



UNIVERSITEIT
iYUNIVESITHI
STELLENBOSCH
UNIVERSITY

100
1918 - 2018



FACULTY OF LAW
NEWSLETTER

— 2019 —

FAKULTEIT REGSGELEERDHEID
NUUSBRIEF

Welcoming word from the Dean

Dear friend,

We are winding-down a busy and rewarding year at the Ou Hoofgebou. Thanks to good winter rains, our gardens are beautiful as graduations approach. There is indeed much that we are grateful for.

We focus on people, programmes, and place. Not many people realise that we offer five articulation routes to obtaining an LLB degree at Maties. After a long engagement with the relevant authorities, we received the excellent news that one of these, the BAccLLB, has been re-accredited and we will continue offering this sought-after and one-of-a-kind programme in 2020 (the other Stellenbosch LLB programmes were re-accredited in 2018). Our alumni and current students gave important inputs in our programme renewal process. Almost 500 alumni responded to (and spent on average 35 minutes on) our questionnaire, which gave us valuable insight as to our areas of strength and opportunities for further improvement. Thank you for your time and support. In the postgraduate programme, we are looking forward to introducing a new professional LLM in Public Procurement next year after it was given the green light in 2019.

In 2021, our Faculty will commemorate our centenary year. Suffice it to say that our Faculty has grown, for example from January 2020 we will have 37 permanent academic staff members while we started out with only three. Our Law Clinic has also grown significantly with the support of loyal donors and collaborators. Our growth gave us the opportunity to diversify; both in terms of demographics and areas of expertise. Several temporary and ad hoc experts further augment our permanent ranks to help us pursue our goals. There is a well-known story that President John F Kennedy, while visiting and touring the NASA headquarters in 1961, introduced himself to a janitor. After introducing himself to the janitor who was mopping the floor, he asked him what he did at NASA. The janitor answered: "I'm helping put a man on the moon!" Together our academic, support, and professional staff encompass a strong team that is focused on excellence in research, teaching and learning and social impact. This focus helps us to weather the unavoidable realities that we face as an academic community such as the financial needs of our students and the impact of gender-based violence on students and staff.

Our student numbers have remained stable over the last three years although our admission requirements have been adjusted upwards. We focus on student success and this requires a focus on people, programmes, and place. A record number of law students were assisted financially with bursaries over the last year due to institutional support and the generous support of alumni.

We are excited that during the course of 2020, the Preamble of the Constitution of the Republic of South Africa, 1996 will be installed as a visual art project in front of the Faculty building. This follows a long and extensive process to realise this dream. Next year will also see the upgrade of Room 2027 (on the top floor) into a multi-functional moot court, lecture room, and conference facility with cutting-edge technology and audio-visual capability. The venue (and rest of the building) will be universally accessible, another goal that we are grateful to see realised. This project together with the installation of an additional fire escape staircase in the quadrangle does, however, mean that 2020 will be a challenging year due to the impact of these building projects on our work.

The Faculty has not issued a newsletter recently, so we are excited to do so now. We trust that you will enjoy reading about some of the activities of our team. These activities were wide-ranging (from the golf course, conference venue, moot court, and sports field to the international stage). Please share the newsletter and give us your feedback so that we can incorporate it into the two newsletters planned for 2020.

On behalf of the Faculty, I wish you and your loved ones a restful and peaceful festive season. I also wish to thank our staff and students for making this Faculty vibrant and relevant. I look forward to continuing our journey together in 2020.

Please also feel free to join our Facebook Group at <https://www.facebook.com/Stellenbosch.Law/> to keep up with developments in law and in the Faculty on a regular basis.

Nicola Smit
Dean



Beste vriend,

By die Ou Hoofgebou is ons besig om 'n besige en lonende jaar af te sluit. Danksy goeie winterreën, is ons tuine pragtig soos gradeplegtighede nader kom. Daar is inderdaad baie waarvoor ons dankbaar is.

Ons fokus is op mense, programme en plek. Nie baie mense beseef dat ons vyf artikulasie-roetes aanbied om 'n LLB-graad by Maties te verwerf nie. Na 'n lang gesprek met die betrokke owerhede, het ons die uitstekende nuus ontvang dat een van hierdie roetes, die BRekLLB, herakkrediteer is en dat ons in 2020 weer hierdie gesogte en eie in sy soort program sal aanbied (die ander Stellenbosch LLB-programme is reeds in 2018 herakkrediteer). Ons alumni en huidige studente het belangrike insette gelewer in ons programvernuwingsproses. Byna 500 alumni het op ons vraelys gereageer (en gemiddeld 35 minute daaraan spandeer), wat ons waardevolle insig gegee het rakende ons sterkpunte en geleenthede vir verdere verbetering. Baie dankie vir u tyd en ondersteuning. In die nagraadse program sien ons daarna uit om volgende jaar 'n nuwe professionele LLM-program in Openbare Verkrygingsreg bekend te stel nadat dit in 2019 goedgekeur is.

In 2021, herdenk ons Fakulteit ons eeufeesjaar. Ons Fakulteit het noemenswaardige groei getoon; byvoorbeeld, vanaf Januarie 2020 sal ons nou 37 permanente akademiese personele hê, alhoewel ons met slegs drie begin het. Ons Regskliniek het ook aansienlik gegroei met die ondersteuning van lojale donateurs en medewerkers. Hierdie groei het ons die geleentheid gebied om te diversifiseer – beide ten opsigte van demografie en kundigheid-sareas. Verskeie tydelike en ad hoc-kundiges versterk verder ons permanente geleedere en help ons om ons doelwitte na te streef. Daar is 'n bekende verhaal dat president John F Kennedy, terwyl hy in 1961 die hoofkantoor van NASA besoek het, homself aan 'n opsigter voorgestel het. Nadat hy homself aan die opsigter, wie besig was om die vloer te was, voorgestel het, vra hy hom wat hy by NASA doen. Die opsigter het geantwoord: "Ek help om 'n man op die maan te plaas!" Saam maak ons akademiese, onders-teunende, en professionele personeel 'n sterk span wat fokus op uitnemendheid in navorsing, onderrig en leer asook sosiale impak. Hierdie fokus help ons om die onvermydelike realiteite wat ons as akademiese gemeenskap in die gesig staar, soos die finansiële behoeftes van ons studente en die impak van geslagsgebaseerde geweld op beide studente en personeel, af te weer.

Ons studentegetalle het die afgelope drie jaar konstant gebly, alhoewel ons toelatingsvereistes verhoog is. 'n Rekordgetal regstude-nte is die afgelope jaar met beurse finansiëel bygestaan, weens institusionele ondersteuning en die ruim steun van alumni.

Ons is verder opgewonde dat die aanhef van die Grondwet van die Republiek van Suid-Afrika, 1996 in die loop van 2020, as 'n visuele kunsprojek voor die Fakulteitsgebou geïnstalleer sal word. Dit volg na 'n lang en uitgebreide proses om hierdie droom te verwesenlik. Volgende jaar sal Kamer 2027 (op die boonste vloer) ook opgegradeer word na 'n multifunksionele skynhof-, lesinglokaal, en konferensiefasiliteit met die nuutste oudiovisuele tegnologie. Die lokaal (en die res van die gebou) sal universeel toeganklik wees, 'n verdere doelwit wat ons dankbaar is om te verwesenlik. Hierdie projek, tesame met die installering van 'n ekstra brandtrap in die vierkant, beteken egter dat 2020 'n uitdagende jaar sal wees as

Verwelkoming vanaf die Dekaan

gevolg van die impak van hierdie bouprojekte op ons werk.

Die Fakulteit het nie onlangs 'n nuusbrief uitgereik nie, en daarom is ons opgewonde om dit nou te kan doen. Ons vertrou dat u dit sal geniet om oor die aktiwiteite van ons span te lees. Hierdie aktiwiteite was wydverspreid (van die gholfbaan, konferensiesentrum, skynhof en sportveld tot die internasionale verhoog). Deel asseblief hierdie nuusbrief en stuur ons u terugvoer, sodat ons dit kan sluit in die twee nuusbriewe wat vir 2020 beplan is.

Namens die Fakulteit wens ek u en u geliefdes 'n rustige en vredevolle feestyd toe. Ek wil ook ons personeel en studente bedank dat hulle hierdie fakulteit lewendig en relevant hou. Ek sien daarna uit om ons reis saam in 2020 voort te sit.

Egameni lale Fakhalthi, ndinqwenelela wena nabo basenyongweni kuwe ixesha lemibhiyozo eliya kunithi jize ngokuphumla noxolo. Kananjalo ndiphosa ilizwi lombulelo kwisitafu sethu ndawonye naba-fundi bethu ngokwenza le Fakhathi ibe yenodlamko neyimfuneko ngokunjalo. Ndiyathemba ukuba siya kuqhubeka ngolu hambo sikunye phaya ngo-2020.

Sluit gerus by ons Facebook-groep aan by <https://www.facebook.com/Stellenbosch.Law/> om op hoogte te bly van die ontwikkelings in die regte en in die Fakulteit.

Nicola Smit
Dekaan

Internationalisation – *Internasionalisering*



Several colleagues undertook international visits during 2019 (see more about individual visits later in this newsletter). On an institutional level, the Faculty is reviewing its current collaborations to see whether they are still active while also reflecting on new partnerships considering respective areas of strength, existing collaboration, and the geographical spread of partners. Stellenbosch University (SU) became a member of the Asian Law Institute (ASLI) in June 2019 and is a long-standing member of the International Association of Law Schools (IALS) and other international associations. During 2019, the Faculty received visits from delegates from amongst others, Sweden, the United Kingdom, Australia, Slovenia, Belgium, and Germany.

With regard to current collaborations, Prof Nicola Smit (Dean) and Mrs Karin Wiss (Faculty Manager) visited partner universities in the Netherlands and Belgium at the beginning of September 2019. They visited six universities over seven days in five cities. The busy schedule was well worth it as they received warm welcomes from our partners and had fruitful deliberations regarding updating old memorandums of agreement, in particular student and staff development and exchanges, a joint postgraduate degree and knowledge exchange (e.g. with regard to Artificial Intelligence and Law). The following partners (many of them from the top 30 of the Times Higher Education World Rankings for Law Faculties) were visited:

At Vrije Universiteit Amsterdam a meeting was held with the acting Dean (Prof Dr Edward Kleemans) and the coordinator of international relations in the Faculty of Law, Prof Gareth Davies.

At the neighbouring Amsterdam University, the Dean and Faculty Manager met with Prof André Nollkaemper (Dean) and Mrs Johanna Vogel. A couple of evenings later, at a SU Alumni Function in Amsterdam hosted by Prof Wim de Villiers, there were two SU law exchange students currently at Vrije Universiteit and several faculty alumni present. It turned out to be an excellent evening at a venue close to the beautiful old Central Station.



Visiting the beautiful town of Leiden, a meeting was held at Leiden University with Prof Dr Joanne van der Leun (Dean), Mirjam Sombroek (Faculty Director), Prof Ton Liefwaard and Mrs Anette van Sandwijk. It was beneficial to already welcome Prof Reinout Vriesendorp (a specialist in the Law of Insolvency) to Stellenbosch during October, following our September meeting.

Prof Dr Janneke Plantenga (Dean), Mr Ivo Giesen (Head of Law), Mrs Elaine Mak (Vice-Dean) and Mr Caspar de Bok (Head of International Affairs) from Utrecht University met with Prof Smit and Mrs Wiss on a rainy afternoon. By chance, Prof Smit and Mrs Wiss also ran into two of our SU exchange students in the lobby. Utrecht has even more bicycles than Amsterdam and another popular destination for exchange students.

The University of Antwerpen with its interesting campus and art projects hosted the penultimate meeting. Prof Dr Frederik Swennen (Dean), Prof Thalia Kruger, Mr Filip Seuntjens (Faculty Director) and Mrs Nele Voorspoels (International Relations Officer) met with the SU delegates.

The last (and longest) visit was in Leuven at KU Leuven, founded in 1835. Prof Smit and Mrs Wiss report that they enjoyed a very productive and friendly meeting with Prof Bernard Tillemans (Dean), Prof Danny Pieters, Prof Vincent Sagaert, Prof Kurt Willems and Greet de Wulf (International Relations Officer). Discussions included collaboration in the area of postgraduate programmes. Prof Jacques Herbots, Prof Paul Schoukens, Prof Koen Lemmens and two doctoral students also attended a dinner at the Faculty Club. Prof Willems is now visiting our Faculty during November and December 2019 and Prof Pieters will present lectures in Stellenbosch in February 2020.

The Faculty looks forward to renewed and increased cooperation with our Netherland-Belgium partners.

Prof Philip Sutherland and Mr Thala Msutu joined a delegation from SU that spent a week at Leipzig University in Germany from 23-29 June 2019 in a trip organised by the SU International Office. Svend Poller, the Director of the International Centre, hosted the SU delegation. Prof Sutherland and Mr Msutu also met with their counterparts in the Leipzig University Faculty of Law in order to discuss possible collaboration between the two institutions and in order to grow the relationship between the two institutions. They had meetings with Prof Tim Drygala (Dean of the Faculty and professor in commercial law), Prof Christian Berger (head of the Ernst Jaeger Institute for Corporate Restructuring and Insolvency Law), Prof Jochen Mohr (Chair of Civil Law, Competition Law, Energy Law, Regulatory Law and Labour Law), Prof Dorte Poelzig (Chair of Civil Law, German and International Business Law) and Prof Justus Meyer (professor in commercial law).



Fondswerwing

Jan Calitz, Pieter du Toit, Sean Walsh, George Steyn

Fundraising –

We recognise the importance of producing graduates who reflect the diverse demographics of South Africa and therefore the Law Faculty is deeply invested in ensuring that students of colour who enter undergraduate degrees are provided with both financial and academic support that leads to their entry into the world of law. Moreover, the Faculty deems its people as its most valuable resources and therefore wants to invest in the development of new academics, support research initiatives and attract and retain excellent scholars. We seek partners to help us in providing bursary funding to academically deserving law students from low-resource backgrounds and to help sustain excellence in our Faculty. Various fundraising initiatives are in place; our alumni have taken a leading role in this regard for which we are very appreciative. During 2019, the Faculty decided to make a concerted effort to seek additional support and hosted a golf day. The Law Faculty Trust (inaugural) golf day was held at Stellenbosch Golf Club on 19 September 2019. The aim of the golf day was to raise funds for the Law Faculty Trust. The day was a remarkable success and more than R500 000 was raised through especially the generosity of Investec Asset Management, Distell as well as the participants. Auctions items were donated by Piet Dekker (architect), Thuli Madonsela, Spoegwolf, SureTravel, Turkish Airlines, Pinnacle Point, Mantis Collection, Lyn Smuts and Gerard de Villiers (Kleinood). Jan Braai donated his time as auctioneer. Muratie and Villiera donated wine for the dinner table whilst Webber Wentzel donated the first prize. There were 17 four balls who played to a shotgun start and the format was an Alliance. The winning four-ball was Peter Hill, Francois Langenberg, Neville Carew and Damien Burger.

The Faculty furthermore used the opportunity of Prof Madonsela being honoured with the Leadership for Justice Award from Shared Interest (founded in New York by anti-apartheid campaigner Donna Katzin) in April 2019, to host an Alumni and Friends event in New York and to organise a dinner with individuals representing large foundations or who are current and potential donors. There was also an opportunity for Prof Smit and Prof Madonsela (together with Development and Alumni Relations colleagues, Sarah Archer and Shaun Stuart) to meet with organisations with international convening power (including the Rockefeller Foundation). We are grateful to each person who contributed in money or kind to the success of our Faculty, and students during the course of the last year.

Research Chairs/Units Leerstoel/Eenhede

African Procurement Law Unit (APLU)



Participants from the Public Protector's Mpumalanga office – seated: Mr Botromia Sithole, Public Protector representative for Mpumalanga; Adv Kevin Malunga, Deputy Public Protector, Prof Sope Williams-Elegbe, Ms Michaela Braun, Konrad Adenauer Stiftung

APLU delivers training to investigators of the public protector

In 2019, APLU completed its four-year collaboration with the Konrad Adenauer Stiftung and the Office of the Public Protector of South Africa in training investigators of the Public Protector's office in Public Procurement Law. From 15 to 19 July 2019, Prof Geo Quinot and Prof Sope Williams-Elegbe travelled to Mbombela to conduct an intensive one-week training programme with investigators in the Public Protector's Mpumalanga office. This was followed by the final session of the programme from 4 to 8 November in Polokwane where training was offered to the Limpopo offices. These were the eighth and ninth provincial offices to be targeted in this programme, which started in 2016 when the original programme was piloted at the Public Protector's head office in Pretoria. The conclusion of this four-year project resulted in all investigators of the Public Protector's office having received intensive training in Public Procurement Law.



Participants from the Public Protector's Limpopo offices – seated: Mr Moritz Sprenker, Konrad Adenauer Stiftung, Prof Sope Williams-Elegbe, Prof Geo Quinot, Adv Mashaba Matimolane, Public Protector representative for Limpopo

Procurement Day 2019: Focusing on public-private partnerships

APLU's annual Procurement Day took place on 7 May 2019 and was well-attended by a mix of researchers, practitioners and officials interested in public procurement. The speakers were:

- Prof Cao Fuguo (Professor of Law, Central University of Finance and Economics School of Law in Beijing, China, Director of the China Institute for Public Procurement Studies)
- Dr George Nwangwu (Associate Director and Head of Legal and Project Finance for Africa PPP Advisory Services Limited, Nigeria and author of Public Private Partnerships in Nigeria)
- Dr Allison Anthony (Senior lecturer, UNISA College of Law, Deputy Director: APLU)
- Prof Geo Quinot (Professor of Law, SU Faculty of Law, Director: APLU)

with APLU's Prof Sope Williams-Elegbe moderating the discussion.

The focus of the seminar was the legal regulation of public-private



partnerships (PPPs). The speakers discussed a range of issues relating to the regulation of PPPs from both South African and international perspectives. Prof Fuguo and Dr Nwangwu shared experiences from China and Nigeria in the regulation of PPPs respectively, while Dr Anthony looked at the regulation of PPPs in the context of infrastructure development in South Africa. Prof Quinot discussed the regulation of unsolicited bids as a commonly-used mechanism in PPP procurement, including in South Africa.



APLU well-represented at global revolutions IX

APLU Fellows at Global Revolutions IX: Mr Songezo Mabece, Prof Geo Quinot, Dr Allison Anthony, Prof Sope Williams-Elegbe, Dr George Nwangwu

APLU collaborated again with the Public Procurement Research Group of the University of Nottingham to support the leading international conference on public procurement law, Public Procurement: Global Revolutions IX, hosted by the PPRG in Nottingham. The 2019 conference – the 9th in the series – took place from 17 to 18 June 2019 at the East Midlands Conference Centre, University of Nottingham, UK.

Various APLU researchers presented papers and chaired workshops at the two-day conference. These included:

- Dr Allison Anthony "The promotion of human rights through public procurement in South African law"
- Dr George Nwangwu "A Comparative Analysis of the Use of Unsolicited Proposal for the Delivery of PPP Projects in Africa"
- Prof Geo Quinot "Conceptualising sustainable public procurement in the Global South – distinct from the North?"
- Prof Dominic Dagbanja "Developments in sustainable public

procurement policy and law in Ghana and Australia"

- Prof Sope Williams-Elegbe "Procurement, corruption and blockchain technology"

as well as former APLU LLM student, Songezo Mabece, who was awarded one of three bursaries to participate in the conference and presented a paper on "Building Institutional Relationships in the Development and Regulation of Public Procurement in South Africa".

The new book publication Public Procurement and Aid Effectiveness: A Roadmap under Construction, co-edited by APLU research fellow, Prof Annamaria la Chimia and published by Hart Publishing was also launched at the conference with a panel discussion on what the future holds for procurement and aid effectiveness. Prof La Chimia and Prof Williams-Elegbe of APLU participated in the panel discussion.

Anton Mostert Chair of Intellectual Property Law

Oxford Soundbite

Prof Sadulla Karjiker was on research leave during 2019, and was hosted as research fellow at Oxford University by Prof Dev Gangjee (Professor of Intellectual Property Law within the Law Faculty at Oxford University and a Tutorial Fellow at St Hilda's College). Prof Gangjee has published widely on the protection of Geographical Indications (GIs), which has been the topic of Prof Karjiker's research during his academic fellowship at Oxford University. His six-month fellowship has been made possible due to the generous funding of the Aall Foundation, facilitated by Steve Georgala, an alumnus of the SU Law Faculty, and a trustee of the Faculty's Law Trust.

World IP day

World IP Day is celebrated annually on 26 April to mark the date in 1970 when the World Intellectual Property Organisation (WIPO) Convention came into force. South Africa has been a member of the WIPO since 1975. The aim of World IP Day is to raise an awareness about the benefits of IP for human progress across all areas of intellectual endeavour. The theme of World IP Day is announced annually by WIPO to focus on a specific area or field of practice where IP continues to have a positive impact. On 25 April 2019 the Chair of IP Law, in cooperation with Innovus, celebrated World IP Day with a public seminar on the theme Reach for Gold: IP and Sport. The seminar included discussions on sports nutrition, cutting-edge technologies in sports, high performance technology support, sport concussion diagnosis and the rise of e-sports. The event allowed attendees to encounter a variety of ground-breaking innovations and was followed by a cocktail reception. The event was sponsored by IP law firms Spoor & Fisher and Von Seidels.

IP Annual Lecture

The 2019 annual Intellectual Property Law Public Lecture that took place on 10 October (presented by the Anton Mostert Chair of Intellectual Property Law) addressed the role of advertising in IP disputes, with a focus on the changes that regulation of advertising has undergone in light of social and economic pressures. The lecture was delivered by Gail Schimmel, the CEO of the Advertising Regulatory Board, on the topic "No Time to be Chicken". Her address dealt with the need to have courage, by consumers, IP rights holders and regulators, to deal with disputes in innovative ways.

HF Oppenheimer Chair in Human Rights Law

A future in human rights? – Panel discussion in honour of Human Rights Day 2019

Authors: Lize-Mari Doubell and Christiaan Van Schalkwyk, LLM Candidates, Faculty of Law

The discourse around human rights often takes place at a level of abstraction that is divorced from the lived reality of many South Africans. Law students are also confronted by the lack of engagement with human rights by legal practice, despite the fundamental human rights guaranteed in the Constitution. These were the main themes which emerged from the human rights panel discussion hosted by the HF Oppenheimer Chair in Human Rights Law and the Law Faculty's Transformation Committee. Titled, "A Future in Human Rights?" students SU were exposed to panellists who have achieved significant victories for human rights in vastly different areas of the law. The common thread, however, which unites these achievements is the positive impact on the lives of ordinary South Africans.

Prof Sandra Liebenberg described the panellists as individuals who have made creative use of the Constitution to advance human rights. For the panellists, a future in human rights for aspiring students means embracing your ideals and being cognisant of the fluid nature of a career in law. "Bring who you are to your job," was one piece of advice offered to students by the panellist Precillar Moyo, an attorney for the Equal Education Law Centre based in Khayelitsha. Being a candidate attorney at a corporate law firm can be a source of invaluable experience, but it does not mean that one is barred from pursuing human rights as a later career path. This was especially the case for panellist Odette Geldenhuys, who pursued various other career paths including documentary film making, before establishing ProBono.org much later in her career. She now works for Webber Wentzel's Pro Bono department where she continues to fight for the advancement of human rights. All the panellists emphasised that litigation should be a last resort and should form part of a broader campaign of human right advocacy.

The concrete meaning we must ascribe to fundamental rights such as equality and human dignity do not take place in a vacuum. Panellist, Nomzamo Zondo, who is the Director of Litigation at the Socio-Economic Rights Institute (SERI) in Johannesburg, shared her experience of litigating on behalf of evicted persons. For Ms Zondo, equality and human dignity became more than litigation tools when acting on behalf of evicted persons. These rights must reflect the lived reality of those affected and it is the duty of human rights lawyers to engage with peoples and communities to understand how these rights can work for ordinary people according to Ms Zondo. She reminded the audience that, "human rights lawyers account to the people" and that "mobilised communities will change the world". Ms Zondo is also particularly fascinated in the politics of protest and believes that more can be done in terms of the Regulation of Gatherings Act to ensure that it gives meaningful effect to the constitutional right of demonstration enshrined in

continued overleaf..

continued from previous page

section 17 of the Bill of Rights. She also commented that the police should gravitate from the role of enforcers, to facilitators of the right to protest.

The panel also underscored that there is potential in the open-ended nature of human rights to address contemporary and future injustices. Equality and human dignity illuminate all other areas of the law and should be a basis for any successful human rights lawyer. In this regard, Ms Mudarikwa drew the students' attention to the involvement of the LRC in a complex case where inter-sex individuals were refused an application to change their sex

She said that the matter was particularly complicated due to an impossible choice that is given to people: to either choose obeying religious values, or the rights and values in the Constitution. The audience was engrossed in this discussion, which raised important issues regarding how rights should be balanced and reconciled under the Constitution. As with most cases, there is no easy solution and the panel agreed that they would not be surprised if the case was appealed.

The evening ended with further networking and discussion over refreshments. The law students who were in attendance left with many new ideas and changed perceptions about the advancement of human rights. With the timing of the event being two days



Human Rights Day Panel Discussion, from left to right: Prof Sandra Liebenberg, HF Oppenheimer Chair in Human Rights Law; Ms Nomzamo Zondo, SERI; Ms Odette Geldenhuys, Webber Wentzel; Ms Precillar Moyo, Equal Education Law Centre; Ms Mandivavarira Mudarikwa, Legal Resources Centre; Prof Bradley Slade, chair, law faculty transformation committee

because their current marriages were heterosexual in terms of the Marriage Act. Ms Mudarikwa emphasised that value-based legal reasoning should play an important part in legal education and the profession.

An interesting debate of the evening revolved around the balance of rights in the Constitution. Specifically, a question was raised about the freedom to religion and same sex marriages. Ms Mudarikwa stated that there is no hierarchy of rights within the Bill of Rights. She emphasised that the law is secular and that these rights do not compete against each other but must rather be harmonised. This discussion was prompted by the recent decision of Gaum and Others v Van Rensburg and Others where it was ruled that the church cannot discriminate against same-sex couples who wish to marry within the church. Ms Moyo disagreed with Ms Mudarikwa on this matter as she stated that rights do clash and that it is the judiciary who is responsible to balance and limit them.

before National Human Rights' Day, students were given a better understanding of how far we had come in South Africa, as well as what the future of human rights in the country looks like. Most importantly, everyone in attendance was exposed to contemporary human rights problems that ordinary South Africans face and what the role of lawyers can be to advance the equal enjoyment of constitutional rights.

Auditor-general presents Annual Human Rights lecture

The Annual Human Rights Lecture series represents a key activity of the HF Oppenheimer Chair in Human Rights Law and aims to promote ongoing dialogue around contemporary challenges to human rights and constitutional democracy in South Africa. Since its inception in 2006, a range of prominent human rights experts have delivered the lecture, including justices of the Constitutional Court and Supreme Court of Appeal, and the lecture is published in the Stellenbosch Law Review journal.

The Auditor-General of South Africa, Mr Thembekile Kimi Makwetu, presented the 2019 Annual Human Rights Lecture on 29 August, regarding the theme of “Accountability for Public Resources: The Role of the Auditor-General”. The lecture was hosted by Prof Sandra Liebenberg, the HF Oppenheimer Chair in Human Rights Law, and Prof Nicola Smith with the support of the law firm Webber Wentzel.

The Office of the Auditor-General of South Africa is one of the Chapter 9 state institutions responsible for supporting constitution-

appropriate binding remedial action to ensure that losses suffered by the State are recovered where possible.

Mr Makwetu is a qualified chartered accountant and holds a Bachelor of Social Science degree from the University of Cape Town, as well as a Bachelor of Accounting Science Honours (BACCsHons) degree from the University of Natal (now UKZN). Over the course of his career, Mr Makwetu has worked at Standard Bank, Nampak, Liberty and Metropolitan Life. He was the director in Deloitte’s forensic unit before his appointment as Deputy Auditor-General at the office of the Auditor-General of South Africa under Terence Mncedisi Nombembe, who held the position from 2006 to 2013. On 1 December 2013, Mr Makwetu was duly appointed as the new Auditor-General of South Africa for a seven-year term.



*Prof Nicola Smit, Auditor-General of South Africa
Mr Thembekile Kimi Makwetu, Prof Sandy Liebenberg*

al democracy in terms of section 181 of the Constitution. It plays a critical role in safeguarding the health of South Africa’s public finances.

In his most recent report, the Auditor-General identifies an absence of accountability as the most significant cause of unsatisfactory local government audit outcomes. According to Liebenberg, the deterioration of municipal accountability for financial and performance management holds profound implications for local government – most notably its ability to deliver affordable services to all South Africans in a sustainable manner. “These services are part of the socio-economic rights that the State is constitutionally obliged to fulfil in terms of the Bill of Rights,” Liebenberg explains.

Significant amendments to the Public Audit Act 25 of 2004 entered into force on 1 April 2019, which provide more teeth to the Auditor-General’s office. These amendments empower the Auditor-General to refer suspected material irregularities arising from an audit to a relevant public body for investigation, as well as to take



Auditor-General of South Africa Mr Thembekile Kimi Makwetu

The HF Oppenheimer Chair hosts Dr Nicholas Orago



Dr Nicholas Orago

The HF Oppenheimer Chair in Human Rights Law proudly hosted Dr Nicholas Orago as a visiting researcher in the CL Marais during August 2019. Nicholas is a passionate human rights advocate with extensive research, publishing, and teaching experience in the field of socio-economic rights. He has worked with the Federation of Women Lawyers, the Kenya National Commission on Human Rights, the UNHCR, and the UNFPA. Nicholas currently holds the position of senior lecturer at the University of Nairobi’s School of Law.

Nicholas also holds the prestigious position as a current Irish Research Council Marie Skłodowska-Curie Actions’ (MSCA) CAROLINE (Collaborative Research Fellowships for a Responsive and Innovative Europe) research fellow. As part of the fellowship, he is undertaking a three-year research project on disaster risk reduction, climate change adaptation, and sustainable development in Africa in collaboration with the University of College Cork. Nicholas’ research network includes the Law Transform Centre of the University of Bergen, European Inter-University Centre for Human Rights and Democratisation, the Geneva Academy of International Humanitarian Law and Human Rights, and the Centre for Human Rights at the University of Pretoria.

As part of his research stay, Nicholas presented a guest lecture to the Constitutional Law 451 students on 21 August on the theme of “Accountability for Socio-Economic Rights in Kenya”. The lecture explored the role, capacity, and legitimacy of Kenyan courts to advance accountability for the implementation and enforcement of socio-economic rights. In particular, Nicholas identified key obstacles to using courts to achieve accountability for socio-economic rights, while examining the main standards

of judicial review adopted in socio-economic rights cases, as well as the efficacy of remedies granted in vindicating litigants’ rights.

Nicholas presented a seminar to staff and postgraduate students on “Accountability for the reduction of hazards and climate risks for sustainable development in Africa: The role of the African Human Rights System” on 23 August. The seminar analysed the challenge of climate change in the context of limited socio-economic development and increased vulnerability and exposure of the African populations to the adverse effects of climate change. The seminar noted that these adverse impacts result in the violation of protected human rights, especially the right to life, health, food, water, human dignity, self-determination, environment and development. It called for better accountability for the failure of African states to develop effective legal, policy and programmatic measures for disaster risk reduction and climate change adaptation. Finally, it proposed that the mechanisms of the African Human Rights System take a more active role in holding African countries accountable. Especially if these failures lead to human rights violations from foreseeable extreme weather events such as the Cyclone Idai in Mozambique.

Prof Sandra Liebenberg elected as CESCR's vice-chair

Prof Sandra Liebenberg was elected as one of three Vice-Chairs to the United Nations Committee on Economic, Social, and Cultural Rights (CESCR) at the 65th Session of the Committee in February 2019. Prof Liebenberg has served as a representative of African States on the CESCR since 1 January 2017.

The Committee consists of 18 independent socio-economic rights experts who serve for a period of four years. The CESCR is tasked with supervising the compliance of State Parties with their obligations under the International Covenant for Economic, Social and Cultural Rights (ICESCR). Since its inception in 1985, the Committee's jurisprudence has been instrumental in developing the normative content of economic, social and cultural rights consistent with human rights principles and standards.

Prof Liebenberg's appointment as Vice-Chair comes at a time where the CESCR seeks to prioritise the relationship between socio-economic rights and environmental sustainability – a project which Prof Liebenberg has emphasised since her appointment to the Committee in 2016.



Social Justice Musa-plan

The Law Faculty Trust Chair in Social Justice Prof Thuli Madonsela, in partnership with the Sustainability Institute and the Centre for Complex Systems in Transition, convened a one-day dialogue on the Social Justice Musa-Plan's (M-Plan) Economy Thematic Area

on 18 March 2019 at the Artscape Theatre Centre, Cape Town. The discussions aimed to outline the core challenges facing the economy, as well as describe the underlying economic dynamics that shape the directionality of the economy and what needs to be done to achieve a socially just and sustainable economy.

Law Faculty Trust Chair in Social Justice

Mount Kilimanjaro

Twenty-eight inspiring individuals including corporate executives, media personalities and change agents embarked on the adventure of a lifetime as they faced Mount Kilimanjaro. The rationale behind the Thuli Madonsela Executive Climb is to raise funds and awareness for the Caring4Girls menstrual hygiene programme as every year, thousands of young South Africans girls miss up to 30% of their school year due to lack of sanitary pads. The Thuli Madonsela Executive Climb, sponsored by LexisNexis South Africa, forms part of the #Trek4Mandela initiative. Our colleagues, Thuli Madonsela and Sonia Human as well as LexisNexis' Mari van Wyk and Lee-Ann King summited Mount Kilimanjaro on Women's Day, the 9th of August.

#Trek100 #Trek4Mandela2019 #LNCares



Prof Sonia Human and Prof Thuli Madonsela



Women's Land Summit

The Women's Land Summit led, in partnership with the SU Division for Social Impact, an expert panel discussion at the second thematic dialogue of the Social Justice M-Plan, 11 April 2019, at STIAS in Stellenbosch.

The Summit aimed to introduce the voice of women into dialogues on land reform so as to generate solutions that can realise South Africa's Constitutional objective of healing the divisions of the past through land reform.





Social Justice Cafés

The Social Justice Cafés seeks to engage and inspire young people and civil society towards social justice and human rights inspired democracy and action for inclusion. This initiative is executed as part of the Social Justice M-Plan. The M-Plan is a social justice accelerator program that seeks to catalyse progress towards ending poverty and reducing inequality in line with the UN Sustainable Development Goals (SDGs), National Development Goals and Agenda 2063. The overarching theme of the first Social Justice Café was “Remedial Justice and SDG’s”. The session was moderated by Prof Thuli Madonsela. Dr Mary Nel spoke on the Ubuntu project (see further below) and the Students for Law & Social Justice-society’s (SLSJ) students spoke on how they could make a difference within SU in this regard.

Social Justice Summit

The first inaugural Social Justice Summit and International Conference organised by the Law Trust Chair in Social Justice kicked off on a hopeful note on 29 August 2019 with various high-level speakers and members of civil society coming together to reflect on and unpack the concept of social justice in South Africa. The outcome of the Summit was a declaration detailing the desired future regarding social justice efforts, a summary of current challenges, and a call for action to government, businesses, society and academia, the judicial system and the global community.

Representing the South African president, Mr Jackson Mthembu, Minister in the Presidency, delivered the keynote address at the opening ceremony. He said that government was hopeful and looked forward to the outcomes of the summit. He further also employed those in attendance and the rest of the country to not only look to government alone to help solve the social injustices in South Africa.

The keynote speakers and panellists for the three-day summit included Dr Pali Lehohla, former Statistician General; former President FW de Klerk; Nicky Newton King, former CEO of the JSE; Busiswe Mavuso, CEO of Business Leadership South Africa; Ben Turok, former anti-apartheid activist and MP; Justice Dunstan Mlambo, Judge President of the Gauteng Division of the High Court of South Africa; Ashraf Garda, media host and investigative journalist; and Sello Hatang, CEO, Nelson Mandela Foundation.

In a declaration adopted at the end of the Summit’s first day, delegates expressed their concern about ongoing poverty in South Africa, the inequality still experienced by women, and a deterioration in social cohesion in our country. They called for accelerated change and committed to joining hands to reverse disparities in all sectors of society. Those attending the conference the following two days resolved to form a coalition of universities, researchers and civil society that would work in a coordinated way to advance social justice.



Blavatnik School of Government, University of Oxford

Lecture: Blavatnik School of Government, University of Oxford

The lecture by Prof Madonsela was chaired by Anna Petherick (Departmental Lecturer in Public Policy and Researcher, Building Integrity Programme). Ngairé Woods, Dean of the School of Government welcomed the graduate students and staff that attended the lecture.

An agreement was reached that new ways will be explored to develop connections between the School of Government and the SU Law Faculty. Furthermore, a “Law, Corruption and Gender” seminar or workshop will be developed in collaboration with Petherick. Petherick is currently working on the UNODC gender and corruption report. Petherick is proposing a session on social justice and procurement law at the 2021 OECD integrity meeting.





One Young World summit

The annual One Young World Summit 2019 was hosted from 22 to 25 October in London at the Central Hall Westminster and the Queen Elizabeth II Centre. The Summit convened the brightest young talent from every country and sector, working to accelerate social impact. Delegates from 190+ countries were counselled by influential political, business and humanitarian leaders, including Prof Thuli Madonsela; Biz Stone (co-founder of Twitter); Richard Branson (Founder, Virgin Group); Kumi Naidoo (Secretary General of Amnesty International), amongst many other global figures. Delegates made lasting connections throughout the Summit, celebrating their participation at social events and the unforgettable opening ceremony that took place at the Royal Albert Hall on 22 October. Not only was the ceremony opened by the mayor of London, but also in attendance was the Duchess of Sussex, Meghan Markle.

The aim of the summit was to “identify, promote and connect the world’s most impactful young leaders to create a better world, with more responsible, more effective leadership”. At the end of the Summit, delegates become One Young World Ambassadors and returned to their communities and organisations with the means and motivation to make a difference.

Prof Madonsela was a panellist at the following

lectures at the One World Summit:

- Peer-to-Peer Mentoring sessions: Speaking to different delegates at the summit regarding entrepreneurial challenges.
- The challenges and opportunities facing Africa.
- The Kofi Annan keynote lecture: The very prestigious Kofi Annan Lecture is in honour of Kofi Annan and his legacy. Kofi Annan, Seventh Secretary-General of the United Nations (1997-2006), Nobel Peace Laureate and the founding chair of the Kofi Annan Foundation, was one of the original Counsellors and a cherished friend to One Young World. Together with Kojo Anan (Chairman and Co-Founder of Made in Africa (MIA)) Prof Madonsela was the second panellist at this prestigious event.
- Does the future of learning need to be reimagined?

Key to the Social Justice M-Plan and its interdisciplinary nature is the appreciation of the importance of collaboration within SU, between universities, between disciplines and between the state, society and business, nationally and globally. The M-Plan is ultimately intended to be a collaborative venture between SU and other national and international academic institutions. Collaboration is directed at fostering social cohesion and coordination of resources are critical for this purpose.

Prof Thuli Madonsela at the Kofi Annan keynote lecture

South African Research Chair in Property Law (SARCPL)

Discussion about the presidential advisory panel on land reform and agriculture report

On 25 September, the Faculty of Law and Prof Zsa-Zsa Boggenpoel, Chair of the South African Research Chair in Property Law hosted a panel discussion on the Land Reform and Agriculture Report, at STIAS with a focus on (a) whether section 25 of the Constitution should be amended and (b) when expropriation without compensation should be allowed?

Presentations were made by Ms Bulelwa Mabasa, a member of the Presidential Advisory Panel on Land Re-

form and Agriculture Report and Werkmans Inc attorney, and Prof Elmien du Plessis, an associate professor in the Faculty of Law at North-West University. These presentations were followed by responses from Prof Johann Kirsten (Department of Agricultural Economic), Prof Juanita Pienaar (Department Private Law) and Prof Bradley Slade (Department Public Law). The responses were followed by open discussions and debate.

SARCPL hosts Prof Johan van der Walt

Prof Johan van der Walt, from the University of Luxembourg, visited the SU Law Faculty on 24 May 2019. He presented a seminar on his latest publication, “The Concept of Liberal Democratic Law”. A list of his publications

can be found at: https://www.wen.uni.lu/fdef/droit/equipe/johan_willem_gous_van_der_walt. Prof J van der Walt is a long time fellow of the SARCPL, and his visit was highly beneficial to the current SARCPL members.



Young Property Lawyer's Forum

Members of the SARCP and Faculty participated in the Young Property Lawyer's Forum (YPLF), which is an informal network of junior property law researchers, both PhD candidates and those within five years of having obtained their doctorate. The YPLF aims to bring property law scholars together from around the world and enable them to discuss their work with each other and with more experienced researchers. The conference provides an informal setting for young researchers to discuss innovative ideas and research in the area of property law, and to seek support in solving problems and improving their research, both in skills and in content. For more information on YPLF see: <http://www.yplf.net/>. Property law is taken in the widest sense, encompassing fields such as comparative property law, virtual property law, constitutional property law, environmental property law, property rights in land, water and volumes of space, and property law theory. As wide ranging as these fields are, they all share a vision on how to give shape to the property law of the 21st century. The YPLF continues to form a network for property law researchers around the world with new conferences and publications for both early career and more advanced scholars.

On 6 and 7 June 2019, Mr Lerato Rudolph Ngwenyama, Ms Nyaradzo Delisha Tideth Kuraubwa, Ms Sameera Mahomedy and Ms Tina Kotzé attended and presented papers at the 10th anniversary meeting of the YPLF hosted by the University of Glasgow in Scotland. The conference was concluded with a tour to Glengoyne Distillery and a hike up Dumgoyne Hill. It was also announced that next year's YPLF will be held at the Loyola University in New Orleans.

While in Scotland, Prof Andrew Stevens was also kind enough to show Ms Mahomedy and Ms Kotzé around the University of Edinburgh and organise a tour of the WS Signet Library. The WS Society is the incorporated body of an exceptional brand of Scottish lawyers known as Writers to the Signet or "WS" with over 500 years of heritage. The Society supports and entertains lawyers and legal business with research, comment, learning, networking and culture. They also provide support services to the charitable sector.



YPLF group photo



Visit to Edinburgh University. Ms Tina Kotzé, Prof Andrew Stevens and Ms Sameera Mahomedy



Day excursion to Glengoyne Distillery with YPLF group

South African Property Law Teachers' Colloquium

The South African Property Law Teacher's Colloquium and Post-Graduate day was held from 7 to 8 November at the University of Western Cape. The Post-Graduate Day allows post-graduate students to present their research and receive valuable feedback. Many representatives of the SARCP, Law Faculty and alumni of the faculty and research chairs attended and presented papers at the Colloquium. The papers presented were:

- Adv Lerato Ngwenyama "The changing law: Habitability in the context of tenants"
- Ms Inga Dyantyi "Opportunities and challenges of Ubuntu in the South African land reform context"
- Mr Tola Olowolafe "Analysing the constitutional implications of awarding zero compensation for expropriations under clause 12(3) of the Expropriation Bill B-2019"



- Ms Sameera Mahomedy "Investigating the role of participation in upgrading informal settlements: Identifying challenges and opportunities"
- Ms Tina Kotzé "The regulation of agricultural land in South Africa: A legal comparative perspective"
- Dr Mpho Tlale "Whose land is it anyway? A closer look at the Xolobeni community dispute"
- Dr Sarah Fick "Airbnb and the sharing economy: Do Cape Town's regulations cater sufficiently for the interest of (potential) long-term tenants and landowners?"
- Mrs Anthea-Lee September Van Huffel "Protection of the attribute of commodus usus in the letting relationship"
- Prof Zsa-Zsa Boggempoel "revisiting the Tswelopele-remedy: A critical analysis of Ngomane v City of Johannesburg Metropolitan Municipality [2019] ZASCA 57 (3 April 2019)"
- Prof Mikhalien Du Bois "Constitutional implications of State Use Provisions in Patent Law"

- Ms Chantelle Gladwin-Wood "The preference in terms of section 118(3) of the Local Government: Municipal Systems Act 32 of 2000"
- Prof Sue-Mari Viljoem "Expropriation without compensation"
- Prof Regahrd Brits "Impact of the new High Court Rule 46A on the sale in execution of residential property"
- Prof Juanita Pienaar "Living in the shadow of apartheid: Addressing pre-constitutional land measures in a post-constitutional context"

In light of the Ad Hoc Committee's mandate to introduce legislation amending section 25 of the Constitution on 6 November, an impromptu discussion and critical evaluation of the possible proposals or options to amend section 25 of the Constitution was also held during the course of the colloquium.

Lectures/Seminars/Workshops/Conferences

Lesings/Seminare/Werkswinkels/Konferensies

Thuli madonsela delivers inaugural lecture

Author: SU Corporate Communication [Alec Basson]

On 11 November 2019, Prof Thuli Madonsela delivered her inaugural lecture "Administrative Reviews through a Social Justice Lens". The lecture was held at the Adam Small Theatre and was well-attended by colleagues, friends of the Faculty, family and friends of Prof Madonsela, students as well as local and national guests.

"Could the courts be doing better regarding their role of advancing justice, particularly, social justice, through administrative law?" This was one of the key questions Prof Madonsela tried to answer in her inaugural lecture.

Madonsela said the courts have acquitted themselves admirably as the ultimate guardians of the Constitution and of society, at times clutching the country from the brink of catastrophe.

"This has been particularly the case when people have used the Constitution as a sword to advance human rights, particularly so-



Prof Nicola Smit, Prof Thuli Madonsela and Prof Wim de Villiers (rector of Stellenbosch University)

cial and economic rights such as the right to education, the right to housing and security of tenure for farm and other tenants as well as informal settlement dwellers."

Madonsela suggests that the courts have a crucial role to play in helping to fix current injustices, because "social injustice is a great threat to democracy, the rule of law, social cohesion and ultimately peace".

Highlighting some of the judiciary's shortcomings, Madonsela said the jurisprudence is not always consistent and at times appears indifferent to the circumstances of ordinary people with the (unfortunate) impact of reinforcing social and economic disparities. "The gravitation towards rationality as the touchstone, with much fluidity on interpretation seems to pose a danger to administrative law reviews' contribution to the advancement of constitutional imperatives regarding social justice."



Prof Thuli Madonsela delivered her inaugural lecture "Administrative Reviews through a Social Justice Lens"

Prof Sope Williams-Elegbe Invited as Expert Panelist

Sope Williams-Elegbe was an invited expert panelist on the topic of "The 2030 Agenda and SDGs: Cross Disciplinary Perspectives on the role of responsible business" in the Joint Research and Academic Development Workshop on Human Rights, Responsible Conduct and the SDGs in Africa, 25 September 2019, Centre for Human Rights, Faculty of Law, University of Pretoria.

Constitutionalism, Administrative Law and Ethical Governance and Leadership

On 6 June 2019, Prof Thuli Madonsela and Prof Geo Quinot joined Gauteng Premier David Makhura and former President Kgalema Motlanthe for the induction training of the newly appointed Executive Council of Gauteng. On invitation from the Premier, Prof Madonsela and Quinot delivered a compact seminar on Constitutionalism, Administrative Law and Ethical Governance and Leadership. The session was very well received with Premier Makhura stating "I hereby convey my heartfelt gratitude to you and your team for the induction of our Team. Without any doubt, the content of your presentations and anecdotes hit the right note. Feedback from the entire team is amazing much more positive than I expected." This opportunity was an honour for the Faculty to contribute to building strong leadership and governance in our country and it is hoped that we can continue to be of assistance to all branches of state as part of SU and the Faculty's commitments to making a positive impact on society.



At the induction of the new Gauteng Executive Council, 6 June 2019, Prof Geo Quinot, Gauteng Premier David Makhura, Prof Thuli Madonsela and former President Kgalema Motlanthe.

Mercantile Law Research Seminar at Morgenhof

The Mercantile Law Department held an informative and enjoyable research seminar at Morgenhof Wine Estate on 21 May 2019. A number of colleagues (including two teams, each consisting of a senior and junior colleague) presented cutting edge research that stimulated lively debates. Food for thought was followed by a delicious lunch and some of the estate's excellent wines. The speakers and their topics are as indicated below.

- Sadulla Karjiker The Copyright Amendment Bill: What's all the fuss about?
- Phillip Sutherland & Thalalolwasi Msutu Promoting competition in the regulation of mergers in order to promote equality and access to markets and not just consumer welfare
- Richard Stevens & Katlego Mthelebofu The transferability of shares of a company in liquidation
- Andreas van Wyk The crisis in South Africa's state owned enterprises: Background and legal framework

The Department is already looking forward to the next seminar that will be held on 28 January 2020.



Anton Lubowski Memorial Lecture

“His story is our story, and our story is his story.” That was the dominant message from family, friends and acquaintances – among them journalist and political commentator Max du Preez and Judge Albie Sachs – as they gathered at the inaugural Anton Lubowski Memorial Lecture at the SU Faculty of Law on Thursday, 12 September.

Lubowski was a Stellenbosch student and a Simonsberg resident in the seventies. He initially enrolled at SU in 1972 for a BCom degree but transferred to a BA Law degree in 1973 and graduated in March 1976. The memorial lecture took place on the 30th anniversary of the murdered Namibian-born anti-apartheid activist and advocate’s death (3 February 1952 to 12 September 1989).

Lubowski was a member of the former Namibian independent movement South West Africa People’s Organisation (SWAPO) when he was assassinated in 1989. The perpetrators were never apprehended. He was 37 years old when he died, leaving behind his wife, Gabrielle Lubowski and his two young children, Almo and Nadia.

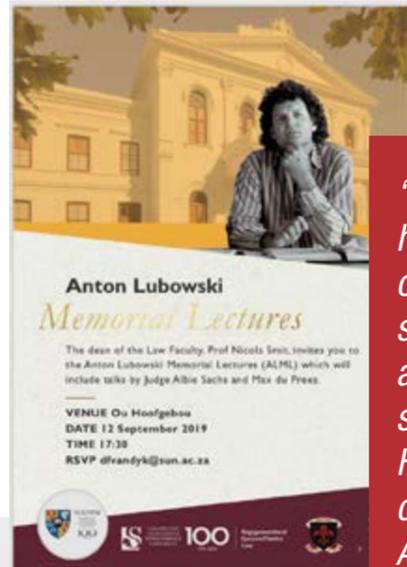
The memorial lecture initiated by Charl Adams, a varsity friend and residence roommate, was presented by the Law Faculty in collaboration with the Development and Alumni Relations Division, Simonsberg Residence and the Frederik van Zyl Slabbert Institute for Student Leadership Development.

A number of friends, colleagues and university personnel described Lubowski as follows: Adams, a retired editor of the Small Business Labour Bulletin and senior officer at the Cape Chamber of Commerce and Industry, shared an emotional story detailing his

with the Bill of Rights as a gift in honour of Lubowski. Dr Leslie van Rooi, CEO Social Impact and Transformation and the current residence head of Simonsberg Residence, said the former resident is remembered as a giant of Namibia who was shaped by the brave and defiant giants before him, just as he shaped those who came after him.

Nadia Lubowski had the last word:

“Being the daughter of a father that dies, no matter what age is hard, being the daughter of a political activist who was assassinated in front of our home as a young girl of nine is difficult, being the daughter of a political activist who was assassinated and murdered and whose murder was never solved or never explained



“He did what he did because of a deep sense of justice and human solidarity. He was a complete African,” said Du Preez.



first meeting with the young Lubowski in 1972 when they were both first-year students.

Prof Nicola Smit, Dean of the Faculty of Law, focused on the variety of stories that make up South Africa’s history. Max du Preez said Lubowski was a freedom fighter in the proper sense of the word, and not driven by ideology. “He did what he did because of a deep sense of justice and human solidarity. He was a complete African,” said Du Preez.

Activist and former Constitutional Court judge Albie Sachs praised Lubowski for his contribution to the triumph of non-racialism and the constitutional order in South Africa. Sachs handed SU a scroll

in any way is even harder.

“So besides the memories, longing and hardships that it all brought, I’ve also had to deal with and face the story in various multiple ways, because that part of my life always comes up in the public domain. However, having to deal with that inevitable intrusion, has given me the ability to face his death and what he stood for and the things that our country have gone through. His story has shaped who I am today and what I stand up for,” she said.



ADJASA Conference

Prof Geo Quinot completed his term as President of the Administrative Justice Association of South Africa (AdJASA) at the 2019 AdJASA conference, held in Johannesburg on 5 to 6 March 2019 and which he co-organised. At the conference Prof Quinot contributed to a panel discussion of recent Constitutional Court (CC) judgments in administrative law, with particular focus on the CC’s judgment in *State Information Technology Agency SOC Limited v Gijima Holdings (Pty) Limited* 2018 (2) SA 23 (CC).

Adv Kate Hofmeyr, Dr Allison Anthony, Prof Geo Quinot, Adv Mitchell de Beer, Prof Cora Hoexter

Tax Ombud Annual Report Launch

Prof Geo Quinot, Mr Pieter Oosthuizen and Ms Silke de Lange attended the Tax Ombud 2018/19 Annual Report Launch in association with UCT and Business Day at UCT Graduate School of Business on 3 October 2019. The speakers included the Tax Ombud, Judge Bernard Makgabo Ngoepe and SARS Commissioner, Mr Edward Kieswetter. It was an inspirational discussion around the theme of “celebrating 6 years of bridging the gap of fairness and taxpayers rights”.



Mr Pieter Oosthuizen, Ms Silke de Lange and Prof Geo Quinot

Administrative Law Forum

Prof Geo Quinot delivered a paper entitled “The Conundrum Of Self-Review – Sanctioning Parallel Systems of Administrative Law in South Africa” at the Administrative Law Forum held in Lyon, France from 26 to 27 June 2019. The paper reflects on the continued bifurcation of South African administrative law review between the Promotion of Administrative Justice Act (PAJA) on the one hand and the constitutional principle of legality on the other.



Participants at the 2019 Administrative Law Forum, Lyon, France

Breakout Session on Wider Competition Law Issues

Prof Sutherland and Mr Msutu attended the Academic Society for Competition Law Conference in Aix-en-Provence, France from 27 to 29 June. The theme of the Conference was “Break-out Sessions on Wider Competition Law Issues”, which looked at issues dealing with the wider goals of competition law and competition law’s approach to digital markets. The Conference was successful and informative and they connected with other competition law academics from around the world.

Convention on The Rights of The Child Implementation Project

The Convention on the Rights of the Child Implementation Project: Article 5 Colloquium “Children’s Rights: Families, Guidance and Evolving Capacities” took place on the 17 and 18 July 2019 in Cambridge, England. Organisers Claire Fenton-Glynn of Jesus College and Brain Sloan of Robison College, Cambridge, hosted this year’s conference stimulating academic debate, critical thinking and innovative deliberation. The conference brought together leading experts in the field of child and family law from around the world. This invitation-only event continued the outstanding work of Prof Elaine Sutherland who founded this project in 2012 in order to explore the impact of the United Nations Convention on the Rights of the Child. Dr Lize Mills and Sabrina Thompson presented their paper titled “Parental responsibilities and rights during the ‘gender reassignment’ decision-making process of intersex infants”. They discussed issues relating to gender and sex, bodily integrity and the issues surrounding State intervention and parental decision making.



Sabrina Thompson and Dr Lize Mills

Student Conference on The Decolonisation and Africanisation of Legal Education

The Faculty can feel very proud of the contribution of our two student representatives, Lerato Malepane and Gideon Basson. Their paper presented at the University of Limpopo was titled “Towards a decolonial jurisprudence of rape law: A case study of the #FeesMustFall movement in Stellenbosch”. The paper is rich, thoughtful and original. It engages with a painful and highly emotive topic in a brave yet sensitive manner, and offers a compelling reading of rape and sexual violence through a decolonial lens. They were accompanied by Prof Henk Botha and received positive feedback from other students and academics.



Gideon Basson and Lerato Malepane

Regional Teaching Conference

The Regional Teaching and Learning Conference of the Law Faculties of UCT, UWC and SU was held on 12 September 2010. The conference theme was: “Programme renewal: Post CHE LLB Review”. As keynote speaker, Judge Kate Savage (Western Cape High Court) delivered her keynote address on “The State of Legal Education in South Africa: A Judge’s Perspective”. The address was followed by a panel discussion on “Legal Education in the 21st Century”. The last session dealt with “Regional Best Practices: Innovative Teaching and Learning at LLB and Postgraduate Levels”.

INkomfa yeNgingqi engokuFundisa nokuFunda

INkomfa yeNgingqi engokuFundisa nokuFunda yeFakhalthi yezoMthetho yase-UCT, e-UWC nakwi-Yunivesithi yase-Stellenbosch yayibanjwe ngomhla we-12 kuSeptemba 2010. Umxholo waloo Nkomfa wawusithi: “Uhlaziyo lweNkqubo: INgxelo ye-CHE (IBhunga leMfundo ePhakamileyo) engesidanga se-LLB.” Intetha yesithethi esiphambili, uJaji Kate Savage weNkundla ePhakamileyo yaseNtshona Koloni yayinomxholo othi “Imo yeMfundo ye-zoMthetho eMzantsi Afrika: Umbono weJaji”. Loo ntetha yalandelwa ziingxoxo zepaneli ezazimalunga “neMfundo ngezoMthetho kule nkulungwane yama-21”. Iseshoni yokugqibela yona yajongana nombala owawusithi “Ezona ndlela ziNcomekayo zoKwenza kwiNgingqi: liNdlela eziNtsha zokuFundisa nokuFunda” kwinqanaba lesidanga se-LLB nakumanqanaba weMfundo enoMsila”.

Postgraduate Students present papers at Queer Visualities Conference

Three of our postgraduate students presented papers at the Queer visualities: African perspectives, Other perspectives conference at North-West University in Potchefstroom from 27 February to 1 March. The annual conference aims to facilitate ongoing and productive platforms of discussion on the lived experiences of queerness in the global South.

Johndré Barnes’ presentation considered the rights of transgender children (Barnes is a SU LLM student). Charlene Kreuser (LLD student) presented on the conflation of sex and gender in the determination of school uniform in the National Guidelines on School Uniforms. Tegan Snyman (LLM student) presented a transgender reading of the Maputo Protocol.

The students gave the following feedback, “Attending a queer conference in South Africa, specifically in Potchefstroom, was an extremely empowering experience. It was wonderful listening to and learning from academics from different academic disciplines and institutions. We would highly recommend students interested in queer studies and the law to participate in this annual conference – it will be hosted by the University of the Western Cape in 2020”.

“Attending a queer conference in South Africa, specifically in Potchefstroom, was an extremely empowering experience.”



Johndré Barnes, Charlene Kreuser and Tegan Snyman



Cambridge England

Faculty and Students

Fakulteit en studente

Insider-outsider Art Installation/Kunsinstallasie

The insider/outsider project (that comprises a two-week art installation, student and staff facilitated discussions on insiders/outsiders and a student competition) is part of a visual redress process to assist us in thinking about the visual aspects of our buildings and other spaces. In particular, the art installation encourages conversation and engagement on a variety of themes tied to diversity, transformation and inclusivity.

The notion of insiders/outsiders surfaced quite strongly during a Faculty Visual Redress session (facilitated by Prof Costandius) that we had towards the end of 2018. Prof Elmarie Costandius from the SU Visual Arts Department prompted staff to visualise and capture certain concepts/feelings/sounds. As lawyers, we wrote words more than we created pictures or imagery. Some words that were written down include: "On the outskirts of town" and "on the edge"; urban/rural; power/no power; haves/have nots; fragile/beautiful; unwelcoming and cold/coffee and fresh flowers.

The idea of the insider/outsider is also found in the improvement plan that the Faculty submitted in 2018 to the HEQC sub-committee during the LLB reaccreditation process and during the April graduation congratulatory speech, when Prof Stevens (Vice dean), referred to the insider/outsider concept. As we near the commemoration of 100 years since the inception of the SU Faculty of Law (in 2021) we are committed to adopting an inclusive welcoming process and ethos that reflects and engages with the past, present and future of our Faculty and the spaces that it occupies.



Die binnestaander/buitestaander-projek (wat bestaan uit 'n twee weke kunsinstallasie, 'n studentekompisiesie en gefasiliteerde gesprekke tussen studente en personeel) vorm deel van 'n visuele regstelling projek om ons te help om na te dink oor die visuele aspekte van ons geboue en ander ruimtes. In die besonder, moedig die kunsinstallasie gesprekke en betrokkenheid aan oor 'n verskeidenheid temas wat aan diversiteit, transformasie en inklusiwiteit gekoppel word. Die idee van die projek het in 2018 tydens die Fakulteit se Visuele Regstellingsessie (gefasiliteer deur Prof Costandius) redelik sterk voorgekom.

Die personeel is gevra om sekere konsepte/gevoelens te visualiseer en te teken. As juriste het ons meer woorde geskryf as wat ons beelde geskep het. Van die woorde wat neergeskryf is sluit in: "On the outskirts of town" en "on the edge"; stedelike/landelike; "haves/have nots"; ongasvryheid en koue/koffie en vars blomme. Die idee van die binne- en buitestaander word ook gevind in die verbeteringsplan wat die Fakulteit in 2018 aan die HEQC-subkomitee voorgelê het tydens die LLB-herakkrediteringsproses en by die April-gradeplegtigheid se gelukwensings-toespraak deur Prof Stevens (Visedekaan) gegee.

Soos ons die herdenking van 100 jaar sedert die stigting van die Universiteit van Stellenbosch (US) se Fakulteit Regsgeleerdheid (in 2021) nader, verbind die Fakulteit hul met die volgende: Die aanvaarding van 'n inklusiewe verwelkomingsproses en etos wat die verlede, die hede en toekoms van ons Fakulteit en die ruimtes wat dit beset, betrek en weerspieël.



Heritage Day/Erfenisdag: 24 September

Staff recently participated in Heritage Day activities here at the Faculty. The theme was South African languages and Ms Nondu Phenyane and Ms Langa Maziya organised fun but educational activities for the staff. Here is the Language quiz that they "competed" in – they learnt quite a bit about one another as well as South African languages. Why don't you see how many questions you know the answer to:

- Which section of the Constitution refers to the 11 official languages?
- Which South African language is spoken both in South Africa and in Zimbabwe?
- Which South African language is spoken in both South Africa and Mozambique?
- Swati is spoken in South Africa and one other African country, name this country?
- What are the four ethnic divisions?
- From which language does Afrikaans originate?
- How many languages are combined in the lyrics of the South African national anthem?
- Sotho is spoken in South Africa and another African country, name this country.
- Name the languages that belong to the Sotho ethnic group.
- What was the late Nelson Mandela's home language?

Personeel het onlangs aan Erfenisdagaktiwiteite by die Fakulteit deelgeneem. Die tema was Suid-Afrikaanse tale, en me. Nondu Phenyane en me. Langa Maziya het vir die personeel aangename, maar ook opvoedkundige aktiwiteite aangebied.

bied. Hieronder is die Taalvasvra waarin hulle "meeeding" het – hulle het baie oor mekaar sowel as Suid-Afrikaanse tale geleer. Kyk hoeveel vrae u die antwoord van ken:

- Watter artikel van die Grondwet verwys na die 11 amptelike tale?
- Watter Suid-Afrikaanse taal word beide in Suid-Afrika en in Zimbabwe gepraat?
- Watter Suid-Afrikaanse taal word in beide Suid-Afrika en Mosambiek gepraat?
- Swati word in Suid-Afrika en 'n ander Afrika-land gepraat, noem hierdie land.
- Wat is die vier etniese afdelings?
- Uit watter taal spruit Afrikaans?
- Hoeveel tale word gekombineer in die lirieke van die Suid-Afrikaanse volkslied?
- Sotho word in Suid-Afrika gepraat en 'n ander Afrika-land, noem hierdie land.
- Noem die tale wat tot die Sotho-etniese groep behoort.
- Wat was wyle Nelson Mandela se huistaal?



Nondumiso Phenyane and Takalanga Maziya

Abroad/Oorsee/Internasionalisering



Prof Jacques du Plessis

On 12 March 2019, Prof Jacques du Plessis held his inaugural lecture as holder of the Tijdschrift voor Privaatrecht Wisselleerstoel at the Katholieke Universiteit Leuven in Belgium. The TPR Wisselleerstoel is awarded to South African legal academics and entails that a recipient holds a visiting professorship at a Dutch or Belgian University. The inaugural lecture or oratie, which was held in the University's Promotiezaal, dealt with the role of equity or fairness in the law of unjustified enrichment. Apart from the inaugural lecture, Prof du Plessis presented a seminar for doctoral students and a guest lecture for undergraduate students on comparative law, legal diversity and mixed legal systems, and participated in a comparative contract law seminar for master's students.



Prof Quinot with other delegates from South Africa at the IALS 2019 African Regional Law Deans' Forum

Prof Geo Quinot

Prof Geo Quinot participated in the 2019 African Regional Law Deans' Forum of the International Association of Law Schools (of which Stellenbosch is a member), held in Kigali, Rwanda from 22 to 24 May 2019. Prof Quinot spoke on a panel reflecting on the challenges in running the enterprise of a Law School and participated in the launch of an African version of the Globalization, Lawyers, and Emerging Economies (GLEE) project, led by Prof David B. Wilkins of the Center on the Legal Profession of Harvard Law School. Previous GLEE projects have focused on Brazil, India and China, but this will be the first GLEE project with a broader regional focus on which Prof Quinot will collaborate.

Prof Juanita Pienaar Research Visit to Aberdeen Scotland

Prof Juanita Pienaar was invited to participate in the Scottish Land Reform in a Global Context Project in 2018-2019 as one of four international advisors. To that end she provided input prior to and participated in the International Knowledge Exchange Workshop held in Aberdeen 5 to 6 March 2019 under auspices of the James Hutton Institute based in Aberdeen. On Monday 4 March the Scottish Land Commission

held a public meeting at the Aberdeen Arts Centre during which time the main themes of the project were highlighted, including community ownership, community engagement in decisions relating to land and modernizing land ownership. Following her participation in the workshop Prof Pienaar gave a guest lecture at the Law Faculty – University of Aberdeen on 7 March, titled "The South African land reform programme

and expropriation without compensation: A silver bullet or a (calculated) shot in the dark?". Her research visit to Aberdeen was concluded by visiting a functioning estate, Glentanar, with expert guidance provided by Eric Baird, a game and conservation expert, Dr Annie McKee, research leader of the Land Reform Project – James Hutton Institute and Malcolm Combe, University of Aberdeen Law Faculty staff member and land reform expert.



Annie McKee, Malcolm Combe and Juanita Pienaar at Glen Tanar



Image courtesy of Aberdeen University



Prof Sope Williams-Elegbe

Prof Sope Williams-Elegbe was invited by the United Nations Office for Drugs and Crime (UNODC) to attend the UNODC Education for Justice Africa Experts meeting at the University of Ghana from 18 to 22 February 2019. She presented on the UNODC Business Integrity module, which she uses in her teaching.

Prof Williams-Elegbe was also invited to serve as a facilitator at the UNODC Education for Justice Experts Meeting at the University of Oxford from 2 to 4 April 2019. The meeting was a collection of

global anti-corruption experts and served as the peer review of the UNODC university level modules on anti-corruption. Prof Williams-Elegbe developed two of the thirteen university level modules, which are currently available at <https://www.unodc.org/e4j/en/tertiary/anti-corruption.html> Furthermore, Prof Williams-Elegbe was invited to speak at the annual World Bank Law, Justice and Development meetings in November 2019. She also spoke at the prestigious UN Forum on Business and Human Rights in Geneva in the same month.

Prof Sope Williams-Elegbe

Prof Annika Rudman

Prof Annika Rudman is a visiting professor at the Southern and Eastern African Regional Centre for Women's Law, University of Zimbabwe, Harare where she teaches a master programme each year on Women's Law. She also assist with supervision when needed.

The Centre seeks to further the development of the discipline of Women's Law and to enhance research capacities and scholarship in conjunction with all its cooperating partners, in particular with the Institute of Women's Law at the University of Oslo.

The major component in meeting these objectives is the managing of the Masters

in Women's Law and the Master's in Women's Socio-legal Studies at the University of Zimbabwe. Further the Centre undertakes training, teaching, research and publication in Women's Law, socio-legal and Human rights issues and the promotion of academic capacity building and networking with regional and international partners both within Universities, NGOs and Governmental Organisations.

The programme has so far drawn students from ten countries namely, Zimbabwe, Zambia, Malawi, Mozambique, DRC, Botswana, Uganda, Tanzania, Kenya and lately from South Sudan. They have been able to share experiences from their various countries. As of 2009, SEARCWL has initiated PhD

studies. So far SEARCWL has registered 7 successful DPhils and the centre has supervised to completion one Dphil from the University of Zimbabwe Department of Sociology.

She explains that: "To me what really makes the centre so unique is that it focuses on field research and lived realities where the students engage on a practical level with the law and legal problems".

Photo: Prof Annika Rudman together with the 2019/2020 Masters Class in Women's Law, at the Southern and Eastern African Regional Centre for Women's Law, University of Zimbabwe, Harare.



2019/2020 Master's Class

Bi-lateral PhD between SU and UHasselt in Belgium

Inari Basson and Hendri Herbst were accepted for the bi-lateral PhD between Stellenbosch and University of Hasselt (UHasselt) in Belgium. In terms of this award, both students will travel to Belgium once a year to conduct research. Upon completing their PhD, the degree will be awarded by both SU and UHasselt. The research topics of the respective students are as follow:

Inari Basson en Hendri Herbst is aanvaar vir die gesamentlike PhD tussen US en Universiteit van Hasselt (UHasselt) in België. Ingevolge hierdie toekenning reis albei studente een keer per jaar na België om navorsing te doen. Na voltooiing van hul doktorsgraad word die graad deur beide US sowel as UHasselt toegeken. Die navorsingsonderwerpe van die onderskeie studente is soos volg:

“My Ph.D. subject will focus on how climate change affects children’s right and how we can use tax nudging to remove negative effects. I will first look at the rights of children, like the right to life survival and development, and how the government protects these. Then I will investigate how climate change affects these in those jurisdictions that are most affected by it on the long and short-term, like countries that face more natural disasters or drought and poverty. Finally, I will study how tax nudging, taxes induced to change people’s behavior can be used to positively impact climate change”, Inari explains.

Hendri Herbst explains that his research: “will evaluate the South African taxation regime towards trusts and compare that to other jurisdictions like Belgium and the

UK. By doing this I can see if there are areas for possible improvements or reforms that can benefit our country to solve issues we are facing, like the outflow of capital and tax avoidance.” He also notes that: “For both his own and Inari’s topics, there is a lot of expertise present at the UHasselt, giving us the opportunity to learn a lot. It’s also an enriching experience and helps you broaden your view and perspective on the law. For example, South Africa is a mixed-legal system with some English and Roman/Dutch influences while Belgium is more civil law orientated. As a result, certain situations and concepts don’t exist in some countries, yet we all have to face them due to increasing globalization. I am really looking forward to what the future might hold. On top of that, everyone is super friendly here in Belgium.”



Mr Hendri Herbst, his guide dog, Stan and Ms Inari Basson

Recognition/Erkenning

DVC Teaching and Learning

The top first year students of 2018 were recognised at a function hosted by the DVC Teaching and Learning. Hugo Uys (LLB) and Cornelia Kritzinger (BA (Law)) achieved top honours. Hugo nominated Ms Ebrezia Johnson and Cornelia nominated Prof Bradley Slade as lecturers that made a big impact on their studies and success. Congratulations to all!

Prof Thuli Madonsela receives Leadership for Justice Award in New York

Prof Thuli Madonsela has received yet another accolade for her work in the pursuit of social justice. Prof Madonsela was honoured with the Leadership for Justice Award from Shared Interest, a major impact investing group founded in New York by anti-apartheid campaigner Donna Katzin.



Prof Sandy Liebenberg: Chair UN Committee on Economic, Social and Cultural Rights

Prof Sandy Liebenberg had the honour (and responsibility) to chair the 66th session of the UN Committee on Economic, Social and Cultural Rights in Geneva this year.



Nondumiso Phenyane: The Mail & Guardian 200 young South Africans

Author: SU Corporate Communication

“Through my work as an academic and a businesswoman I hope to affirm and uplift young people in urban townships around me”.

Nondumiso Phenyane is one of the youngest black lecturers at SU’s Law Faculty. She teaches the Law of Evidence and Mercantile Law and has the rare privilege of being the course convener for the Law of Evidence module. Prior to joining SU, she was a legal researcher at the Supreme Court of Appeal and worked on high-profile cases such as the Director of Prosecutions, Gauteng vs Oscar Pistorius, and Van Breda vs Media24 Limited. She has a Bachelor of Social Science in International Relations and Organisational Psychology, a Postgraduate LLB and LLM from the University of Cape Town.

“We often expect young people in urban townships to make good decisions, but we seldom consider how much of a tall order it is to achieve this when you are mostly surrounded by brokenness,” says Phenyane. “Through my work as an academic and a businesswoman I hope to affirm and uplift young people in urban townships around me.”

As an academic her goal is to contribute to the transformation of a predominantly white profession, as she believes young black people would like to see people who look like them in their lecture rooms.

“I also hope to do research on access to justice in urban townships and that my work in this field will lead to the legitimisation of informal community tribunals,” she adds. “I want to... proceed to a Doctor Legum over the next few years. Over the even longer term I want to publish extensively on the issue of access to justice and eventually obtain a professorship at the University of Stellenbosch.” – Tamsin Oxford

Ms Phenyane recently completed her LLM from the University of Cape Town. Her research was on whether the Municipal Systems Act adopts a proactive approach to addressing service delivery protests.

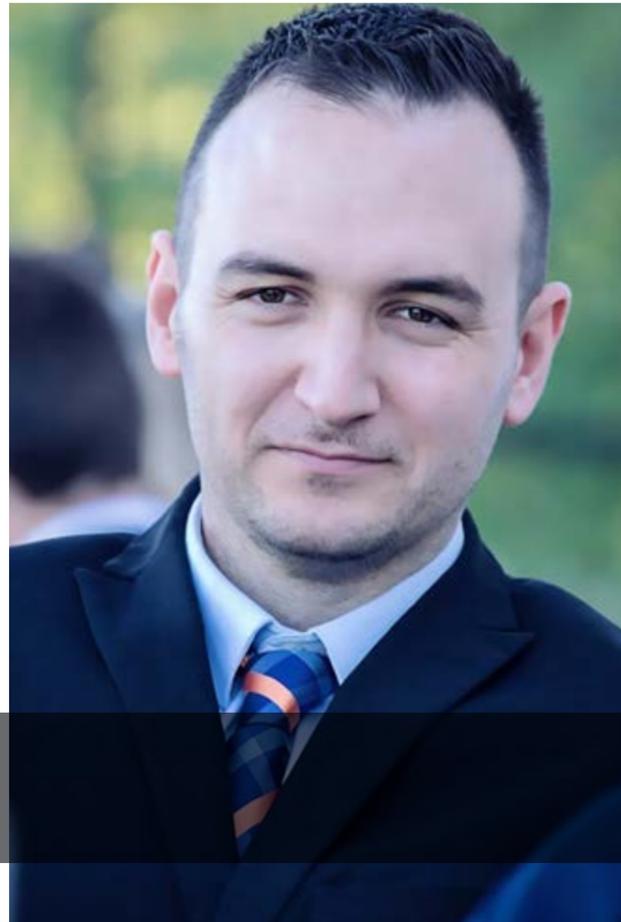


Prof Theo Broodryk

The Faculty of Law is delighted to congratulate Theo Broodryk with his promotion to associate professor. This is a special milestone in anyone's academic career and is well-deserved by Prof Broodryk (<http://blogs.sun.ac.za/law/staff/regskliniek-law-clinic/prof-theo-broodryk/>).

Prof Broodryk has also, upon invitation, been awarded the prestigious Beaufort (Colenso) Scholarship by St John's College, Cambridge University in the United Kingdom. Prof Broodryk undertook a research visit to Cambridge University during the 2019 Michaelmas term on the regulation of small amount credit and how the private law interacts with social policy and social welfare. This research is specifically aimed at considering the regulation of modest credit amounts and the different dispute resolution methods available under South African and English consumer protection legislation, including class actions. The research will aim to make a contribution to the future development of legal theory in this regard.

The Faculty is very proud that Prof Theo Broodryk has received the outcome of his NRF rating application. He received an Y1-rating (effective 1 January 2020), showing that he is a potential future leader in his field.



Prof Juanita Pienaar

Prof Juanita Pienaar was awarded a long service award for 25 years at SU. Prof Pienaar is a much-loved colleague by both students and staff.



Prof Wim de Villiers and Prof Juanita Pienaar

Stephan van der Merwe Teaching Excellence Award

The SU Law Clinic's Stephan van der Merwe has received an institutional Teaching Excellence Award in the category 'Developing Teacher'. The award is based on his experience and leadership in the scholarship of teaching and learning. Congratulations to Stephan on this recognition of his inputs and expertise.



Research Excellence Awards

Proff Boggenpoel, Kemp and Williams-Elegbe were part of the select group of academics who were awarded Research Excellence Awards at a ceremony hosted by the DVC Research and Innovation on 5 December at STIAS. The awards are based on both the publications and post graduate supervision results of the recipient.

Yolandi Filander

Congratulations to Ms Yolandi Filander for completing her Further Education and Training Certificate: Accounting Technician NQF Level 4 in Business, Commerce and Management Studies under SAICA. Ms Filander, a well-known figure in the Dean's office, undertook this qualification on a part-time basis and achieved excellent results. We look forward to enjoying the fruits of her hard labour!

Congratulations and Goodbye Liena!/Geluk en Totsiens Liena!

On 30 October a number of colleagues celebrated the fact that former colleague Liena Hoffman passed her LLD oral examination earlier that day. At the same time they took leave of Liena who was appointed as a minister of religion at a congregation of the Uniting Church in Maleny, Australia. The title of her thesis is "The Contribution Mediation can Make in Addressing Economic Crime in Corporate and Commercial Relationships in South Africa". Among those present were supervisor David Butler, co-supervisor Gerhard Kemp and internal examiner Sonia Human. Liena was a part-time lecturer at the Faculty from 2010 to 2018.

Op 30 Oktober het 'n aantal kollegas die feit dat oudkollega Liena Hoffman vroeër die dag haar LLD mondeling geslaag het gevier. Terselfdertyd het hulle afskeid geneem van Liena wat aangestel is as 'n predikant van die Uniting Church by 'n gemeente in Maleny, Australië. Die titel van haar tesis is "The contribution mediation can make in addressing economic crime in corporate and commercial relationships in South Africa". Promotor David Butler, mede-promotor Gerhard Kemp en interne eksaminator Sonia Human was van die kollegas wat teenwoordig was. Liena was n deelydse dosent by die Fakulteit vanaf 2010 tot 2018.



Prof Jacques du Plessis

Chancellor's Awards are made in recognition for sustained excellence in research, innovation, teaching and learning, social impact or professional services, or in more than one of these areas. Prof du Plessis's nomination is based on his local and international research outputs over more than twenty years in the fields of the law of contract, the law of unjustified enrichment, legal history and comparative law. Prof Jacques du Plessis has also been invited to serve on the International Scientific Advisory Board of the Max Planck Institute for Comparative and International Private Law in Hamburg for a 6 year period.



Prize for Best Labour Law Essay

Prof Christoph Garbers rewarded labour law students (as a prize for the best group essay dealing with the purpose and future of labour law in light of 4IR for the Advanced Labour Law module), by sponsoring them to attend the annual conference, of the SA Society of Labour Law in Durban. Congratulations to Carma Botha, Mariska Cloete, Mieka Loubser and Esther Schippers.

New staff/Nuwe personeel 2019

The faculty welcomes the following staff members to the team!



Erika Dlephu
(Public Law Secretary)



Thalalolwazi Msutu
(Lecturer in Mercantile Law)

Rector's Excellence Achievement Awards

Congratulations to the following students who were recipients of the Rector's Excellence Achievements Awards: Noël Basson (Leadership); Juletha-Mari Dercksen (Academic results – LLB); Des-Rose Engelbrecht (Leadership); Bradley Frolick (Service provision); Hendri Herbst (Sport); Kristhoff Krige (Leadership); Demi Cara Rawstorne (Social impact); Jessica-Ann Scott (Social impact); Carli van Wyk (Leadership) and Chris van der Meulen (Academic results-BAccLLB).

**Post-doctoral research fellows at the Law Faculty
Postdoktorale navorsingsgenote by die Fakulteit Regsgeleerdheid**

The Law Faculty currently have three post-doctoral research fellows:

Elvis Fokala started his post-doctoral research fellowship in April 2019 in the Public Law Department under the supervision of Prof Annika Rudman. His doctoral thesis is titled, "Implementing Children's Rights to Participation in Family Decision-Making Processes in Africa". In line with his doctoral studies, his current research topics and interests are International Law with a focus on children's rights and child law in general.

Charissa Fawole started her post-doctoral research fellowship in June 2019 in the Private Law Department under the supervision of Prof Sonia Human. Her doctoral thesis is titled: "A critical analysis of state responsibility to internally displaced children in Africa". In line with her doctoral studies, her current research topics and interests are child law; international and regional children's rights

and forced migration with a focus on internally displaced children and human rights accountability. Aneth Amin Mnzava started her post-doctoral research fellowship in September 2019 in the Public Law Department under the supervision of Prof Sandy Liebenberg (HF Oppenheimer Chair in Human Rights). Her doctoral thesis is titled: "A teleological approach to the interpretation of socio-economic rights in the African Charter on Human and People's Rights". Her post-doctoral research interests are on the protection and promotion of socio-economic rights in Africa. Based on her LLD dissertation she intends to publish journal articles on various subjects/topics including appropriateness of the teleological approach and the methodology for its application (as developed in her LLD dissertation) in interpreting socio-economic rights in the African Charter on Human and Peoples' Rights. Others include analysis of the socio-economic rights jurisprudence of the interpretive organs of the African Charter through the lens of the teleological approach, as well as the nature of States obligations imposed by these rights and models of review.

Student court / Studentehof

The SU Student Court is empowered by Section 58 of the Student Constitution which states: "(1) The Student Court-(a) functions as an administrative tribunal and;(b) is independent and subject only to this Constitution, which the Court must apply impartially and without fear, favour or prejudice.(2) All student bodies must cooperate to ensure the independence, impartiality, dignity and accessibility of the Student Court".

The Members of Student Court are appointed by the Faculty Board of the Faculty of Law and comprise penultimate, final

year and LLM law students. The Members of Student Court, Noël Basson (Vice-Chairperson), Thato Molefe (Media and Web Communications), Bradley Frolick (Chairperson), Shannon O'Brien (Secretary) and Des-Rose Engelbrecht (Legal Literacy) received their recognition certificates from Student Governance in the Centre for Student Leadership and Structures (Division Student Affairs) at a ceremony held on 31 October. Prof Stevens attended the event to congratulate them (as well as those members unable to attend).



Law Faculty is Proud: Prof van Wyk's last two Doctoral Candidates

On 5 April Prof Andreas van Wyk's two last doctoral candidates (Albert Marais and Nico van der Walt) graduated. His first doctoral student, Emil Brincker graduated in 1991. Six doctoral students graduated under Prof van Wyk's supervision, including our vice dean Prof Richard Stevens. Prof van Wyk is a former dean of the Faculty and also a former rector of SU.

Regsfakulteit Is Trots: Prof van Wyk se laaste twee doktorsle kandidate

Op 5 April het prof Andreas van Wyk se twee laaste doktorsle kandidate (Albert Marais en Nico van der Walt) gradueer. Sy eerste doktorsle student, Emil Brincker, het in 1991 ge-gradueer. Ses doktorsle studente het onder Prof van Wyk se toesig, insluitende ons visedekaan prof Richard Stevens, ge-gradueer. Prof van Wyk is 'n voormalige dekaan van die Fakulteit en ook 'n voormalige rektor van die SU.



Members of Student Court, Noël Basson (Vice-Chairperson), Thato Molefe (Media and Web Communications), Bradley Frolick (Chairperson), Des-Rose Engelbrecht (Legal Literacy) and Shannon O'Brien (Secretary)

Moot courts/Skynhowe

African Human Rights Moot Court

Annika Rudman and two students Mr Beckerling and Mr van Dyk represented the Faculty in Gabarone from 1 to 7 July at the African Human Rights Moot court competition where they were placed fourth in terms of the written Heads of Argument and seventh over-all.



Mr Carl Beckerling and Mr Frederick van Dyk

Child Law Moot Court

On 18 and 19 October 2019 the SU team comprising of Stacey Goliath and Megan Roos, second year law students, took part in the 10th Annual National Child Law Moot Competition hosted at the University of Pretoria. Dr Debbie Horsten and Dr Lize Mills prepared the team for the competition. This year the competition consisted of thirteen teams which included teams from across the African continent. The Stellenbosch team placed in the top four out of thirteen universities and reached the semi-finals in this competition.



Ms Stacey Goliath, Ms Megan Roos, Dr Debbie Horsten and Dr Lize Mills

NLIU Justice RK Tankha Memorial Moot Competition

Three of our students, Gabrielle Feher, Sarfaraaz Ganie and Micha Feher, participated in the fourth NLIU Justice R.K Tankha Memorial Moot Competition. They write:

"We were honoured to have been afforded the opportunity to not only SU, but South Africa at large at the fourth NLIU Justice RK Tankha Memorial Moot Competition. The Moot is the most prestigious Arbitration Moot in India and was held at National Law Institute University, Bhopal which is rated as the third top Law school in India. The experience further cultivated our skills of teamwork, the ability to think on our feet as well as drafting of memorials, all of which will be invaluable for the three of us going forward. We returned home with the title of runner up in the 'Top performing International Team' category, as well as a renewed sense of pride in the fact that SU has undoubtedly equipped us with international competency. Added to this, "we were fortunate enough to become acquainted with many other students from all over India and abroad as well as engaging with some of the top Indian judges, lawyers and advocates, all of whom educated and informed us about their respective legal systems, educating us on aspects which we were unaware of and in a few cases forming the basis of some lifelong friendships."



Micha Feher, Gabrielle Feher and Sarfaraaz Ganie

Roman Law Moot Court

On 18 October, the annual Roman Law Moot Court Final organised by the Law Faculty's Moot Society (under the supervision of Ray de Villiers) and sponsored by Werksmans was held at the SU Museum. The Moot Court was judged by Judge Fritz Brand, Prof Jacques du Plessis and two representatives from Werksmans, Mr Nicholas Fairbairn and Ms Lerato Matebesi. Emily Barnes, Corlia Kritzinger, Edwin Michael, Estelle Hislop, Simon Brand and Maxine Smet appeared on behalf of the plaintiff(s) and Tamryn Esau Hoffman, Chuma Mtshontshi Dlamini, Sima Khumalo Adams, Curtleigh Tobias Mapani and Samantha Ruponga Mashiki on behalf of the defendant(s).

Congratulations to the team for the defendants who won this year's Roman Law Moot Court and to Ms Corlia Kritzinger who was awarded the title of best speaker.



Emily Barnes, Corlia Kritzinger, Edwin Michael, Estelle Hislop, Simon Brand and Maxine Smet



Above: Tamryn Esau Hoffman, Chuma Mtshontshi Dlamini, Sima Khumalo Adams, Curtleigh Tobias Mapani and Samantha Ruponga Mashiki



Competition Commission Inaugural Moot Court

The SU team that comprised of final year students Tarryn Sampson and Jacques Fooy came second in the inaugural Competition Commission Moot Court Competition. Stellenbosch was one of six universities that entered the competition and came second in the final to the University of Johannesburg. SU was awarded the prize for preparing the best Heads of Argument and Tarryn Sampson was awarded as the second best speaker of the competition.



Judge Fritz Brand and Prof Jacques du Plessis



Social Impact Sosiale Impak

SU Law Clinic/US Regskliniek



Highlights at the SU Law Clinic: 2019

2018 was a noteworthy year for the SU Law Clinic for various reasons, including being recognised as the leading university law clinic on the African Continent at the 2018 African Legal Awards. However, 2019 has already exceeded expectations – it has been an extremely eventful year at the Clinic for the year to date. Below is a brief description of some of the activities and achievements of the Clinic during the course of this year.

Access to Legal Services

From January to July 2019, 1231 individuals visited the Law Clinic for legal assistance. Out of the 1231 individuals, 630 were existing clients and 601 were new clients. 1019 individuals spoke Afrikaans, 132 individuals spoke IsiXhosa and 76 individuals spoke English. 599 individuals came from Stellenbosch. 660 individuals were female and 571 were male.



Awards and Recognition

On the 6 June 2019, the Clinic was recognised as the South African Specialist Law Firm and the South African Social Justice Law Firm of the Year at the 2019 international 10th Annual Global Law Experts Awards. The Clinic was also externally nominated and has been shortlisted as a finalist in the category 'Empowerment of Women in the Community' at the 2019 Gender Mainstreaming Awards. The overarching purpose of the awards is to encourage more meaningful representation of women in the mainstream of business. The Clinic was nominated on the basis of the women's empowerment workshop which it recently conducted in Somerset-West on 22 June 2019. The awards ceremony took place at the Gallagher Convention Centre in Midrand on 5 September 2019.



Financial Literacy Project

The Financial Literacy Project (FLP) focuses on empowerment sessions for learners in secondary education, as well as farm workers regarding financial literacy. This entails teaching farmworkers and high school learners basic financial literacy skills such as how to prepare a budget, debt management and planning for retirement thus instilling a culture of saving in these learners and farmworkers. In 2019 the students were also accompanied by SU translators, so that the participants listened to the presentations in English, Afrikaans and/or Xhosa. Thus far the student-groups have visited farms such as Vriesenhof, Jonkersdrift, Stark Condé, De Morgenzon, Jordan, Neethlingshof, Boschendal and Warwick as well as Luckhoff, Kayamandi and Kylemore High.



IProwujekthi yokuNika ulwazi ngeziMali

IProwujekthi yokuNika ulwazi ngeziMali, i-Financial Literacy Project (FLP), ijolise kwiiseshoni zokuxhobisa abafundi abakwimfundo yamabanga aphakamileyo ndawonye nabasebenzi basefama, bexhutyiswa ngolwazi ngezimali. Oku kubandakanya ukufundisa abasebenzi basefama kunye nabafundi bamabanga aphakamileyo ezona zakhono zibalulekileyo zokusebenza ngezimali, zakhono ezo zifana neso sokuqu-

lunqa ibhajethi, ukuphathwa kwamatyala nokwenza izicwangciso zexesha lomhlalaphantsi nto leyo yenza ukuba aba bafundi naba basebenzi basefama bakuqhele ukulondoloza imali. Ngo-2019 abafundi baphelekwa nangabaguquli-lwimi baseStellenbosch ukuze abo bathathi-nxaxheba intetha eziziswe apho babe nako ukuziphulaphula ngesiNgesi, isiAfrikansi nangesiXhosa. Ukuza kuthi-ga ngoku amaqela abafundi andwendwele iifama ezifana naleyo yase-Vriesenhof, Jonkersdrift, Stark Condé, De Morgenzon, Jordan, Neethlingshof, Boschendal neyase-Warwick ndawonye ne-Luckhoff, i-Kayamandi ne-Kylemore High.

"In Duplum" Application

On 12 – 14 August 2019 the long-awaited and important "In duplum" application was heard in the Western Cape High Court. The Clinic, Summit Financial Partners and 10 clients filed an application during 2018 involving all the major role players in the South African credit industry. In total 49 respondents, including all the major banks, the lending institutions, the ministers of Justice and Trade and Industry, and the National Credit Regulator, were joined to the case. The Clinic aims to provide judicial clarity on the interpretation of certain sections of the National Credit Act and prohibit creditors from unilaterally adding unlawful costs to debtor's account. The judgement is expected before the end of the year and could potentially have a significant impact on the South African credit industry.



Breaking news - SU Law Clinic was successful!



Lifestyle Legal Class Action Litigation

The Clinic is currently in the final stages of sending court papers to the Western Cape High Court in order to institute a new class action lawsuit on behalf of thousands of defrauded consumers. The Clinic has been alerted to complaints from consumers concerning websites related to a company called Lifestyle Legal. These websites,

which appear to offer loans and/or free loan finding services, induce consumers to conclude “agreements” for unwanted services and immediately begin debiting monies from their bank accounts. Consumers who are able to reverse these debits, begin to receive a barrage of threats and harassment from the relevant company,

who also threaten to blacklist or take legal action against consumers in the event that consumers do not make payment in terms of the “agreements”. The Clinic seeks certification of the class in order to represent them in a class action against the operators of these websites.

Opposition of Farm Evictions

Clinic attorney, Nikita Roode, is currently involved in negotiations on behalf of 65 families from 5 farms in Paarl and Malmesbury. In these matters, the respective farm owners offered to buy houses in housing developments in exchange for the occupiers giving up their tenure on the 5 respective farms. The families would all – if negotiations were successful – take ownership of their homes. The Clinic will also meet with 14 more families on 27 August from a farm in Simondium, who seek assistance with similar negotiations.



Training for BCCEI

The Clinic is excited about its collaboration with The Bargaining Council for the Civil Engineering Industry (BCCEI). The Clinic’s Stephan van der Merwe is training BCCEI leaders and members on various issues related to dealing with emolument attachment orders. He will present sessions at 6 workshops held in Bloemfontein, Durban, Port Elizabeth, East London, Johannesburg and Cape Town during August and September 2019. This partnership further underscores the Clinic’s commitment to its vision for a community that is legally empowered and that possesses a strengthened capacity to exercise their rights.



Mr Stephan van der Merwe and Mr Odwa Nweba



Mr Stephan van der Merwe presenting a talk entitled “South African debt industry’s ‘dirty little secret’” in front of 300 delegates at the prestigious 10th Annual African Debt Collection Convention at Emperor’s Palace, Johannesburg.



Workshop advertisement



Nikita Roode

Farm Occupier’s Right of Security of Tenure Workshop

On Saturday, 9 November 2019, attorney Nikita Roode presented a workshop in Prins Alfred Hamlet, Ceres, on farm occupiers’ right of security of tenure in terms of ESTA. The workshop was attended by farm occupiers and other community members from Nduli, Ceres, Tulbagh, Bella Vista and Prins Alfred Hamlet, and was well received by all the attendees, all of whom actively participated by posing questions on issues and concerns in their respective communities. Ms Roode was accompanied by candidate legal practitioners Lityelovuyo Konqobe and Mvuyisi Mjuda, as well as administrative employees of the Law Clinic, Priscilla Khoaeane and Magda Esau.

Pan-African Convening on Abusive Lending Practices and Social Protection

On 31 October to 1 November 2019 the Clinic was invited by Open Society Foundation: Justice Initiative to attend the Pan-African Convening on Abusive Lending Practices and Social Protection in Nairobi, Kenya. Stephan van der Merwe and Odwa Nweba represented the Clinic during the event, where they participated in several high-level discussions with important role-players in the debt relief landscape. Stephan joined a distinguished panel during a plenary discussion: “Spotlighting innovative accountability strategies”, where the Clinic was introduced as “global leader” in the field of impact litigation combating debt abuse. Odwa chaired one of the break-away workshop sessions: “The role of domestic, regional and international law”.



Ubuntu Learning Short Course



(Brandvlei) every Thursday.

The course consists of 15 contact sessions of approximately three hours each from 10h00-13h00: an introductory session; twelve sessions engaging with interpretations of the theme (three from each disciplinary perspective); a concluding session bringing everything together; and an end-of-course celebration to which you can invite family and/or friends.

Completing the course help participants, amongst other things:

- to develop an understanding of and critical engagement with course theme-related concepts grounded in examples from law, history, economics and literature
- to reflect on broader shared societal challenges and opportunities through independent and interactive engagement with the course materials, your lecturers and your classmates
- to recognise the value of perspectives of those from different backgrounds and life experiences in the spirit of collaboration, community-building and connectedness
- to be able to reflect on your own learning and attitude to learning, and demonstrate learning growth/progression
- to have an increased commitment to the active promotion of social justice

From 7 to 8 November, law student Caitlin Lee Kleynhans represented the Ubuntu Learning Community, a prison-education partnership between SU and the Department of Correctional services, at the launch of the Incarceration Nations Network (INN) hosted by the Nelson Mandela Foundation and Wits Universities Centre for Applied Legal Studies. INN is a global network and think tank that supports, instigates and popularises innovative prison reform efforts around the world. The event hosted people engaged in prison reform projects from countries such as Ghana, Kenya, Brazil, USA, the Netherlands, Czech Republic and Trinidad.



Thirty students, including 15 incarcerated students from Brandvlei Correctional Facility in Worcester and 15 SU students from multiple faculties, received their certificates from SU for a programme aimed at promoting social justice and community building. The SU students are: Akhona Sandaza (law); Caitlin Kleynhans (law); Hlonelwa Lutuli (law); Jana Oosthuizen (law); Krostoff Krige (law); Ondelwa Soyeza; Daniela Barnard; Johnathan Galloway; Kaylor Weppelman; Kelly-Robyn Morey and Sejal Debideen.

The Ubuntu Learning short course is the educational component of a broader social impact initiative entitled the Ubuntu Learning Community (ULC). The aim of ULC's educational component is to bring together people in the criminal justice system and higher education institutions to study alongside each other in learning communities that aim to be inclusive, and individually, institutionally, and socially transformative. Participants study an interdisciplinary module facilitated by SU academics from various faculties: Dr Mary Nel (Law); Dr Chet Fransch (History); Dr Debra Shepherd (Economics) and Dr Daniel Roux (English). The theme of the 2019 short course is "Am I because we are? Exploring selves and communities", and it will be explored from the perspectives of law, literature, history and economics. The one-year Ubuntu Learning Programme is made available to incarcerated persons who wish to equip themselves with tertiary level qualification prior to their release and to SU students who wish to enrich their studies and engage in social justice work. The short course is the brainchild of SU Criminal Law lecturer, Dr Mary Nel. Dr Nel took inspiration from ULC's international partners, namely the Prison-to-College Pipeline Program in the USA and Learning Together in the UK. She says these courses have had many positive results in these countries.

ULC also consists of two student led components, namely the social support and reintegration component and the community building component. These components recognise the need to break down the barriers between those who have been incarcerated and the community at large as to decrease the high levels of recidivism in South Africa. Final year law student Caitlin Lee Kleynhans currently acts as the Student Coordinator for ULC and is the trailblazer for this part of the initiative.

Classes took place in Brandvlei Correctional Centre near Worcester

Alumni

Law Faculty Alumna selected for Humphrey Fellowship Program

The Law Faculty extends its congratulations to our alumna, Ms Jana le Roux, who was recently elected as the single representative from South Africa as recipient of the 2018-2019 Hubert H. Humphrey Fellowship Program.

The Humphrey Fellowship Program is part of the Fulbright Scholar Program and is a fully sponsored initiative aimed at mid-career professionals in the public sector, sponsored by the United States (US) Department of State. With its aim of enriching fellows' professional skills and knowledge, the Program provides fellows with opportunities to meet and exchange information and share experiences with their American counterparts and Humphrey colleagues from around the world. The culmination of the fellowship year is a six-week Professional Affiliation work-experience phase, arranged by the fellows, that sees direct interaction with American organisations and provides opportunities for meeting and working with their American peers. The Institute of International Education (IIE) also facilitates professional enhancement workshops that engage fellows in cross-disciplinary and multi-regional exchanges, as part of the overall programme.

Ms le Roux was elected to go on exchange at the Katholieke Universiteit of Leuven (Belgium) in her final year, before graduating in 2003 with her LLB, and completing her LLM in Mercantile Law at the Faculty in 2005.

After completing her articles and being admitted as an attorney at VanderSpuy Cape Town, Ms le Roux departed as a Senior Associate to commence work in various fields in private practice.

In 2013 she took up her current position, as Principle Legal Advisor to the Executive Mayor, in the Mayor's Office of the City of Cape Town. Ms Le Roux is responsible for advising the Executive Mayor (together with the Mayoral Committee) on planning appeal matters. Apart from her day-to-day duties, Ms Le Roux advises in urban planning decision-making to enable an inclusionary integrated urban environment aimed at benefitting all of the Cape Town Metropolitan's citizens. Ms le Roux is passionate about her role in public service and says that: "I am honoured and humbled by the Fellowship Award and it is a dream come true for me. I am excited to learn more in the US in order to effect change in the City of Cape Town Municipality".

The Faculty wishes Ms le Roux all the best in the Fellowship Program and celebrates her achievement in being selected for such a highly regarded programme.



Alumni Graduate with Distinction from Oxford University

The Faculty congratulates Ms Emily van Heerden (BA (Law) cum laude, LLB cum laude (Stell)) who graduated with distinction from the Bachelor of Civil Law (BCL) at Oxford University in 2018. Ms van Heerden is currently pursuing a MPhil (Law) degree at Oxford University. She writes: "I graduated from SU in 2015 with a BCom LLB. After working in law for a few years, I decided to apply for the Bachelor of Civil Law at Oxford University. In true Oxford style, the degree is neither a Bachelor, nor in civil law, but rather the equivalent to an LLM (Masters in Law). The BCL degree at Oxford was a hugely challenging yet rewarding experience; it offered an opportunity to study four legal modules in incredible depth over the course of the year. My prior studies at Stellenbosch certainly provided a solid foundation during the BCL, as did the valuable support that I received from the Stellenbosch Law faculty during the BCL application process and thereafter. I was pleased to graduate in August with a distinction overall and with first prize (shared) in Competition Law."



Also, a big congratulations to Samantha Hobson-Jones. The Faculty is very proud of Samantha, who graduated cum laude from Oxford University.

Advocate Webster Chinamore appointed to High Court, Zimbabwe

Congratulations to Advocate Webster Chinamora with his appointment to the High Court of Zimbabwe. Judge Chinamora is an alumnus of our Faculty and we are proud of his achievement and this recognition bestowed on him.



Memorials

Die Fakulteit betuig ons innige medelye met **Regter Nienaber, Steenkamp** en advokaat **Hans van der Riet** se familie en vriende.

The Faculty extends our condolences to the family and friends of **Judge Nienaber, Steenkamp** and advocate **Hans van der Riet**.

Advocate Hans van der Riet SC



Judge Steenkamp



Judge Nienaber



Contact us

www.sun.ac.za/law
Telephone: 00-27-21 808 4853

Visit us

Ou Hoofgebou / Old Main Building
Cnr of Victoria & Ryneveld Street
Stellenbosch