Mercantile Law. He joined the faculty in 2011. Prior to 2011 he held one of the worldwide 14 founding academic chairs of the World Trade Organisation (WTO), Geneva (Switzerland), which he established at the University of Namibia, Windhoek, where he had previously also served as Director of the Human Rights and Documentation Centre (HRDC), a national institute established by statute under the Namibian Ministry of Justice. Since 2012 Prof Ruppel

is the Director of the Development and Rule of Law Programme (DROP), supported by the Water Institute at Stellenbosch University. He is a Distinguished Fellow at the Fraunhofer Centre for International Management and Knowledge Economy (IMW), Leipzig (Germany); and a Professor Extraordinaire at various institutions around the world, including Strathmore Law School, Nairobi (Kenya); the Catholic University of Central Africa, Yaoundé (Cameroon); and the European Faculty of Law, Ljubljana (Slovenia).

Prof Ruppel is an International Arbitrator with the Association of Arbitrators of Southern Africa and the Swiss Chamber for Commercial Mediation. He is a member of the International Conservations Union (IUCN) World Commission (WCCEL); the Society of International Economic Law (SIEL); the Association for International Law (ILA); the Wildlife Justice Commission, The Hague (Netherlands); the Sahel Consortium (USA); the German African Law Association (Gesellschaft für Afrikanisches Recht); and the United

Nations Environment Programme's (UNEP) Association of Environmental Law Lecturers in African Universities (ASSELAU). He serves on various editorial boards such as the University of Namibia *Law Review*; the *International Yearbook on Soil Law and Policy*, Springer; the *Journal of African Foreign Affairs*; the *Legal Series on Law and Constitution in Africa*, Nomos; and the *Nigerian Journal of Environmental Law*. He is a standing member of the Scholarship Programme of the United Nations Intergovernmental Panel on Climate Change (IPCC), where he was Coordinating Lead Author (CLA) for Africa in the 5th Assessment of Working Group II. During the past years Prof Ruppel was seconded to the German Konrad-Adenauer-Stiftung (KAS), where in 2016 he established the Climate Policy and Energy Security Programme for Sub-Saharan Africa, funded by the German Ministry for Development Cooperation. He returned to take up his full-time position in Stellenbosch in 2019.



Stellenbosch University Campus

Prof Philip Sutherland

BCom•LLB•(Stell)•PhD (Edinburgh)
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Fields of specialisation: Company Law; Competition Law; Restraint of Trade

Philip Sutherland is a co-director of the Centre for Competition Law and Economics and Professor in the Department of Mercantile Law. He holds a Ph.D. from the University of Edinburgh and BCom and LLB degrees from the University of Stellenbosch. Prof Sutherland has published extensively on Competition Law, Corporate Law and Financial Regulation. The broad objective of his research is to determine how to balance the needs of businesses and the interests of those who may be harmed by business activities. He has been a member of the Financial Services Board since 2002 and the Head of the Department of Mercantile law at the University of Stellenbosch from 2012-2016. In the area of Competition Law, Prof Sutherland is a co-author of the Lexis-Nexis work *The Competition Law of South Africa*. In the area of competition law, his research is currently focused on Competition Law theory and enforcement.

Prof Sope Williams-Elegbe

LLB•(Lagos)•LLM•(London)•PhD•(Nottingham)
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Fields of specialisation: Commercial Law; Public Procurement Law; Anti-Corruption Law and Policy; International Economic Law, Sustainable Development Law.

Sope Williams-Elegbe is a Professor of Mercantile Law and the current Head of the Department of Mercantile Law, as well as the deputy director of the African Procurement Law Unit. She is the author of over 50 publications in the areas of anti-corruption and public procurement law, including the books: *Fighting Corruption in Public Procurement: A Comparative Analysis of Disqualification or Debarment Measures* (Hart,

2012); *Public Procurement and Multilateral Development Banks: Law, Practice and Problems* (Bloomsbury/Hart 2017) and *Public Procurement Regulation for 21st Century Africa* (with G Quinot; Juta, 2018). She is also an NRF B2 rated scholar.

Prof Williams-Elegbe is an editor of the *Journal of African Law* (Cambridge University Press), the *African Public Procurement Law Journal* (Stellenbosch University) and the *Global Legal Review* (IWI). She was a member of the World Bank's International Advisory Group on Procurement (IAGP) from 2008-2011. She is currently a member of Transparency International's Working Group on Debarment and Exclusion, and has been involved in advising international institutions and government bodies on procurement and anti-corruption matters. For several years, she taught the UK Foreign Office course on Responsible Business at the University of Nottingham. In 2011 she was the OECD peer review for the United States' procurement system; in 2012 she assisted the UNDP Virtual School develop training materials in anti-corruption; in 2014, she assisted the UN to draft the guidelines for open government in Africa, and in 2015 she was a EU/UNODC consultant to the Bureau of Public Procurement in Nigeria. Between 2016 and 2019, she was involved in training investigators from the Office of the Public Protector in South Africa across all the 9 provinces. In 2019 Prof Williams-Elegbe was nominated by the UNODC as an "anti-corruption champion".

Prof Williams-Elegbe has taught at the universities of Stirling and Nottingham, both in the UK, and the University of Lagos in Nigeria. Her research on public procurement was funded by the British Academy in 2006 and 2011. Her research has also been cited by the Constitutional Court of South Africa in the case of *Shaik v The State* (2008).

EXTRAORDINARY PROFESSORS

Advocate Geoff Budlender

Geoff Budlender SC is a human rights advocate, practising in Cape Town, with clients ranging from the government to social justice organisations. In particular, his areas of practice and expertise include: administrative law, constitutional law, environmental law, housing and land, local government or planning, public procurement and mining. In 1979, he co-founded the Legal Resources Centre, a public interest and human rights legal service for marginalized populations in South Africa. He was the organisation's national director from 1994-1996, and led its Constitutional Litigation Unit from 2000-2004. From 1996-2000, he was director general of the Department of Land Affairs in the administration of President Nelson Mandela. He has also delivered judgments as an acting judge in the Witwatersrand Local Division, Cape Provisional Division and the Western Cape High Court. He is furthermore the author of numerous publications including, chapters in books and academic articles. He delivered the 9th Annual Human Rights Lecture, organised by the H.F. Oppenheimer Chair in Human Rights Law and the Stellenbosch University Law Faculty, which focused on how the right to equality in the Constitution could be used more effectively to address the systemic inequalities in people's access to socio-economic rights.

Professor Ockert Dupper

Ockert Dupper is the Global Programme Manager of the Vision Zero Fund (VZF) at the International Labour Organization (ILO) in Geneva, Switzerland. Launched in 2015, the VZF is an initiative of the Group of Seven (G7) countries, and is aimed at preventing work-related deaths, injuries and diseases in sectors

operating in or aspiring to join global supply chains. Before joining the ILO, he was Director of Monitoring and Vice-President of Programs at the Fair Labor Association (FLA) in Washington, D.C. (2012-2014), and Professor of Law at the University of Stellenbosch (1996-2012), where he specialised in labour law and social security law. He received his BA from the University of Stellenbosch, his LLB from the University of Cape Town, and his LLM and SJD from Harvard Law School, where he was a Fulbright scholar. He also spent a year at the Harvard University Center for Ethics and the Professions as the Edmond J Safra Faculty Fellow in Ethics.

Professor Irene-Marié Esser

Irene-Marié Esser (LLB (Stell) LLM (Aberdeen) LLD (UNISA)) is a specialist in corporate law and corporate governance. She started her academic career at UNISA (2005) where she was promoted to full professor in Corporate Law in 2009. She relocated to Edinburgh, Scotland during 2013. During 2014/2015 she lectured at the University of Glasgow as well as Edinburgh University. She was appointed as a Visiting Professor at the Open University, United Kingdom during 2014, for a 3-year period. She is an expert panel member of the EU/Africa Chamber of Commerce, a member of the PRI Academic Forum as well as the Sustainable Market Actors Network & Daughters of Themis: International Network of Female Business Scholars. Professor Esser joined Glasgow Law School in September 2015 and is a Professor of Corporate Law and Governance. She is on the editorial board of the *European Business Law Review*. And is the current company law convener at the Society of Legal Scholars of the UK. South Africa and Scotland are mixed jurisdictions which therefore facilitates significant scope for collaboration.

Professor Charl Hugo

Charl Hugo (BA (Law) LLB (Pret), LLM (UNISA) LLD (Stell)) qualified as an attorney in 1985 and joined the lecturing staff of the Department of Mercantile Law of Stellenbosch University in the same year. Prof Hugo became a full professor in 1996, and chaired the Department for the period 2001 to 2004. In 2005, he did pupillage at the Cape Bar. After passing the Bar Exam he resigned from his chair at Stellenbosch University and practised full-time as an advocate (as member of both the Cape Bar and the Johannesburg Society of Advocates (Maisels Group)) until 2012. During this time he appeared as advocate in the High Courts of Cape Town, Johannesburg and Kimberley, as well as in the High Court of Namibia, and the Supreme Court of Appeal. He also acted in several commercial arbitrations. During this period of legal practice he retained teaching responsibilities on contract basis with Stellenbosch University, and held appointments as extraordinary professor at the Universities of Stellenbosch and North West. Prof Hugo was appointed as Professor in Banking Law and Director of the Centre for Banking Law at the University of Johannesburg as from January 2013. He is a member of the Banking Commission of the International Chamber of Commerce.

Justice Yasmin Shenaz Meer

Yasmin Shenaz Meer holds the degrees BA (University of Durban Westville), LLB (UCT), LLM (University of Warwick, UK) and was one of the first judges appointed when the Land Claims Court was newly established in 1996. She is the most experienced judge at the Land Claims Court and is also the acting Judge President. Having completed her articles she joined the Legal Resources Centre as its first attorney in Cape Town. She was instrumental in establishing the Cape Town office where she practiced for

10 years. Thereafter she held the position of Deputy National Director of the Legal Resources Centre before being appointed to the bench in 1996. As South Africa has never before had a Land Claims Court the contributions of the early judges is truly ground breaking. Justice Meer's contribution to jurisprudence dealing with land reform generally and restitution, redistribution and tenure reform specifically are profound. Since 2012 she has also been the acting Judge President of the Land Claims Court.

Professor Jaap Spier

Jaap Spier graduated from Erasmus University (Rotterdam) in 1973. He was attorney at the Rotterdam Bar until 1977, lecturer of private law, Leiden University (1977-1981), company lawyer Unilever NV (1982-1989) and professor of private law, Tilburg University (1989-1999; after appointment in the Supreme Court part-time). From September 1997 to September 2016, he served as Advocate-General in the Supreme Court of the Netherlands (equivalent to Supreme Court Justice). He held an honorary chair at Maastricht University (1999-2016; currently emeritus). Since his retirement, he has held an honorary chair at the University of Amsterdam (from September 2016) and an extraordinary chair at Stellenbosch University (from 1 July 2016). Jaap is senior fellow Global Justice Program, Yale University. He received a PhD (Doctor iuris), Leiden University 1981. Jaap is founder and honorary President of the European Group on Tort Law and co-founder (with Professor Thomas Pogge, Yale University) of an expert group working on climate change principles (this group launched the Oslo Principles; he served as rapporteur), and co-founder of the Expert group on Principles on Climate Obligations of Enterprises (reporter and author of the commentary). He is fellow of European Institute for Tort and Insurance Law (ECTIL), in Vienna. Jaap is (co-) author or editor of 29 books and

hundreds of articles and case notes on Tort law and legal aspects of climate change.

Professor Dire Tladi

Dire Tladi (BLC LLB cum laude (Pret) LLM (UConn) PhD (EUR)) is a Professor of International Law at the University of Pretoria. From 2006, he served as Principal State Law Adviser for the Department of International Relations and Cooperation and from 2009-2013 he was on assignment as the Legal Adviser for the South African Permanent Mission to the United Nations in New York. He is the Special Advisor to the Minister of International Relations and Cooperation since 2014, and a member of the International Law Commission. He has published many articles in peer reviewed journals and chapters in books, mainly in the area of international law.

Professor Andreas Van Wyk

Andreas van Wyk received his legal education cum laude at Stellenbosch University and at the University of Bonn in Germany (1960-1966). He also attended lectures at Besançon University in France during this period. He received his doctorate in law in 1976 from the University of Leiden in the Netherlands. In 1997, Leuven University in Belgium awarded him an honorary doctorate in law as recognition for his service to higher education and legal development. Thereafter (2007) he also obtained a BPhil degree in Ancient History at Stellenbosch University. Andreas van Wyk's career as an academic took him from senior lecturer to professor and dean of the Stellenbosch Law Faculty (1966 – 1984). After a period of three years (1984-1987) as director general of Constitutional Development and Planning, during which he was actively involved in the preamble to the new South African dispensation, he returned to Stellenbosch as first Vice-Rector and then Rector

and Vice-Chancellor of the University (1991-2001). He is the author of three standard works on South African law and many articles on legal issues. He was also active in the business world as director of companies such as Boland Bank, Distillers Corporation, of which he was chairman, the Victoria & Alfred Waterfront, and Old Mutual South Africa, of which he was also chairman until the end of 2010. Since his resignation as Rector of Stellenbosch University, Prof Van Wyk has been active as a lecturer in and advisor on corporate law issues, with particular emphasis on corporate governance. He also reads widely in his proficient languages: Afrikaans, German, English, French, Italian, Dutch, and Spanish. His love for Latin also stays with him.

Professor Gerhard Werle

Gerhard Werle (Emeritus Professor of Law and Legal History, Humboldt University, Berlin) is one of the leading international authorities on international criminal law and transitional justice, notably on the comparisons between post-Nazi Germany, post-communist East-Germany, and post-apartheid South Africa. He completed his doctorate and his habilitation at the University of Heidelberg. He has published widely and his books (that are standard works in the fields of international criminal law and transitional justice) are translated into English, Spanish, Chinese, Russian and Italian. From 2008 until 2018, he was Director of the South African- German Centre for Transnational Criminal Justice, a cooperation with the University of the Western Cape funded by the German Academic Exchange Service. Prof Werle is an Honorary Professor at North-West University of Political Science and Law (Xi'an, China). He has been visiting professor at various universities worldwide, including University of Cape Town, Kansai University (Osaka, Japan), University of Sydney, University of Technology (Sydney, Australia), and Columbia Law School (New York, USA).

RESEARCH FELLOWS

The research fellows in the Faculty of Law play an important role in strengthening and growing the academic impact and influence of the Faculty.

Current research fellows:

Prof David Butler
Prof Karin Calitz
Dr Dominic Dagbanja
Dr Ama Eyo
Dr Madelein Kleyn
Prof Annamarie la Chima
Prof Max Loubser
Prof Gerhard Lubbe
Dr George Nwangwu
Dr Wentzel Oaker
Dr Kingsley Udeh
Dr Shanelle van der Berg
Prof Cornie van der Merwe
Dr Elsabe van der Sijde
Dr Peter Volmink

ASSOCIATE PROFESSORS

Prof Theo Broodryk

BA•LLB•LLD•(Stell)
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Fields of specialisation: Civil Procedure; Legal Skills and Legal Writing

Theo Broodryk is an Associate Professor and Manager of the Law Clinic. He is a NRF Y1 rated researcher. He completed his postgraduate LLB-degree at the Faculty in 2008. He commenced his articles of clerkship at Edward Nathan Sonnenbergs Inc in 2009 where he also practised as an attorney until September 2012. Prof Broodryk was awarded the Doctor of Laws degree for his thesis titled "Developing a Structure for the Adjudication of Class Actions in South Africa". He is responsible for lecturing Civil Procedure and Legal Skills.

Prof Broodryk was the recipient of the SU Rector's Award for outstanding work performance in 2015 and he was awarded MJ & HB Thom research funding in the same year. In 2018 he was awarded the Beaufort (Colenso) Scholarship for research at St John's College, Cambridge University, Michaelmas Term 2019. He also was the recipient of the NRF RF Knowledge Interchange and Collaboration funding award in 2018. He was a visiting Scholar at Stanford Law School, Stanford University in 2016 and in the same year he was recognised by Stellenbosch University as part of the group of approximately 40 researchers within the University who made the biggest contribution in terms of accredited scientific publications. In 2020 he was awarded the prestigious Georg Forster Fellowship Award of the Alexander von Humboldt Foundation in Germany. Prof Broodryk has published widely and, in 2018, he authored *Eckard's Principles of Civil Procedure in the Magistrates' Court* (6th ed (Juta)) a widely used book.

Prof Juana Coetzee

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Fields of specialisation: International Sales Law; Incoterms; Law of Contract

Juana Coetzee is an Associate Professor in the Department of Mercantile Law. She joined the faculty in January 1999 after having practised as an attorney. She specialises in International Sales Law, more specifically methods of unification and standardisation, such as the UN Convention on Contracts for the International Sale of Goods and Incoterms. The theme of her doctoral dissertation was "Incoterms as form of standardisation in international sales law: an analysis of the interplay between mercantile custom and substantive sales law with specific reference to the passing of risk". For purposes of her research, she was a visiting scholar at UNCITRAL in Vienna Austria, as well as the Clark Centre for International Legal Studies at Cornell Law School in the USA. She teaches International Business Transactions at LLM level and Transportation Law and Internet Law at LLB level. On undergraduate level, she also teaches service courses in Mercantile Law for the Faculty of Economic and Management Sciences.

Prof Christoph Garbers

BLC•LLB•(Pret)•BCom•(Hons)(Econ)•[cum laude]•(UNISA)•LLM•[cum laude]•(Stell)
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Field of specialisation: Labour Law

Christoph Garbers is an Associate Professor in the Department of Mercantile Law where he specializes in Labour Law, with a specific interest in Employment Discrimination Law and the interaction between economics and Labour Law. He teaches labour law to LLB and LLM students and also supervises postgraduate research in different areas of labour law. Prof Garbers is an admitted attorney of the High Court of South Africa. He is the author, co-author or editor of

7 books (including the foundational textbook *Essential Labour Law*), the author or co-author of 12 chapters in books and the author or co-author of 15 articles, primarily in the field of labour law. He has presented conference and seminar papers on different aspects of labour law, including the economic effect of Labour Law, on 29 occasions. He consults widely in the field of Labour Law and has also been an associate of the Centre for Business Law at UNISA since 1993 where he continues to present their Advanced Labour Law Programme, Practical Labour Law Programme, Labour Arbitration Workshops as well as workshops in Practical Discipline and Performance Management and Cross-examination. During 2014, at the invitation of and by agreement with the CCMA and the broader labour relations practice industry, Prof Garbers established the Certificate Programme in Labour Dispute Resolution Practice at Stellenbosch University designed to enhance the skills of labour law practitioners and to train CCMA commissioners and bargaining council panellists. This programme currently attracts in the region of 200 students per year from all over the country.

Prof Andre Louw

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Fields of specialisation: Sports Law; Labour Law; Contract Law

Andre Louw is an Associate Professor in the Department of Mercantile Law. He teaches Labour Law. He has published both locally and internationally in the areas of Sports Law, Labour Law and Contract Law. Prof Louw is currently the editor of the *Stellenbosch Law Review* (2017-2019).



Prof Bradley Slade

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Fields of specialisation: Expropriation Law and Institutional Constitutional Law

Bradley Slade is an Associate Professor in the Department of Public Law. In 2012 Prof Slade received the LLD degree for his dissertation entitled "The Justification of Expropriation for Economic Development". During his post-graduate studies, Prof Slade was a research intern at the South African Research Chair in Property Law at Stellenbosch University. Prof Slade taught at the Faculty of Law, University of Johannesburg, before joining the Faculty of Law, Stellenbosch University, in 2014. Prof Slade lectures constitutional history, basic constitutional principles, and Institutional Constitutional Law. Prof Slade is currently an editor of the *South African Journal on Human Rights*.

Prof Richard Stevens

BA•LLB•(Stell)•LLM•(Tübingen)•LLD•(Stell)

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Fields of specialisation: Company Law

Richard Stevens is an Associate Professor in the Department of Mercantile Law and the Vice Dean of the Faculty. Prof Stevens has been involved at the faculty, initially lecturing Insolvency Law, from 1999 and then Company Law since 2004. He has presented in the area of Company Law at international conferences in Scotland, the Netherlands and Australia. His focus is on liability within company groups and he publishes predominantly in this area of Company Law. His focus is furthermore on the position of directors and their fiduciary duties. He is an admitted attorney and served as candidate attorney at Webber Wentzel where he also remained as admitted attorney prior to joining the faculty. He is an accredited commercial mediator and a director at Cluver Markotter in the Commercial and Labour Law department on a part-time

basis. He completed his Master of Laws degree at the University of Tübingen, Germany and his doctoral degree at the Stellenbosch University.

SENIOR LECTURERS

Dr Izelle du Plessis

BCom•LLB•(Stell)•LLM (Tax)•(UCT)•

LLD•(Stell)

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Fields of specialisation: Tax Law and Company Law

Izelle du Plessis is a senior lecturer in the Department of Mercantile Law. She teaches Tax Law and Company Law. Having practiced as a commercial attorney for a number of years, she later joined the tax department of an international audit firm. Dr du Plessis was appointed to the Faculty in 2004 and her research focusses on tax law. The title of her LL.D dissertation is "A South African Perspective on some Critical Issues regarding the OECD Model Tax Convention on Income and on Capital, with Special Emphasis on its Application to Trusts".

Ms Ray de Villiers

BA•LLB•(Stell)•LLM•(UJ)

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Fields of specialisation: Law of Contract; Roman Law; Private International Law; Consumer Protection

Ray de Villiers is a senior lecturer in the Department of Private Law. She joined the Faculty in 2008. After having completed her articles at Hofmeyr Inc., she commenced postgraduate studies at Rand Afrikaans University (as it then was) and received the LLM for a thesis "Consumer Protection under Chapter 7 of the ECT Act". Her research focus is Private International Law.

Dr Debbie Horsten

BCom [cum laude]•LLB [cum laude]•LLM•LLD•(NWU)

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Fields of specialisation:

Child and Family Law
Debbie Horsten is a senior lecturer in the Department of Private Law. She joined the Faculty in 2013. Prior to this she was a senior lecturer at the North-West University. She completed her LLD in Constitutional Law in 2014 and her dissertation was titled "The right to access to medicine in South Africa within the international intellectual property regime". She lectures The Law of Persons and Advanced Family Law. Her area of interest includes a wide range of topics within the fields of Family Law and Child Law.

Dr Enelia Jansen van Rensburg

BA•LLB [cum laude]•(Stell)•LLM•(Tax)•(UCT)•LLD•(Pret)

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Fields of specialisation:

Company Law; Income Tax Law; International Tax Law
Enelia Jansen van Rensburg is a senior lecturer in the Department of Mercantile Law. After completion of her undergraduate degrees at Stellenbosch University, Dr Jansen van Rensburg joined a firm of attorneys, where she completed her articles of clerkship and worked as a practicing attorney. Subsequently she obtained a LLM (Tax) degree at Cape Town University whilst working at the tax advisory group of an international professional services firm, first in Cape Town and then in Melbourne, Australia. She later joined the University of Melbourne, where she taught the law of taxation.
Dr Jansen van Rensburg subsequently started lecturing at Stellenbosch University and also obtained a LLD degree at the University of Pretoria. Her dissertation dealt with an aspect of international tax law.

Dr Lize Mills

BA•LLB•LLM•LLD•(Stell)

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Field of specialisation:

Children's Rights
Lize Mills is a senior lecturer in the Department of Private Law. Dr Mills is responsible for several of the modules taught at the Faculty in the areas of The Law of Persons, Family Law and Child Law. She also previously lectured Private International Law, The Law of Succession and Introduction to Law. Her specific field of interest lies in children's rights, although she also studies some aspects of Consumer Law and Food Law. Her doctoral studies uniquely encompassed these interests by examining how the best interests of the child are given practical consideration when the marketing of food to children is being regulated.

Dr Franziska Myburgh

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Field of specialisation:

Contract Law
Franziska Myburgh is a senior lecturer in the Department of Private Law. She joined the Faculty in 2009 and obtained her LLD for a dissertation entitled "Statutory Formalities in South African Law" in 2013. Part of her doctoral research was conducted at the Max Planck Institute for Comparative and International Private Law in Hamburg, Germany. Her field of interest is the Law of Contract, including Specific Contracts and Consumer Law. She currently lectures the Specific Contracts module as well as part of the general Contract Law module. She has also lectured in the module on Consumer Law in the past.

Dr Mary Nel

BA•LLB [cum laude]•LLM [cum laude]•(Stell)•

MPhil (Criminology)•(Cantab)•LLD•(Stell)

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Fields of specialisation:

Criminal Law and Human Rights Law, including the constitutionality of existing crimes and the need for the criminal justice system to function more effectively
Mary Nel is a senior lecturer in the Department of Public Law. She received the Rector's Award for Outstanding Teaching in 2002 and in 2017. In addition to Criminal Law, Criminology and Human Rights, she has an interest in the teaching and learning process, especially regarding integrating innovative electronic teaching techniques and traditional teaching methods. In 2004 Dr Nel was awarded a full Commonwealth (Cambridge) Scholarship to study at Cambridge University. After completing an M.Phil in Criminology she received the Manuel Lopez-Rey Graduate Prize for the highest marks obtained for the course in 2004-2005.

She is the academic director of the Ubuntu Learning Community, an initiative creating an opportunity for incarcerated individuals to learn alongside SU students and academics. This is South Africa's first prison-university partnership.

Mr Pieter Oosthuizen

BA•Blur•(UNISA)•LLB•LLM (Tax)•(Pret)

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Fields of specialisation:

Income Tax; Value-Added Tax; Estate Duty; Estate Planning; Transfer Duty and Donations Tax
Pieter G Oosthuizen is a senior lecturer in the Department of Mercantile Law. He has acted as departmental chairperson on several occasions. He was admitted as an advocate of the High Court of South Africa in 1988. Pieter joined the Faculty in 1997, commissioned to establish the advanced legal study of tax law. He developed and introduced and has taught the Postgrad-

uate Diploma in Tax Law since 1999. Prior to teaching tax law, Mr Oosthuizen worked at the South African Revenue Service (SARS), where he held the position of senior tax advocate. He represented the Commissioner for SARS as advocate in more than 250 tax cases and formed part of his legal-advisors team. He lobbied for and drafted legislation, which finally resulted in the introduction of the Tax Board in 1992. He lobbied for and served on the committee responsible for the computerisation of SARS. He served on the executive team, transforming Inland Revenue into the newly established SARS.

Dr Bernard Wessels

BA•BA (Hons)•LLB [cum laude]•(Stell)•BCL•(Oxon)•LLD•(Stell)

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Fields of specialisation:

Law of Delict; Comparative Law and Legal History
Bernard Wessels is a senior lecturer in the Department of Private Law. He obtained his BA (Humanities), BA (Hons) (Afrikaans and Dutch) and his LLB from the University of Stellenbosch. He completed his articles of clerkship at Edward Nathan Sonnenbergs Inc. and was admitted as an attorney of the Supreme Court of South Africa in Cape Town in 2010. In 2012 he joined the Faculty as a lecturer. He currently teaches Law of Delict and is also involved in the LLM in Comparative Private Law. In 2014 he obtained his BCL degree (*first*) from the University of Oxford (University College) and in 2018 he obtained his LLD degree from the University of Stellenbosch. The title of the dissertation was "Developing the South African law of delict the creation of a statutory compensation fund for crime victims".



The Ou Hoofgebou (Old Main Building) home of the Faculty of Law.

EXTRAORDINARY SENIOR LECTURER

Prof Tshepo Madlingozi

Tshepo Madlingozi (LLB LLM MSocSci (Pret) PhD (Birbeck University of London)) is the current director of the Centre for Applied Legal Studies at the University of Witwatersrand. Prior to joining CALS, he held a senior lecturer position at the University of Pretoria. Prof Madlingozi is a human rights activist and scholar.

LECTURERS

Mrs Silke de Lange

BAccLLB [cum laude]•MCom (Tax) [cum laude]•(Stell)
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Fields of specialisation: Law of Taxation; Company Law

Silke de Lange is a lecturer in the Department of Mercantile Law. She is an admitted attorney and notary, and joined the Faculty in 2014. Her master's degree research project was in the area of tax administration. Her areas of interest include Taxation and Company Law, with publications in both areas from an administrative law point of view.

Mrs Ebrezia Johnson

LLB•LLM•(Stell)
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Fields of specialisation: Land Reform; Communal Land Rights; Evictions and African Customary Law

Ebrezia Johnson is a lecturer in the Department of Private Law. She joined the Faculty in 2005. She lectures Introduction to Law and African Customary Law. Her field of interest includes a wide range of topics including Land Reform and Housing and also the rights of Women and Children in the new South Africa.

Ms Gretchen Jansen

LLB•LLM•(Intellectual Property Law)•(Stell)
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Fields of specialisation: Intellectual Property Law, Copyright Law and Performer's rights

Gretchen Jansen is a lecturer in the Department of Mercantile Law. She joined the Faculty in 2020. Ms Jansen completed her LLB and LLM (Intellectual Property Law) degrees at Stellenbosch University in 2017 and 2018 respectively. Prior to joining the Department of Mercantile Law, she was a temporary assistant lecturer at the SU Law Clinic, where she was responsible for a portion of Practical Legal Training.

Ms Katlego Mthelebofu

LLB•(Pret)•LLM•(Stell)
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Fields of specialisation: Company Law; Insolvency Law

Katlego Mmakosha Mthelebofu is a lecturer in the Department of Mercantile Law. She currently lectures Company Law to non-law students and Insolvency Law.

Ms Mthelebofu previously interned at the Department of International Relations and Cooperation (DIRCO) as well as Pro Bono.org, a non-profit company (NPC). She was also a Trainee Investigator at the Office of the Public Protector before assuming a position within the Faculty of Law, Stellenbosch.

Mr Thala Msutu

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Fields of specialisation: Insolvency Law; Company Law; Competition Law

Thala Msutu is a lecturer in the Department of Mercantile Law, joining Stellenbosch University in 2019. Mr Msutu was admitted as an attorney after completing his articles in 2019. During his

articles, he was one of the contributing editors of the Butterworths Law Reports in Competition Law for 2017 and 2018. Mr Msutu has also completed a vacation work programme at the Competition Tribunal in Pretoria in 2016.

Ms Nondumiso Phenyane

BSocSci•LLB•LLM•(UCT)
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Fields of specialisation: Law of Evidence; Law of Criminal Procedure; Legal Education

Nondumiso Phenyane is a lecturer in the Departments of Public and Mercantile Law. She was awarded the Ethel Walt Human Rights Scholarship for her LLM degree, which she completed at the University of Cape Town. In 2016 Ms Phenyane worked as a Graduate Teaching Assistant at the University of Cape Town, tutoring the Law of Evidence, Criminal Procedure and International Law. In 2017 she was appointed as a Legal Researcher at the Supreme Court of Appeal (SCA). In line with her interest in procedural law, Ms Phenyane also does legal research for the Juta & Co Commentary on the Criminal Procedure Act.

In June 2019, Ms Phenyane was selected as one of the Mail & Guardian 200 Young South Africans. In 2016, she was awarded the South African Law Reform Commission (SALRC) Ismail Mohammed Law Reform Essay prize in the LLM category. In 2012, she graduated from the South Africa-Washington International Program (SAWIP) which enabled her to serve as an apprentice at C-Span Cable Network and later at the Washington National Cathedral. Ms Phenyane's research interests are the Law of Evidence and Access to Justice in urban townships, Conflict Resolution in relation to Strikes and Protests, as well as Teaching and Learning.

JUNIOR LECTURER

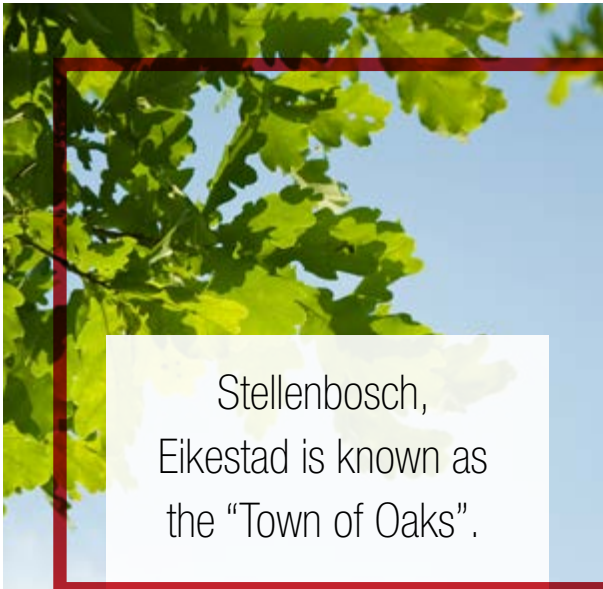
Ms Takalanga Maziya

BA•LLB•(Rhodes)•LLM•(Stell)
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Fields of specialisation: Gender Equality Law; Customary law; Law of Intestate Succession; The Rights of Stateless Children

Takalanga Maziya is a junior lecturer in the Department of Private Law. She joined the department under the nGAP (New Generation of Academics Programme) in May 2018 and is currently co-lecturing the Law of Succession. After completing her studies, she worked as a legal intern in the Department of Science and Technology in the Legal Services Department and thereafter as a candidate attorney at Legal Aid Justice Board in Johannesburg.

Ms Maziya is currently reading for a Master of Laws (LLM) at Stellenbosch University.



Stellenbosch,
Eikestad is known as
the "Town of Oaks".

FACULTY MANAGER

Mrs Karin Wiss

LLB•(Unisa)

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Karin Wiss is an admitted attorney, conveyancer, notary and sworn translator. After having spent a number of years in practice, she joined Stellenbosch University at the end of 2009.

She is responsible for a variety of academic and non-academic functions, including but not limited to faculty budgeting, aspects of human resource management, strategic initiatives within the Faculty, enrolment planning (including recruitment and selection of students), internationalisation (including student exchange programmes), the structured LLM programmes, readmissions and timetabling. Mrs Wiss serves on various committees in the wider University structures, including the Welcoming Programme Committee, Timetabling Committee, Faculty Managers Forum, Media Forum and Alumni Forum.

SENIOR ATTORNEY

Mr Stephan van der Merwe

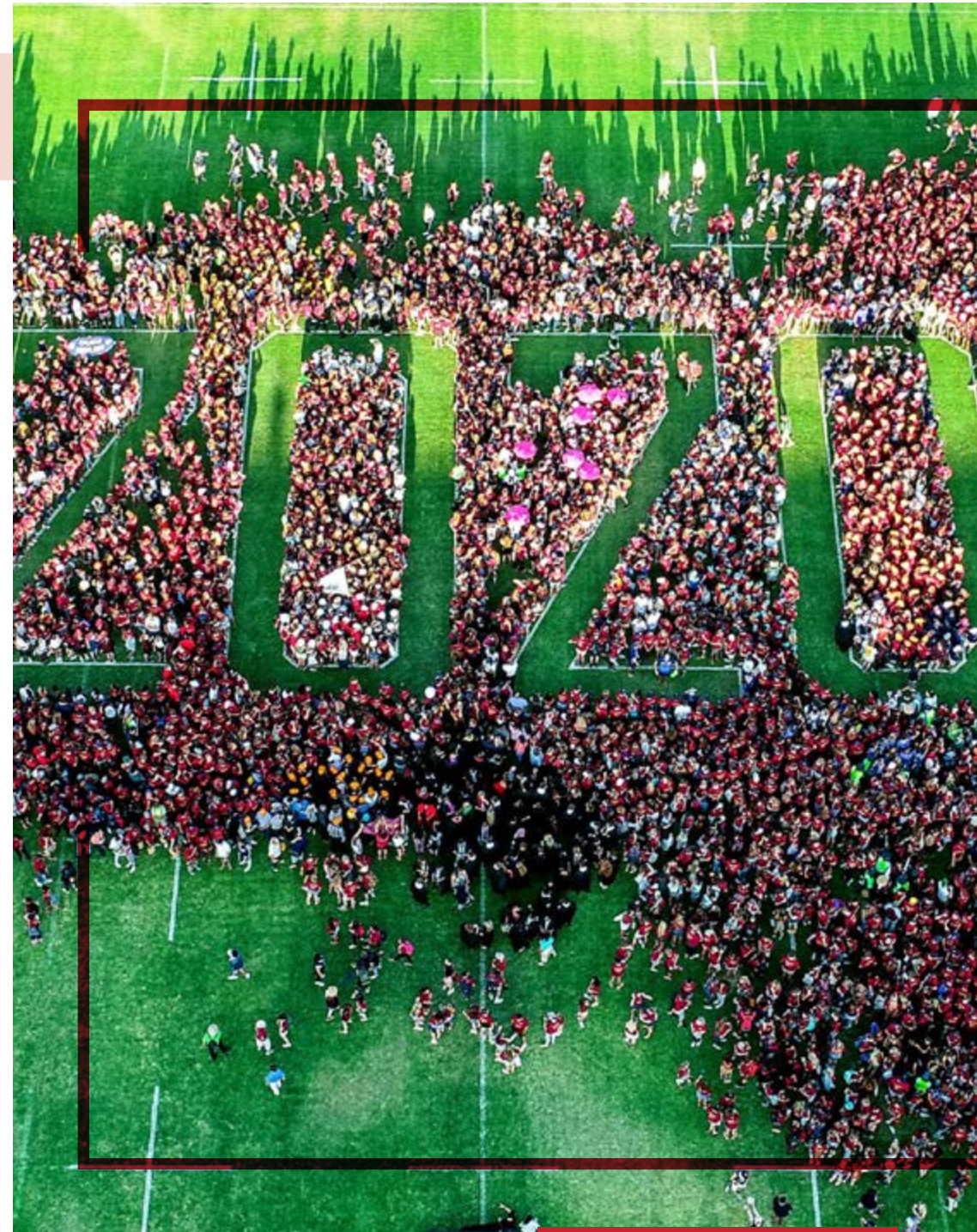
BCom•LLB•(Stell)•PG Dip Higher Education

Teaching and Learning [cum laude]•LLM [cum laude]•(Stell)

Stephan van der Merwe is an admitted attorney and notary.

Mr van der Merwe lectures Civil Procedure, Practical Legal Training and Legal Skills and is deeply involved with community service in his capacity as the senior supervising attorney at the SU Law Clinic. During the early 2000's his work was instrumental in exposing the interest fraud, which eventually led to the demise of Saambou Bank. He also has extensive experience representing debtors in rescission of judgment and emoluments attachment order cases and his practice and research in this regard proved valuable in framing the applicant's case in the Constitutional Court matter of University of Stellenbosch Legal Aid Clinic & others v Minister of Justice and Correctional Services & Others [2016] ZACC 32. He has been the Clinic's principal attorney on various other impact litigation matters related to his field of practice, including the 2019 in duplum case (University of Stellenbosch Law Clinic & 11 Others v The National Credit Regulator & 48 Others) and the University of Stellenbosch Law Clinic & 8 Others v Lifestyle Direct Group International (Pty) Ltd & 18 Others class action filed during 2019.

Mr van der Merwe is a former secretary and treasurer of the South African University Law Clinic Association (SAULCA) and is currently a member of the International Association of Legal Ethics and a Fellow of the National Institute for Teaching Ethics & Professionalism (NIFTEP), based at Georgia State University, USA. He has published a number of articles in accredited journals and his academic field of interest is Clinical Legal Education. In 2019 he was awarded the Stellenbosch University Institutional Teaching Excellence Award in the category 'Developing Teacher'.



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