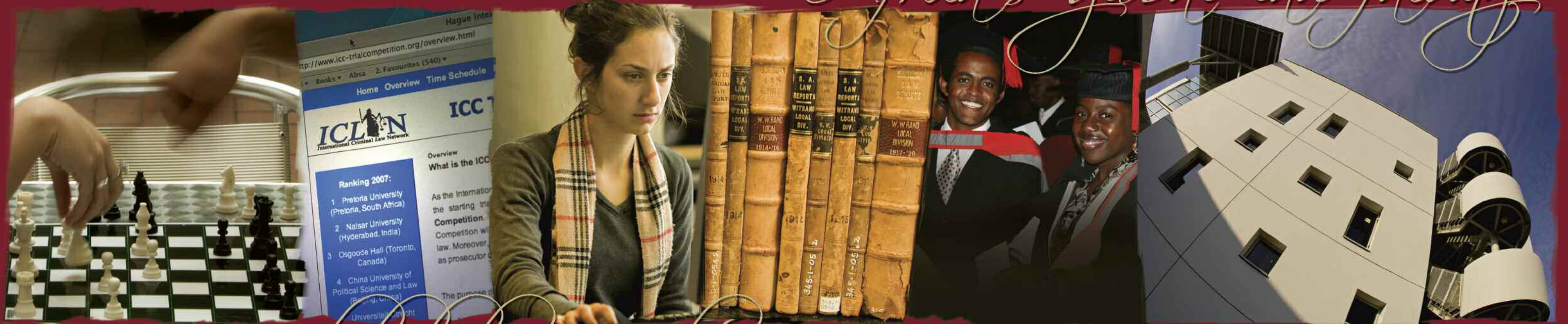


*Africa's global law faculty*



*Africa's global law faculty*

Faculty of Law  
Leading legal minds  
[www.up.ac.za/law](http://www.up.ac.za/law)



# AFRICA'S GLOBAL LAW FACULTY

The Faculty of Law of the University of Pretoria aims to make a significant contribution to advancing all aspects of the law in South Africa and on the rest of the continent, through the quality and relevance of its teaching and research. The Faculty sees itself as a gateway between Africa and the rest of the world. We are committed to the pursuit of excellence as well as humanity in all our endeavours.

Die Fakulteit Regsgeleerdheid van die Universiteit van Pretoria se doelstelling is om deur die gehalte en relevansie van ons onderrig en navorsing 'n wesentlike bydrae tot die bevordering van die reg, en as sodanig tot die oppergesag van die reg, in Suid-Afrika en die res van die vasteland te maak. Die Fakulteit is 'n poort tussen Afrika en die res van die wêreld en is verbind tot die strewende na uitnemendheid en medemenslikheid in al ons aktiwiteite.

Lefapha la Dithuto tša Molao la Yunibesithi ya Pretoria le katanela go kgatha tema ye kgolo tšwetšopeleng ya merero ka moka ya molao mo Afrika-Borwa le mo kontinenteng ka bophara, gomme ka go realo le kgatha tema phethagatšong ya molao ka tirišo ya dithuto le dinyakišišo tša lona tša khwalithi. Lefapha le le ipona e le leo le kopanyago Afrika le lefase ka bophara, gomme le ikemišeditše go phetha mešomo ya lona ka bokgabane le botho.



## Beyond the horizon

Not often is a faculty of law in a position where it has both the opportunity and the capacity to have a direct impact upon the country and continent where it is situated, and as such upon the global pursuit of the rule of law. The Faculty of Law of the University of Pretoria, now in its centenary year, has established itself as a central role-player in the South African legal system, and as a gateway between a unique network of African law faculties and the rest of the world. At the Faculty of Law we challenge ourselves to use this unique position to provide leadership through our students and staff in a quest to establish more effective and just legal systems in South Africa and on the African continent, in order to enable our societies to pursue the goals of development, security and justice. This can only be achieved by graduates who understand text as well as context; who have the necessary confidence and skills to be lawyers but also leaders; and through research that does not only take account of and reproduces established ideas, but generates new knowledge and new solutions. In short, this can only be done if we move beyond the current horizons. Lawyers have played a central role in the development of South Africa. Some were prominent – Mohandas Gandhi, Jan Smuts, Oliver R Tambo, FW de Klerk and Nelson Mandela come to mind – while others made their contribution behind the scenes. What is clear is that, in order to establish the rule of law, not only is an enabling and responsive legal system needed, but also lawyers who can turn ideas into reality. In order to make such a contribution, the Faculty of Law has at its disposal a strong physical infrastructure and quality staff and students. But the Faculty is more than its buildings, staff and students. Above all, it represents a dream, a vision of a society based not on power but on principle. It is its commitment to this ideal that makes the Faculty more than the sum of its parts: it is its engagement at the highest level with the challenges facing law in the twenty-first century in the South African and African setting that makes this Faculty one of the most exciting law faculties in the world today. We believe that there is room, and indeed a compelling need, for advanced legal education and research on the African continent, and it is in this context that we want to join forces with others on the continent and in the rest of the world who share the ideal to forge a new social compact, based upon the ideal of a just, effective and responsive legal order; to open up a new future for our country and continent; and to look beyond the horizon to the distant dream of all that we can become. We hope that these pages will convey a sense of the commitment and passion that drive us to establish a law faculty which can partner outstanding law faculties in the world, but which remains firmly rooted in South African – African – soil.

(Prof) Christof Heyns Dean: Faculty of Law, University of Pretoria; Fellow and Tutor: Oxford University; Adjunct Professor: American University, Washington DC



**Transvaals Universiteits College.**  
**CURSES 1908.**  
**Wets-Klassen te Johannesburg en Pretoria**

De Wets Klassen voor bovengenoemde plaatsen zullen worden her-  
 opend op 25 Februari a.s.

Studenten worden voorbereid voor:—

1. Wets, Sertifikaat Eksamens.
2. Transvaal Civiele Dienst (Lager) Wets Eksamens.

Mocht een voldoende getal studenten zich aantreiden, dan zullen klassen  
 worden gevormd in beide plaatsen voor de Transvaalse Civiele Dienst  
 (Hoger) Wets en L.L. B. Eksamens.

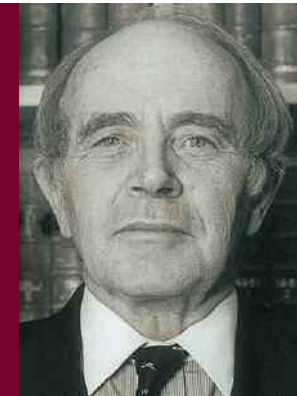
...a sich in verfinding stel-  
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 ink Gebouwen, Pretoria.  
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 n.m., op 21 deser bijeen  
 284/2



## History and Alumni

Legal education was offered for the first time by the Transvaal University College, the forerunner of the University of Pretoria, in 1908. The Faculty of Law was formally founded in 1918. Over the years the Faculty's alumni and staff have served, in South Africa and in other countries, in the highest positions in government, the legal profession, business and civil society, and a range of other capacities. They have risen to the level of head of government and chief justice, and in several countries have become cabinet ministers; judges of the highest courts; parliamentarians; leaders of the different branches of the organised legal profession; business leaders; university vice-chancellors; and many others. From its inception, former students and staff members of the University of Pretoria have served on the South African Constitutional Court. Johann van der Westhuizen served as a member of the Panel of Constitutional Experts who provided technical expertise to the Constitutional Assembly in drafting the South African Constitution, and is a judge of the Constitutional Court. Johann Kriegler served as the Chairperson of the Independent Electoral Commission supervising the first democratic elections in South Africa in 1994, and as a judge of the Constitutional Court. Yvonne Mokgoro, who taught in the Faculty, serves as a judge of the Constitutional Court.

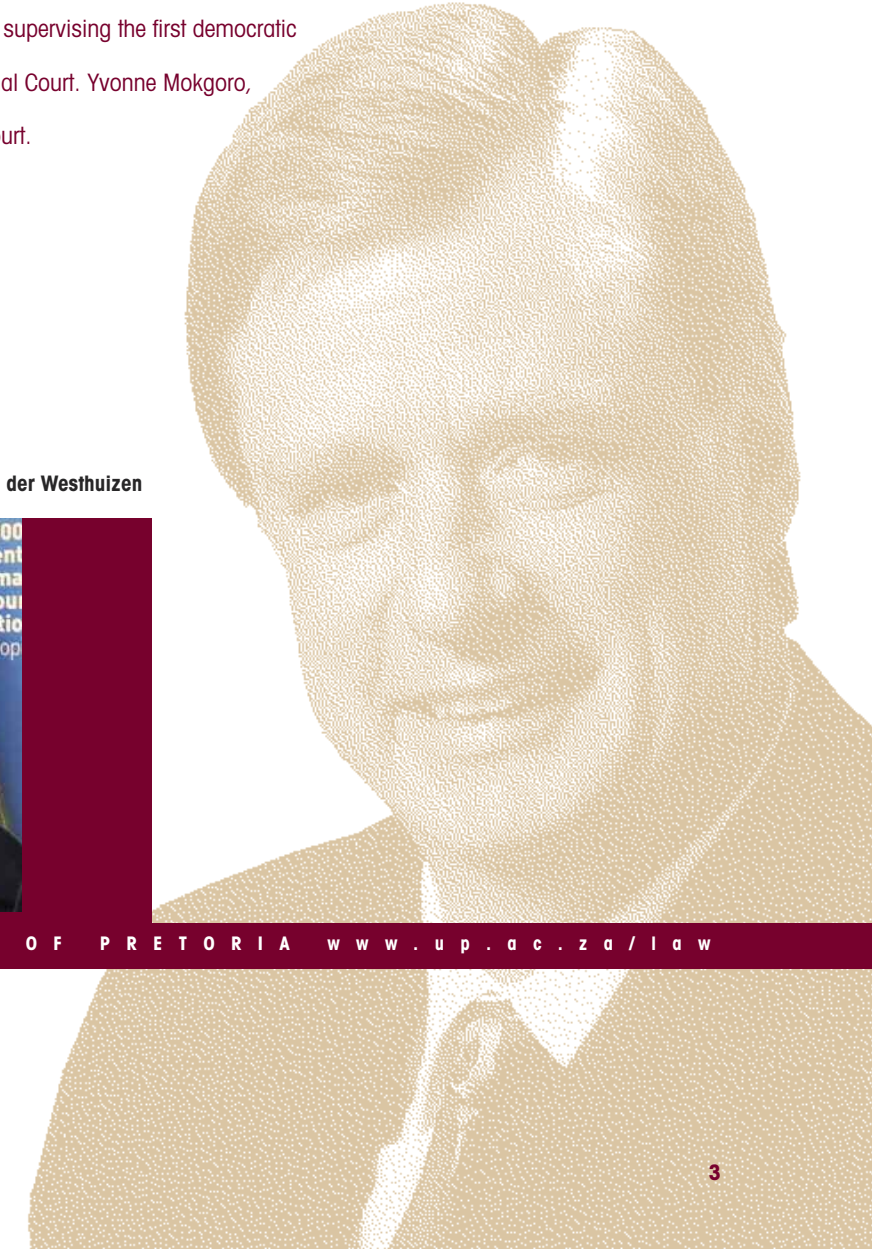
Johann Kriegler

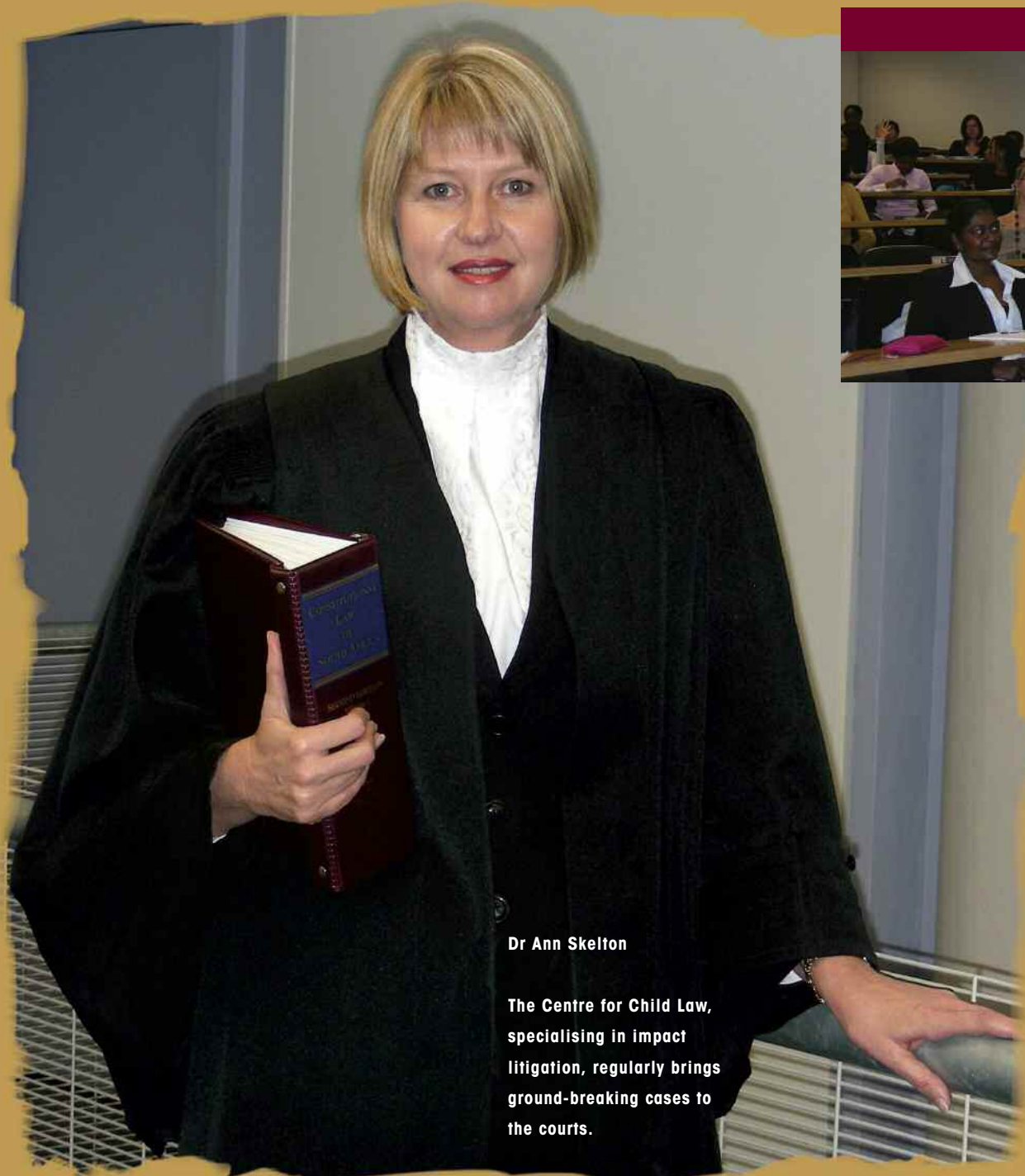


Yvonne Mokgoro



Johann van der Westhuizen





**Dr Ann Skelton**

The Centre for Child Law, specialising in impact litigation, regularly brings ground-breaking cases to the courts.



In 2006 the Centre for Human Rights won the prestigious UNESCO Prize for Human Rights Education for its programmes on human rights in Africa.

Prof John Dugard, *ad hoc* judge of the International Court of Justice in The Hague, Netherlands, teaches International Human Rights Law.

## Profile of the Faculty

The Faculty covers most aspects of South African and International Law in its undergraduate (LLB) as well as postgraduate (LLM and LLD) programmes. The Faculty is organised into six academic departments: ■ **Legal History, Comparative Law and Legal Philosophy** ■ **Mercantile Law** ■ **Private Law** ■ **Procedural Law** ■ **Public Law** and ■ **Centre for Human Rights**. There are four centres: ■ **Centre for Child Law** ■ **Centre for Advanced Corporate and Insolvency Law** ■ **Centre for Medical Law** and ■ **Centre for Sports Law**. The **Law Clinic** provides opportunities for community service and clinical experience. Just over 60 full-time academic staff members lecture in the Faculty, and there are around 2 000 students: 1 700 in the LLB, 230 in the LLM and 50 in the LLD programmes. The students include nationals of some 25 countries. The Faculty is housed in the ultra modern, award-winning New Law Building.





The library houses the Old Authorities Collection, containing Roman and Roman-Dutch sources spanning the last six centuries.



*Constitutional Law of South Africa* is the most cited source worldwide on the South African Constitution.

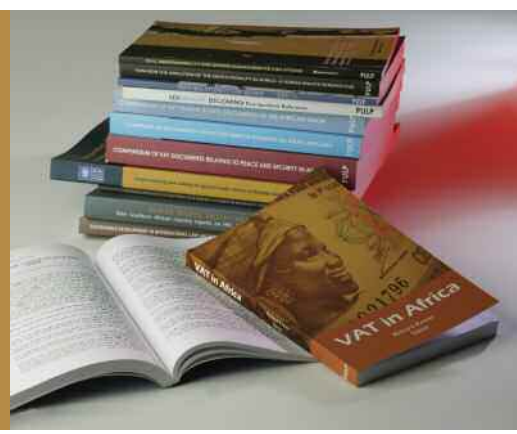
Leading textbooks in all areas of law are published by staff members.

## Research

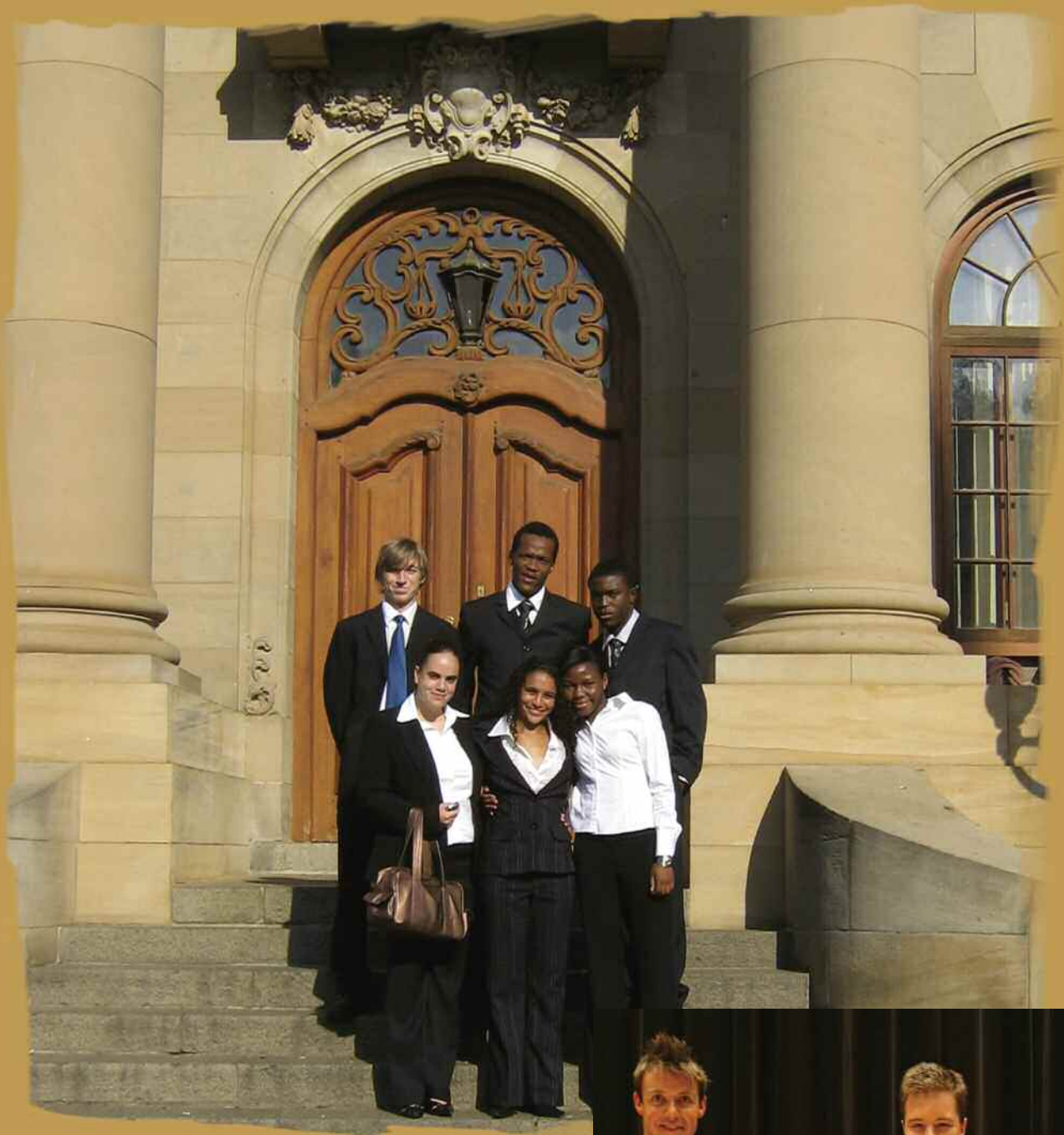
The Faculty is a leading source of accredited academic articles in the country, as well as a wide range of textbooks regarded as authoritative in the field of law. Research conducted by members of the Faculty has been quoted widely in the courts of the country, and has informed the reform of the legal framework of the African Union and the United Nations. The leading academic journals *De Jure*, *Tydskrif vir Hedendaagse Romeins-Hollandse Reg* and the *African Human Rights Law Journal*, as well as the *African Human Rights Law Reports* are edited in the Faculty. **OLIVER R TAMBO LAW LIBRARY** The modern facilities of the law library provide students, staff and visiting researchers access to almost every publication dealing with the law of South Africa, and a wide range of African and overseas texts. **PRETORIA UNIVERSITY LAW PRESS** Uniquely, the Faculty has its own publishing house, the Pretoria University Law Press or PULP, which publishes specialised legal texts, with a particular focus on material of relevance to Africa.



Members of the Pan African Parliament visiting the Law of Africa Collection in the law library. It is the most comprehensive and up to date collection of legislation and law reports of African countries available under one roof in the world.



PULP has published the *Compendium of key human rights documents of the African Union* in English, French, Arabic and Portuguese.



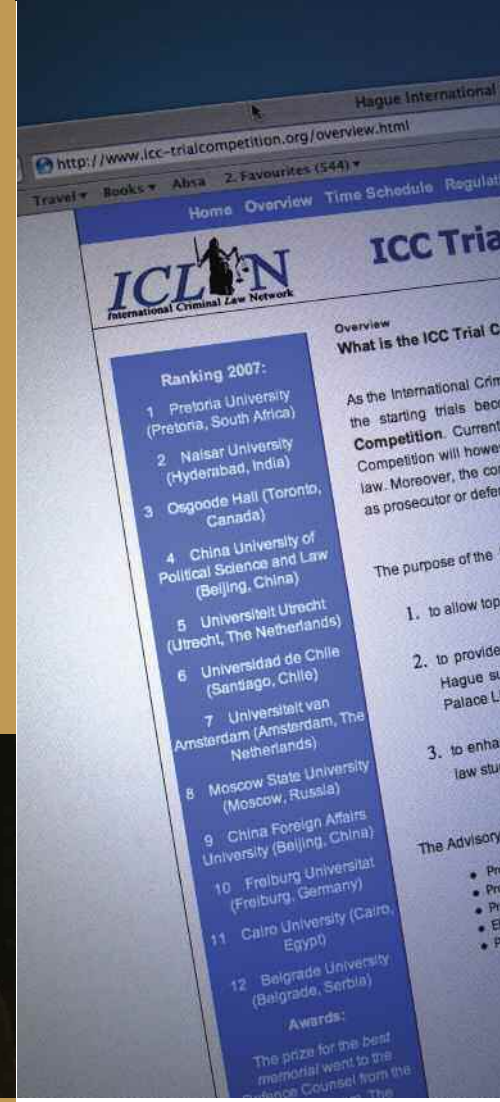
Winners of the First Year Moot Competition in Bloemfontein, 2007.



## Moot courts: World and Continental champions

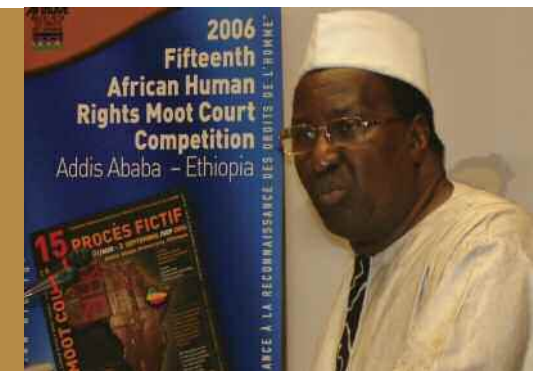
The Faculty initiated the African Human Rights Moot Court Competition in 1992, in which most law faculties in Africa now participate on an annual basis. Amongst African law faculties, students of the Faculty have an unparalleled record at moot competitions worldwide.

**UNIVERSITY OF PRETORIA INTERNATIONAL MOOT RECORD AFRICAN HUMAN RIGHTS MOOT COURT COMPETITION** Winners: 1992, 2004, 2008 2nd place: 1995, 1996, 1997, 2001, 2002 **JESSUP INTERNATIONAL LAW MOOT COURT COMPETITION** 2nd place (and prize for best oralist): 1999 **COMMONWEALTH MOOT COURT COMPETITION** 2nd place: 2001 **INTERNATIONAL CRIMINAL COURT TRIAL COMPETITION** Winners: 2007



**‘You have made the African Human Rights Moot Court Competition the most important African annual gathering on human rights issues in Africa.’**

– Alpha Konare, Chairperson of the African Union



The winners of the International Criminal Court Trial Competition in The Hague, Netherlands in 2007.



Students on a field trip to Rwanda.

## Student life

Student life in the Faculty is vibrant and dynamic. The Law House arranges sporting and social events. The Moot and Debating Society organises internal moot and debating competitions. The students publish their own law journal, the *Pretoria Student Law Review*. Students do internships with law firms, state institutions such as Parliament, as well as international agencies such as the United Nations and the African Union, in South Africa and abroad, to gain practical experience. Students participate in regular study trips, for example to Rwanda, Somaliland and Sierra Leone.

## Gateway between Africa and the world

The Faculty has over many years built strong ties with legal scholars in Western Europe and North America and other parts of the world. At the same time it has developed an unprecedented network among academic lawyers, legal practitioners and international organisations on the African continent, through organising the African Moot Competition and also through regional masters and doctoral programmes. Today the Faculty finds itself positioned at the point where these African and overseas networks intersect, and also engages in growing interaction with developing countries in other parts of the world. The Faculty has developed unique capacity in respect of law as seen from a developing country perspective.



At the Law Faculty Festival students and staff perform and celebrate their creativity, and TuksLaw students regularly represent the university and the country on the sports field.

'Maybe the day will come when this [university] will be for this country what Oxford is for England. Maybe the grass will have to grow on the field for another 100 years before it happens, but a great start has been made.'

– Jan Smuts, founder of the University of Pretoria, 3 August 1910, at the unveiling of the cornerstone of the Old Arts Building

'Ek is trots daarop om nou 'n lid van hierdie universiteitsgemeenskap te wees. Ek sê dit in die volle vertroue dat hierdie inrigting sal voortgaan om sy rol te speel in die opbou en ontwikkeling van ons nuwe samelewing.'

– Nelson Mandela, upon receipt of the degree LLD (*honoris causa*) from the Faculty of Law, 4 December 1997

'I am happy that this university has correctly positioned itself as an African university. Through partnerships with other universities in different parts of our continent, various programmes at the Law Faculty, and the admission of students from other African countries, this university has already positioned itself as a contributor to the renaissance of our continent.'

– President Thabo Mbeki at the opening of the New Law Building on 15 March 2004

Jan Smuts, lawyer and founder of the University of Pretoria, was also the drafter of the Preamble of the Charter of the United Nations.



KONGRES  
**“ 'N NUWE REGSBENADERING VIR  
 'N TOEKOMSTIGE SUID-AFRIKA ”**  
 Sentrum vir Menseregtestudies Universiteit van Pretoria  
 24 – 26 Oktober 1989

BRAAM KRUGER, *Anna Mangale as Justitia* 1989. Oil on wood panel. Collection Cecile van Riet, Pretoria. Poster sponsored by the Canadian Embassy.



Mary Robinson, former President of Ireland and UN High Commissioner for Human Rights, is an Extraordinary Professor in the Faculty of Law.

## Academic personnel

### DEAN

Heyns, CH; Professor  
 BLC LLB MA (Pretoria) LLM (Yale) PhD (Witwatersrand)

### DEPARTMENT OF MERCANTILE LAW

Van Eck, BPS; BLC LLB LLD (Pretoria) Professor (Head)  
 Delpont, PA; BA LLB LLD (Pretoria) HDip (Tax) (Witwatersrand) Professor  
 Klopper, HB; BA LLB LLD (Free State) Professor  
 Lötze, DJ; Blur LLB (Pretoria) LLM (Witwatersrand) LLD (Pretoria) Professor  
 Nagel, CJ; BA LLB LLD (Pretoria) Professor  
 Roestoff, M; BLC LLB LLM LLD (Pretoria) Professor  
 Van Jaarsveld, SR; BA LLB LLD (Pretoria) Professor  
 De Villiers, WP; Blur LLB LLD (Pretoria) Associate Professor  
 Vettori, MS; BA LLB (Witwatersrand) LLM (Unisa) LLD (Pretoria) Associate Professor  
 Jones, E; BA LLB (Monash) Senior Lecturer  
 Louw, C; BCom (Law) BCom (Hons) MCom LLB (Pretoria) Senior Lecturer  
 Muller, E; BCom (Law) LLB LLM (Pretoria) Senior Lecturer  
 Renke, S; BLC LLB LLM (Pretoria) Senior Lecturer  
 Barnard, J; LLB (Pretoria) LLM (Unisa) Lecturer  
 Joubert, EP; LLB LLM (Pretoria) Lecturer  
 Papadopoulos, SM; BLC LLB LLM (Pretoria) Lecturer  
 Pillay, M; LLB LLM (Pretoria) Lecturer  
 Burdette, DA; Blur LLB (Unisa) LLD (Pretoria) Extraordinary Professor  
 Brassey, MSM; BA (UCT) LLB Honorary Professor  
 H Dip (Tax) (Witwatersrand)  
 Fourie, JD; Blur (Pretoria) LLB (Unisa) Honorary Professor  
 Katz, MM; BCom LLB (Witwatersrand) LLM (Harvard) Honorary Professor  
 Loubser, RM; BCom MCom (Pretoria) Honorary Professor  
 Brink, GF; BCom LLB LLD (Pretoria) Extraordinary Lecturer

### DEPARTMENT OF PRIVATE LAW

Boezaart, CJ; BA LLB LLD (Pretoria) Professor (Head)  
 Maithufi, IP; Blur LLB (UNIN) LLM (UNW) LLD (Pretoria) Professor  
 Schoeman-Malan, MC; BA LLB LLD (Pretoria) Professor  
 Scott, TJ; BA (Hons) LLB (Pretoria) Dr Jur (Leyden) Professor  
 Van der Linde, A; BLC LLB LLM LLD (Pretoria) Professor  
 Van Schalkwyk, LN; BA LLB LLD (Pretoria) Professor  
 Buchner-Eveleigh, M; BLC LLB LLM (Pretoria) Senior Lecturer  
 Kuschke, B; BLC LLB (Pretoria) Senior Lecturer  
 Van der Spuy, P de W; BA LLB (Stellenbosch) Senior Lecturer  
 Louw, AS; BA (Stellenbosch) Blur (Unisa) LLB (Pretoria) Lecturer  
 Taylor, H; LLB, LLM (Pretoria) Lecturer  
 Bekker, JC; BA LLB LLD (Unisa) Honorary Professor  
 Grové, NJ; BA LLB LLM (Pretoria) LLD (RAU) Honorary Professor  
 Sinclair, JD; BA LLB LLD (Witwatersrand) Honorary Professor

### DEPARTMENT OF PROCEDURAL LAW

Boraine, A; Blur LLB (Pretoria) LLM (Witwatersrand) LLD (Pretoria) Professor (Head)  
 Cloete, R; BLC LLB (Pretoria) LLD (Unisa) Professor  
 Van der Merwe, IA; BProc LLB (Pretoria) LLM (Unisa) PhD (Rhodes) Associate Professor  
 Church, J; BCom LLB LLM (Pretoria) Senior Lecturer  
 Illsley, ED; BLC LLB (Pretoria) LLM (McGill) Senior Lecturer  
 Jordaan-Parkin, R; BProc (Unisa) LLB LLM (Pretoria) Lecturer  
 Jajbhay, M; BA (Durban-Westville) LLB LLM (Witwatersrand) Extraordinary Professor  
 West, AS; BProc (UNISA) Extraordinary Lecturer

### DEPARTMENT OF PUBLIC LAW

Botha, CJ; LLB (Pretoria) BA (Hons) LLD (Unisa) Professor (Head)  
 Carstens, PA; BLC LLB LLD (Pretoria) Professor  
 Le Roux, J; Blur LLB (Port Elizabeth) LLD (Pretoria) Professor

Malan, JJ; BA Hons (Pretoria) Blur LLB LLD (Unisa) Professor  
 Olivier, ME; BLC LLB BA (Hons) (Pretoria) MA (RAU) Professor  
 LLM (Pretoria) LLD (Unisa)  
 Bekink, B; BLC LLB LLM LLD (Pretoria) Associate Professor  
 Feris, LA; BA LLB (Stellenbosch) LLM (Georgetown) Associate Professor  
 LLD (Stellenbosch)  
 Woolman, SC; BA (Wesleyan Univ) MA (Columbia) JD (Columbia) Associate Professor  
 Law College) LLD (Pretoria)  
 Brand, JFD; BLC LLB (Pretoria) LLM (Emory) Senior Lecturer  
 Grobbelaar-Du Plessis, I; Blur LLB LLM (Pretoria) Senior Lecturer  
 De Wet, E; Blur LLB (Free State) LLM (Harvard) LLD (Free State) Extraordinary Professor  
 D'Oliveira, JA van S; Blur (Pretoria) LLB LLD (Unisa) Extraordinary Professor  
 Kessie, EK; LLB (Ghana) LLM (Brussels) LLM (Toronto) SJD (UTS) Extraordinary Professor  
 Carpenter, G; BA LLB (Pretoria) BA (Hons) (Unisa) Honorary Professor  
 Strauss, SA; BA (Law) (Stellenbosch) LLB (Free State) LLD (Unisa) Honorary Professor  
 Bishop, MJ; BA (Law) LLB LLM (Pretoria) Extraordinary Lecturer  
 Hoffman, A; BProc LLB LLM (Johannesburg) LLM (Pretoria) Extraordinary Lecturer  
 LLM (Columbia)  
 Oosthuizen, GH; BLC LLB (Pretoria) LLM (Leiden) Extraordinary Lecturer  
 Saayman, G; MBChB MMed (Pretoria) Extraordinary Lecturer

### DEPARTMENT OF LEGAL HISTORY, COMPARATIVE LAW AND LEGAL PHILOSOPHY

Van Marle, K; BLC LLB (Pretoria) LLM LLD (Unisa) Professor (Acting Head)  
 Kleyn, DG; BA LLB LLD (Pretoria) Professor  
 Nicholson, CMA; BProc LLB (Witwatersrand) LLM LLD (Unisa) Professor  
 Thomas, PhJ; MR (Rotterdam) LLD (Unisa) Professor  
 Kok, JA; BCom (Law) LLB LLM LLD (Pretoria) Senior Lecturer  
 Madlingozi, T; LLB LLM (Pretoria) Senior Lecturer  
 Matakala, L; LLB LLM (Pretoria) Lecturer  
 Nienaber, AG; BA (Pretoria) HDE BA (Hons) (Witwatersrand) Senior Lecturer  
 LLB LLM LLD (Pretoria)  
 Cornell, DL; BA (Hons) JD (UCLA) Extraordinary Professor  
 Van der Westhuizen, JV; BA LLB LLD (Pretoria) Extraordinary Professor  
 Mokgoro, Y; Blur LLB LLM (North-West) LLM (Pennsylvania) Honorary Professor

### CENTRE FOR HUMAN RIGHTS

Viljoen, FJ; BLC LLB MA (Pretoria) LLM (Cantab) LLD (Pretoria) Professor (Director)  
 Bradlow, DD; BA (Wits) JD (Boston) LLM (Georgetown) Professor  
 Hansungule, MK; LLB LLM (Zambia) LLM (SOAS, London) PhD (Graz) Professor  
 Dugard, CJR; BA LLB (Stellenbosch) LLB Dip International Law Extraordinary Professor  
 LLD (Cantab)  
 Kriegler, JC; BA (Pretoria) LLB (Unisa) Extraordinary Professor  
 Kwakwa, EK; LLB (Ghana) LLM (Queens) LLM JSD (Yale) Extraordinary Professor  
 Robinson, M; MA LLB (Dublin) LLM (Harvard) Extraordinary Professor  
 Roux, T; BA (Hons) LLB (Cape Town) PhD (Cantab) Extraordinary Professor  
 Allain, J; BA (Carleton) MA (Brock) DES PhD (Geneva) Extraordinary Lecturer  
 Aptel, C; BA (Aix-Marseille) MA (Bruges) MLitt (Dublin) PhD (Florence) Extraordinary Lecturer  
 Lumina, C; LLB (Zambia) LLM (Essex) PhD (Griffith) Extraordinary Lecturer  
 Rukato, H; BSc MA (Zimbabwe) PhD (Witwatersrand) Senior Researcher  
 White, JC; BA LLB (Witwatersrand) LLM (Yale) Senior Researcher

### CENTRE FOR ADVANCED CORPORATE AND INSOLVENCY LAW

Boraine, A; Blur LLB (Pretoria) LLM (Witwatersrand) LLD (Pretoria) Co-Director  
 Delpont, PA; BA LLB LLD (Pretoria) HDip (Tax) (Witwatersrand) Co-Director

### CENTRE FOR CHILD LAW

Skellon, A; BA LLB LLD (Pretoria) Director

### CENTRE FOR SPORTS LAW

Cloete, R; BLC LLB (Pretoria) LLD (Unisa) Director

### LAW CLINIC

Haupt, FS; BA (Hons) (Pretoria) LLB (Unisa) Director