

JULIE • 2025 • JULY

FACULTY OF LAW
IFACULTHI YOMTHETHO
FAKULTEIT REGSGELEERDHEID

NUUSBRIEF NEWSLETTER



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News from the
Dean's office

Nuus van die
Dekaan se
kantoor

Boodskap van die Dekaan

Beste kollegas, studente, alumni en vriende

Dit is met groot plesier dat ons hierdie nuusbrief met julle deel. Die Fakulteit Regsgeleerdheid het die 2025 akademiese jaar met hernieuwe entoesiasme begin.

Hierdie jaar het ons 'n diverse groep eerstejaarstudente verwelkom, insluitend LLB (vierjaar) studente, BA (Regte) studente, BCom (Regte) studente en BRek LLB studente. Daarbenewens het ons die eerste finalejaargroep van ons hernieuwe LLB-program verwelkom.

Behalwe vir 'n nuwe verpligte module in ons finale jaar (Reg en Tegnologie), het ons nuwe modules in ons kursuswerk LLM-programme ingesluit, spesifiek in Stedelike Reg en Klimaatreg en Volhoubaarheidsregeerkunde. Ons het ook 'n nuwe kortkursus bekendgestel, getiteld Klimatsveranderingsreg vir Plaaslike Regeringsaksie.

'n Noemenswaardige prestasie is die stigting van die Prestige Beurse vir Regte, geborg deur die Regsfakulteit Trust. Hierdie omvattende beurse is toegeken aan twee uitsonderlike studente, wat gekies is op grond van akademiese meriete, 'n kort opstel en 'n onderhoud met lede van die Fakulteit en die Regsfakulteit Trust.

Dit is noodsaaklik om te erken dat studentesukses beduidend beïnvloed word deur holistiese ondersteuning, insluitend toegang tot voldoende finansiële hulpbronne wat bydra tot voldoende studiegelde, verblyf, voedselsekerheid, reiskoste en studiemateriaal. Met die ruim ondersteuning van die Regsfakulteit Trust en ander alumni en skenkers, benewens die voorsiening van pryse, kon ons vanjaar ongeveer R5,5 miljoen in beurse aan regstudente versprei. Ons betuig ons opregte dank aan elke skenker en ondersteuner van ons studente, aangesien u bydraes 'n diepgaande impak op die sukses van hierdie studente maak en terselfdertyd 'n langtermynbelegging in ons samelewing verteenwoordig.

Die Fakulteit het sy onderneming om navorsings-gebaseerde kollokwiums op sleutelgebiede te organiseer (soos internasionale privaatrecht, demokrasie en die sosiale staat, groepsgedinge en straf(proses)reg), gehandhaaf. Hierdie semester het ons drie openbare

lesings suksesvol aangebied. Die lesings is met 'n hoë vlak van bywoning begroet en het besprekings oor kontemporêre kwessies aangemoedig. Die komende tweede semester sal 'n uitbreiding van sulke navorsingsintensiewe byeenkomste sien en verdere geleenthede vir betrokkenheid bied.

In antwoord op institusionele verwikkelinge is sekere aanpassings aan die leierskap van die Fakulteit aangebring. Met ingang van 1 April het professor Richard Stevens die rol van Waarnemende Viserektor: Leer en Onderrig aanvaar. Terselfdertyd het die vertrekkende Bedryfshoof (professor Stan du Plessis) my formeel opgelei voordat ek die posisie as Waarnemende Bedryfshoof vanaf 1 Junie 2025 aanvaar het. Professor Juanita Pienaar het die rol van Waarnemende Dekaan aanvaar, professor Bradley Slade het as Waarnemende Visedekaan Leer en Onderrig ingetree, en professor Theo Broodryk het vanaf 1 Julie die rol van Waarnemende Visedekaan Navorsing en Internasionalisering aanvaar. Saam met professore Sadulla Karjiker, Anél du Plessis, Geo Quinot, mev. Karin Wiss en dr. Franziska Myburgh, gaan die Fakulteit voort onder leiding van die hersiene Fakulteitsbestuurskomitee.

Die huidige tydperk is 'n noemenswaardige tyd vir die onderrig en studie van regte. Die verreikende wêreldwye ontwikkelings wat in onlangse maande waargeneem is, die onlangs vrygestelde kwartaalike arbeidsopnamestatistieke en die bekendstelling van belangrike nuwe (en voorgestelde) wetgewing bied ruim gevallestudies vir klasbesprekings en interessante navorsingsnavrae. Dit beklemtoon die beduidende verantwoordelikheid wat verband hou met die titels van 'regspraktisyn', 'akademikus' of 'leier' in ons veld, wat die handhawing van geregtigheid, die dien van die openbare belang en die bydrae tot 'n meer billike samelewing behels.

Soos die semester tot 'n einde kom, wil ek ons personeel en studente bedank vir al hul harde werk en toewyding. Ek hoop julle almal geniet 'n ontspannende en welverdiende ruskans!

Professor Nicola Smit
Dekaan

Waarnemende Bedryfshoof

Message from the Dean

Dear colleagues, students, alumni, and friends

It is with great pleasure that we share this newsletter with you. The Faculty of Law commenced the 2025 academic year with renewed enthusiasm.

This year, we welcomed a diverse cohort of first-year students, including LLB (four-year) students, BA (Law) students, BCom (Law) students, and BAccLLB students. Additionally, we welcomed the inaugural final-year group of our renewed LLB programme.

Other than a new compulsory module in our final year (Law and Technology), we have introduced new modules into our coursework LLM programmes, specifically in Urban Law and Climate Change and Sustainability Governance. We have also launched a new short course, titled Climate Change Law for Local Government Action.

A notable achievement is the establishment of the Prestige Bursaries for Law, sponsored by the SU Law Trust. These comprehensive bursaries have been awarded to two exceptional students, who were selected based on academic merit, a short essay, and an interview with members of the Faculty and the Law Trust.

It is imperative to acknowledge that student success is significantly influenced by holistic support, including access to adequate financial resources that contribute to adequate tuition, accommodation, food security, travel costs, and study materials. With the generous support of the SU Law Trust and other alumni and donors, beyond the provision of prizes, we were able to distribute approximately R5,5 million in bursaries to law students this year. We extend our sincere gratitude to every donor and supporter of our students, as your contributions make a profound impact on the success of these students and, simultaneously, represent a long-term investment in our society.

The Faculty has maintained its commitment to organising research-based colloquiums in key areas, such as private international law, democracy and the social state, aggregate litigation, and criminal (procedural) law. This semester, we successfully hosted three

public lectures, which were met with a high level of attendance and facilitated engaging discussions on contemporary issues. The upcoming second semester will witness an expansion of such research-intensive gatherings and provide further opportunities for engagement.

In response to institutional developments, certain adjustments were made to our Faculty leadership. Effective 1 April, Professor Richard Stevens assumed the role of Acting Deputy Vice Chancellor Teaching and Learning. Simultaneously, I formally shadowed the departing Chief Operating Officer (Professor Stan du Plessis) prior to assuming the acting COO position from 1 June, 2025. Professor Juanita Pienaar assumed the role of Acting Dean, Professor Bradley Slade served as Acting Vice Dean Teaching and Learning, and Professor Theo Broodryk took on the Acting Vice Dean Research and Internationalisation role from 1 July. Alongside Professors Sadulla Karjiker, Anél du Plessis, Geo Quinot, Mrs Karin Wiss, and Dr Franziska Myburgh, the Faculty continues under the guidance of the revised Faculty Management Committee.

The current period presents a notable time for teaching and studying law. The far-reaching global developments observed in recent months, the recently released Quarterly Labour Survey statistics, and the introduction of key new (and proposed) legislation provide ample case studies for class discussions and intriguing research inquiries. This underscores the significant responsibility associated with the titles of 'lawyer,' 'scholar,' or 'leader' in our field, which entails upholding justice, serving the public good, and contributing to a more equitable society.

As the semester comes to an end, I want to thank our staff and students for all their hard work and dedication. I hope you all have a relaxing and well-deserved break!

Professor Nicola Smit

Dean

Acting Chief Operating Officer

Umyalezo ovela kwiNtloko yeFakhalthi

Umyalezo ovela kwiNtloko yeFakhalthi

Boogxa, bafundi, zithwalandwe, nabahlobo ababekekileyo Kuluvuyo olukhulu ukwabelana nani ngale ncwadana yeendaba. IFakhalthi yezoMthetho iye yaqalisa unyaka wezifundo ka2025 ngovuyo oluhlaziyekileyo.

Kulo nyaka, siye samkela iqela elizintlobontlobo labafundi abenza unyaka wokuqala, kuquka abafundi beLLB (yeminyaka emine), abafundi beBA (ezoMthetho), abafundi beBCom (ezoMthetho), nabafundi beBAccLLB. Ukongeza, siye samkela iqela lokuqala elenza unyaka wokugqibela kwinkqubo yethu yeLLB ehlaziyiweyo.

Ngaphandle kwemodyuli entsha enyanzelekileyo kunyaka wethu wokugqibela (ezoMthetho neTekhnoloji), siye sazisa iimodyuli ezintsha kwiinkqubo zethu zomsebenzi wezifundo zeLLM, ngokungqalileyo kwezomthetho wasezidolophini noGuquguquko lweMozulu noLawulo obuluQilima. Siye kananjalo saphelelela isifundo sexesha elifutshane esitsha, esihloko saso sithi uMthetho woGuquguquko lweMozulu ukulungiselela amaNyathelo ooRhulumente beeNgingqi (*Climate Change Law for Local Government Action*).

Impumelelo eqaphelekayo kukumiselwa kweeBhasari zoDumo kwezoMthetho, ezixhaswa ngezimali yiThrasti yezoMthetho yaseSU. Ezi bhasari zibanzi ziye zanikwa abafundi ababini ababalaseleyo, nabaye bakhethwa ngokusekelwe ekusebenzeni kwabo kwizifundo zabo, kwisincoko esifutshane, nakudliwanondlebe kunye namalungu eFakhalthi neThrasti yezoMthetho.

Kubalulekile ukuqaphela ukuba impumelelo yabafundi ifumana ifuthe elibonakalayo kwinkxaso ephelileyo, kuquka ufikelelo kwimithombo yezezimali eyaneleyo nenegalelo ekuqinisekiseni imfundo, iindawo zokuhlala, ukhuseleko lokutya, iindleko zokuhamba, neemathiriyeli zokufunda. Ngenkxaso enesisa yeThrasti yezoMthetho yaseSU nezinye izithwalandwe nabanikeli, ngaphezu kobonelelo ngamabhaso, siye sakwazi ukuhambisa iibhasari ezimalunga neR5,5 yezigidi kubafundi bezomthetho kulo nyaka. Sidlulisela umbulelo wethu ongazenzisiyo kuye wonke umnikeli nomxhasi wabafundi bethu, najengoko igalelo lenu lisizisa iziphumo ezibalulekileyo kwimpumelelo yaba bafundi kwaye, ngaxesha linye, lisiza notyalomali lwexesha elide kuluntu lwethu.

Le Fakhalthi iye yakugcina ukuzinikela kwayo ekuququzeeleni iingqungquthela zezemfundo ezisekelwe kuphando kwimimandla ephambili, njengomthetho wabucala wukumazwe ngamazwe, inkqubo yentando yesininzi nobume bezentlalo, ukuthathwa kwamanyathelo ezomthetho ngokupheleleyo nomthetho wezolwaphulomthetho (wezemigaqo yomthetho). Kule simesta, siye sasingatha

ngempumelelo izifundo zikawonkewonke ezithathu, neziye zazinyaswa ngobuninzi kwaye zaba neengxoxo ezingokuzibandakanya ngemiba yexesha langoku. Le simesta yesibini izayo iza kuba nokwandiswa kwezi ndibano zinjengazigxile kuphando kwaye ibonelele ngamathuba angamanye okuzibandakanya.

Ukuphendula kuphuhliso lweziko, kuye kwenziwa ulungelelwaniso oluthile kubunkokheli beFakhalthi yethu. Ukuqala ngomhla woku1 kwekaTshazimpuzi, uNjingalwazi uRichard Stevens waye wangena kwisikhundla sokuba nguSekela weSekela Ngqonyela oBambeleyo kwezokuFundisa nokuFunda. Ngaxesha linye, ndiye ndalandela ngokusesikweni iGosa eliyiNtloko kwezeMisebenzi eliphumayo esikhundleni (uNjingalwazi Stan du Plessis) ngaphambi kokungena ngokusesikweni kwisikhundla sokuba nguCOO obambeleyo ukususela ngomhla woku1 kweyeSilimela, ku2025. UNjingalwazi Juanita Pienaar uye wangena esikhundleni sokuba yiNtloko yeFakhalthi eBambeleyo, uNjingalwazi Bradley Slade uye wasebenza njengoSekela Ntloko weFakhalthi oBambeleyo kwezokuFundisa nokuFunda, waza uNjingalwazi Theo Broodryk wathatha isikhundla sokuba nguSekela Ntloko weFakhalthi oBambeleyo kwezoPhando nezaMazwe ngaMazwe ukususela ngomhla woku1 kweyeKhala. Ngokusebenzisana noNjingalwazi uSadulla Karjiker, uAnél du Plessis, uGeo Quinot, uNkskz Karin Wiss, noGqr. Franziska Myburgh, le Fakhalthi iqhubeka phantsi kwesikhokelo seKomiti yoLawulo lwale Fakhalthi ehlaziyiweyo.

Esi sithuba sexesha sikuso silixesha eliqaphelekayo sokufundisa nokufunda ezomthetho. Uphuhliso lwakwihlabathi jikelele olufikelela kwiindawo ezikude oluye lwabonakala kwezi nyanga zakutshanje, iinkcukachamanani zoVavanyozimvo lwaBasebenzi lwaRhoqo ngeKota ezisandula ukukhutshwa mvanje, nokwaziswa kowisomthetho olutsha oluphambili (noluphakanyisiweyo) kubonelelwa ngemizekelo emininzi yeengxoxo zaseklasini nemibuzo yophando enika umdla. Oku kususiseko soxanduva olubonakalayo olwayanyaniswa nezihloko ezithi 'igqwetha,' 'isifundiswa,' okanye 'inkokheli' kwikhondo lomsebenzi wethu, neliquka ukuphakamisa ubulungiswa, ukusebenzela okulungele uwonkewonke, nokuba negalelo kuluntu olulinganayo nangakumbi.

Nanjengoko le simesta ifikelela esiphelweni, ndifuna ukubulela abasebenzi nabafundi bethu ngako konke ukusebenza nzima nokuzinikela kwabo. Ndiyathemba ukuba nonke niza kuba nekhefu elipholileyo nelinifaneleyo!

Njingalwazi Nicola Smit

INtloko yeFakhalthi

NguCOO oBambeleyo

Research and Internationalisation

Research and Postgraduate Studies

Conferences, seminars, and colloquia



The year had an early start with a Private International Law colloquium on 17 January 2025, organised by Ms Ray de Villiers, in collaboration with Professor Thalia Kruger of Antwerp University, an alumna of the Faculty of Law, and Professor Jan Neels, Director: Research Centre for Private International Law in Emerging Countries, University of Johannesburg. The colloquium showcased new research in the field of Private International Law, including doctoral research.





A variety of other seminars, research discussions and lectures took place, including departmental research days. The Department of Private Law held a research day on 19 May 2025.





Mercantile Law Departmental Research Seminars

The Department of Mercantile Law hosted its first research seminar for the year on 4 February 2025, at Alluvia Boutique Winery. The seminar also welcomed Professor Christoph Ann, a regular visiting academic, along with the department's new research assistants and the new postdoctoral fellow in the Chair in Urban Law and Sustainability Governance.

Dr Enelia Jansen van Rensburg, recently returned from sabbatical, delivered a paper titled, "The role of

the purpose element in the South African and Belgian General Anti-Avoidance (GAARs)". Professor Phillip Sutherland, also recently returned, presented a paper titled "Delictual liability of directors to third parties". Professor Anél Du Plessis presented her paper titled, "Trade, tradeoffs, and the quest to regulate the unruly city". Professor Sope Williams concluded the seminar with a presentation titled, "Gendered corruption barriers in public procurement systems".

Department of Mercantile Law's first research seminar.



The Department of Mercantile Law's second research seminar was held on 20 May 2025 at ASARA Wine Estate. From Mediation to Artificial Intelligence, Deep Fakes to Workplace Law, the day was set for engagements in connection with the research being undertaken by colleagues.

The first presenter of the day (and recent LLD graduate) was Dr Gretchen Jansen. Dr Jansen presented a paper titled, "From fixation to fabrication: Performers' rights in the age of artificial intelligence". The next presenter was Dr Aisha Adam (postdoctoral fellow in the Department) with a presentation titled,

"Dignity as a transformative tool in the workplace". After the tea break, Dr Victoria Banke Olagbegi-Oloba (Consolidoc in the Department of Private Law being hosted by Professor Theo Broodryk) presented a paper titled, "The Impact of court-connected alternative dispute resolution (CCADR) on the dispensation of civil justice in Nigeria: A comparison with South Africa and the USA". The seminar was closed off by Mr James Haw (LLM by research student under the supervision of Professor Christoph Garbers) with a presentation titled, "ChatGPT turns three and earns an LLB?" Legal education in the age of large language models - A student's perspective".



Skryfwegbreek

Die jaarlikse skryfwegbreek het van 16 tot 18 Mei plaasgevind. Elf kollegas het die geleentheid gekry om op hul skryfwerk te fokus - hetsy werk in wording, artikels, boekhoofstukke of navorsing wat verband hou met doktrale studies.

New postdoctoral fellow

The Faculty welcomed a new post-doctoral fellow, Dr Lungelwa Kaywood, who is a member of the Chair in Urban Law and Sustainability Governance, with Professor Anél du Plessis as her host.

The Faculty of Law Research Community: Cultivating Scholarship and Community

The Faculty of Law Research Community returned in 2025 with many fresh faces and renewed energy, committed to creating an open and collaborative space for the Faculty post-graduate students and early-career academics. Meeting monthly on Friday afternoons, this initiative, spearheaded and facilitated by Dr Bryony Fox and Dr Tanveer Jeewa, with the support of Professor Juanita Pienaar, brings together master's students, doctoral candidates, postdoctoral researchers, and early-career faculty members in an inclusive and intellectually generous environment.

The Research Community offers an invaluable platform for early-career scholars to share the daily challenges they encounter and find ways to overcome them through shared knowledge, peer support, and professional guidance. Each monthly session typically comprises two parts: a workshop led by a senior academic or practitioner, followed by a reading group where a member presents their work for discussion and constructive feedback.

This year began with a focus on supporting scholars at various stages of their academic journey. Professor

Pienaar led a foundational session on crafting an effective LLM and LLD research proposal, followed by practical insights from community members on preparing for the road ahead. Building on this strong foundation, Professor Sandra Liebenberg shared strategies for developing a focused publishing

trajectory while managing the time pressures young academics often face. To conclude the semester, Professor Quinot delivered a seminar on enhancing research presentation skills - equipping community members with tools to disseminate their work confidently and clearly.

Beyond skill building, these gatherings have nurtured a genuine sense of

belonging and mutual support, strengthening not only the research community's academic capabilities but also the personal connections that sustain them.

This initiative would not be possible without the generosity of the Faculty's senior colleagues who so willingly share their time and expertise. The research community also extends their gratitude to Ms Shazneen Arnolds, whose administrative support ensures that the sessions run smoothly.

*"... these gatherings
have nurtured a
genuine sense of
belonging and
mutual support ..."*

Internationalisation



Professor Jackie Yeats and Professor Irene-Marie Esser

The Faculty welcomed various international scholars and visitors during the first few months of 2025. Gordon Silverstein (Assistant Dean for Graduate Programs) and Carrie Field (Director of Graduate Programs), from Yale Law School, visited the Faculty of Law on 16 and 17 March 2025. Discussions are underway to explore potential collaborations across various areas, including clinical training.

From 17 to 21 March, Professor Irene-Marie Esser, a professor at the School of Law, Glasgow University, and Dean of the Graduate School, College of Social Science, visited the Faculty. Beyond exploring future undergraduate and postgraduate collaborations, Professor Esser led a buzz group in the Department of Mercantile Law on 17 March. Her presentation was titled, "The legal dimension of 'corporate purpose': A study of companies with a religious influence". She also delivered a guest lecture for the LLM programme, focusing on the position of stakeholders in UK company management. During this lecture, she discussed various mechanisms that support stakeholders, such as non-financial reporting, due diligence, and the role of board committees.

From 26 May to 1 June, Professor Juanita Pienaar served as a visiting professor at the Université Paris Cité, contributing to their international LLM programme in Common Law and Comparative Law.



Faculty of Law, Université Paris Cité



Carrie Fields (left) and Gordon Silverstein (right) with Professor Juanita Pienaar and Professor Richard Stevens



Research Chairs and Units

Navorsingsleerstoele en Eenhede

Centre for Social Justice



Social Justice Lecture

The Social Justice Lecture is an annual commemoration of the United Nation's World Day of Social Justice. At the 6th Annual Social Justice Lecture, held on 20 February 2025, Lord Michael Hastings urged the audience to embrace sacrifice and solidarity in the quest for a more just and equitable society.

Think Tank Roundtable on Social Justice, Fiscal Policy and VAT

On 6 March 2025, the Centre for Social Justice (CSJ) and Institute for Economic Justice (IEJ) held a roundtable to evaluate revenue policies and to assess the social and economic justice implications thereof. The roundtable emphasised the need for courageous decisions that avoid placing disproportionate burdens on disadvantaged communities.



Social Justice Café on “South Africa's Rape Epidemic: Can mainstreaming social justice foster justice?”

The Social Justice Café, which took place on 7 May 2025, highlighted how South Africa's rape epidemic - driven by patriarchy, poverty, and a weak institutional response - persists in places like schools and workplaces where survivors are often overlooked, undermining the country's constitutional commitment to dignity, equality, and justice.



Constitution Review Roundtable: “The Constitutional Commitment to Social Justice: A Constitution review conversation for a reimagined South Africa”

Constitution Review Roundtable

The Constitutional Commitment to Social Justice: A Constitution Review Conversation for a Re-imagined South Africa

Minister Mmamotoko Kubayi
Minister of Justice and Constitutional Development

Prof Thuli Madonsela
Director, Centre for Social Justice, Stellenbosch University

Mr Thembaethu Seyisi
Researcher, Centre for Social Justice, Stellenbosch University

Justice Albie Sachs
Retired Justice of the Constitutional Court

Ms Alex Mathole
V20 Sustainability Stream Co-Lead

Ms Maricia Freneman
Head of Access to Justice, Thuli Madonsela Foundation

Date: Thursday 22 May 2025 | Time: 17:00 - 19:00 | Platform: MS Teams

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Centre for Social Justice @CFSJ_MPlan
 Stellenbosch University Centre for Social Justice

Stellenbosch UNIVERSITY
IFAKALTHI YEZOMTHETHO

Forward together
saaius na gamsel
samm vorensa

The Constitution Review Roundtable, held on 22 May 2025, touched on issues such as the wide gap between the constitutional vision and today's reality. The CSJ's Director, Professor Thuli Madonsela, emphasised that the structural disparities of colonialism and apartheid still cast long shadows.

Roundtable and Policy brief launch on Social Justice, Hunger, and the Constitution

On 30 May 2025, the CSJ hosted the Stakeholder Roundtable on social justice, hunger, and the Constitution, where a bold new Policy Brief was launched, drawing on lived experiences gathered from national symposia and calling for urgent, transformative action, including the introduction of a national right to food law. (Read more [here](#).)



Chair in Urban Law and Sustainability Governance



Top: Dr Bryony Fox (Postdoctoral Fellow), Dr Luzuko Mdunyelwa (Doctoral researcher), Camagu Luvo (Doctoral researcher), Timothy Arendse (LLB researcher), Hannes Swart (LLM researcher)

Bottom: Michaela O'Donoghue (LLM researcher); Dr Lungelwa Kaywood (Postdoctoral Fellow), Prof Anél du Plessis (Chairholder), Vuyiseka Klaas (Project coordinator), Robyn Bayer (LLM researcher)

2nd Annual Urban Law & Sustainability Governance Public Lecture

The ULSG Chair hosted its 2nd Annual Public Lecture on the 15th of May. This year's invited presenter was Professor Edgar Pieterse, Founding Director of the African Centre for Cities (ACC) at the University of Cape Town. The Public Lecture was titled "Truncated futures for African Cities". It served to highlight legally relevant megatrends in the urban development context with a particular focus on governance challenges facing African urbanisation, including path dependency, institutional inertia,

and limited resources. This stimulating presentation also invited the audience to reimagine constructive and sustainable responses to the unique poli-crisis confronting African cities, with an emphasis on the coalescence of different fields, including law, human rights, and spatial justice.

The lecture was well-attended by SU students, staff, scholars representing other Faculties as well as members of the public.

A recording of the lecture is available [here](#).





Ongoing collaborative research with SALGA and KAS

This year, the Chair is partnering with the South African Local Government Association (SALGA) and the Konrad Adenauer Foundation (KAS) to develop a Working Paper titled "Urban_Law@work for developmental local government in South Africa". The objective of the project is to identify how national and local government legislation, as well as local legislative authority, empowers or impedes municipalities in the pursuit of a 'lived' developmental local government, as originally envisioned in the White Paper on Local Government of 1998.

The project is implemented around two parts. The first is desktop research on the existing national law and policy framework directing local government affairs in the country and documented commentary on its ability

to deliver; and the second is interactive discussions with organised local government and municipalities to inform understanding of the strengths and weaknesses of the said law and policy framework as experienced by local government role-players. A subsidiary objective of the project is to assess the research needs surrounding the design and implementation of local government law in 2025, thereby helping to set the future research agenda of the ULSG Chair.

As part of this ongoing project, SALGA, KAS, and the ULSG Chair co-hosted a successful, interactive workshop on 2 and 3 June 2025 at the Lagoon Bay Hotel in Cape Town. A large group of local government role-players attended the event.



First graduates of the Chair perform well

At the December 2024 Graduation ceremony, LLM candidate Robyn Bayer graduated with her LLB degree. Robyn was also the well-deserved recipient of the 2024 SU Law Prize for Best Student in Environmental Law (LLB fourth-year elective). This prize was sponsored by Warburton Attorneys Inc.

Robyn also completed her LLB dissertation in environmental law under the Chair and the supervision of Professor Du Plessis. Her dissertation was titled: "Nature-based solutions in South African coastal management law". Robyn is currently conducting her LLM research in the Chair in biodiversity and conservation law.

At the March 2025 Graduation ceremony, the Chair celebrated the LLM graduation of Wilmien van Biljon. She received her degree cum laude. Wilmien completed part of her studies as an exchange student at KU Leuven in Belgium. Her LLM dissertation focused on climate change, insurance law, and climate risk.



Wilmien van Biljon and Prof Anél du Plessis



Robyn Bayer and Prof Anél du Plessis

Alexander von Humboldt Stiftung Colloquium: "Shaping Tomorrow's Humboldt Network - Perspectives from Southern Africa"

Professor Anél du Plessis has been an Alexander von Humboldt Fellow since 2014 and was invited to present a plenary talk at this year's Humboldt Network Colloquium that was held in Pretoria. She

addressed the multidisciplinary group of scholars from across Africa on the topic of "When (urban) law and other sciences meet: The value of mixed research methodologies and collaboration."



Dr Bryony Fox presents at the “*Alchemical Tales*” Conference in Cape Town



From 12 to 14 February, Dr Bryony Fox attended and presented a paper at the conference: “Alchemical Tales: A Conference Curated in Honour of Albie Sachs”, co-hosted by the Faculties of Law of UCT, UWC and Stellenbosch University.

Joined by Caitlyn Lattimer, Dr Fox presented a Paper, titled “Advancing children's flourishing: Realising the child's right to evolving capacities in South Africa through the lens of human dignity”. This paper builds on Justice Sachs' warning in the seminal children's rights case of *S v M*, cautioning that the overuse of the best interests principle by South African courts risks reducing it to a mere

rhetorical device, no longer effectively safeguarding children's rights. The paper explores how the principle of evolving capacities, as envisioned in the UN Convention on the Rights of the Child (CRC), can serve as a meaningful judicial tool. They argue that grounding this principle in the constitutional values of dignity and human flourishing offers a framework that allows courts to both protect children from harm and respect their growing autonomy - ensuring decisions reflect each child's unique context. A fascinating discussion at the intersection of law, dignity, and child development.

Stellenbosch University was well represented at the conference and several colleagues and postdoctoral fellows of the Faculty of Law accompanied Dr Fox.



Dr Lungelwa Kaywood inspires young finance, audit and risk officers

On 19 May 2025, Dr Lungelwa Kaywood (ULSG Chair Postdoctoral Fellow), addressed the Chartered Institute of Government Finance, Audit and Risk Officers (CIGFARO) Public Sector Finance and Young Professionals Summit. Her presentation was titled: "From surviving to thriving in the engine room: Navigating internships in the public sector". Drawing on her

experience from entry-level roles to executive leadership in the public sector, she unpacked some of the public sector pressures, politics, and pitfalls. She encouraged young public servants to view internships as transformational journeys with opportunities to rebuild ethical, resilient, and impactful leadership in government from day one.



New LLM Urban Law Module successfully delivered

The Faculty's new LLM elective module in Urban Law was successfully delivered during the first semester of 2025. It attracted attention among students from South Africa and beyond. The module focuses on recent international urban development policy developments, as well as the human rights and justice implications of urbanisation at multiple governance levels. A portion of the module is also devoted to the local government law framework of South Africa.

A range of guests were invited to present throughout the semester. Some of the guests included Professor Oliver Fuo, Dr Jonty Cogger, Dr Bryony Fox, Dr Lungelwa Kaywood, Ms Michaela O'Donoghue, and Dr Susan Mosdell.

The ULSG Chair is excited to see this unique and first-of-its-kind module grow in the future.



Father-daughter duo joins Stellenbosch University

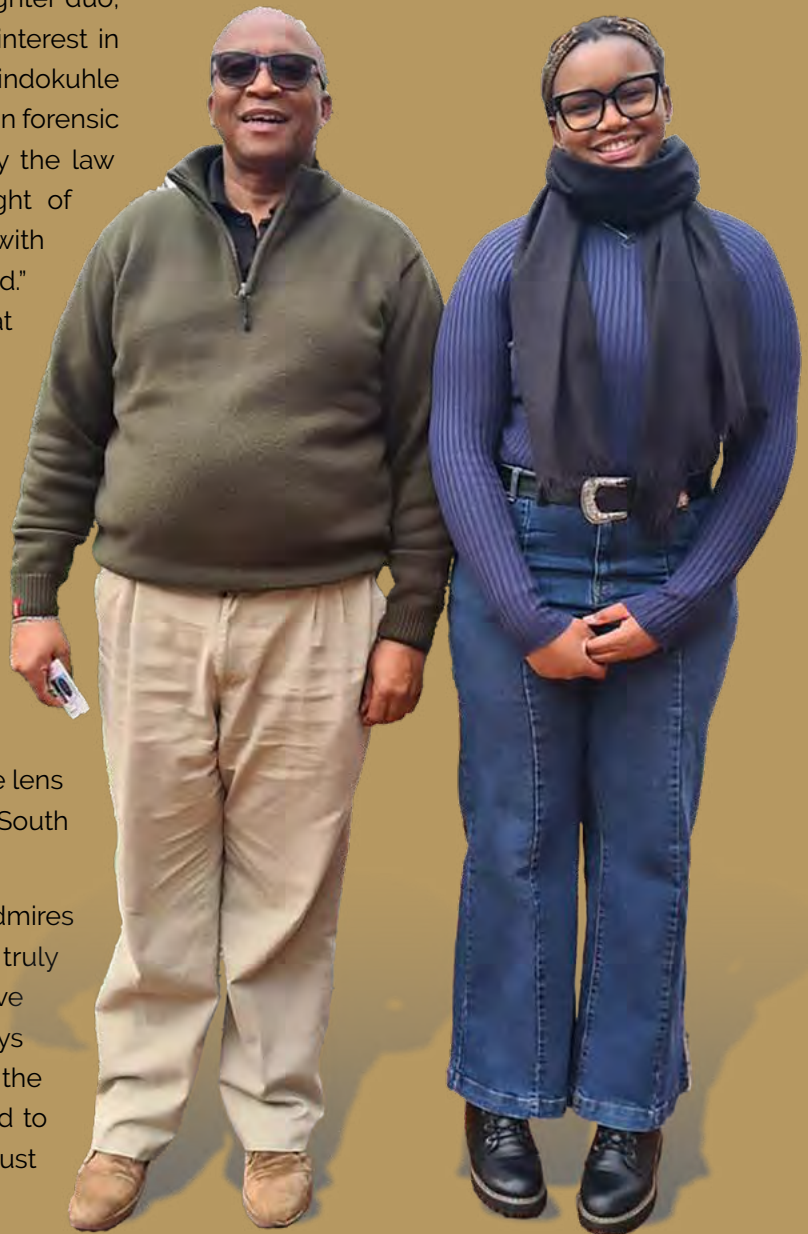
Dr Luzuko Mdunyelwa joined the Chair in January 2025 to conduct a second doctoral degree. What makes this even more extraordinary is that Luzuko's daughter, Lindokuhle, also joined Stellenbosch University this year as a first-year student in economic management sciences and accounting.

In a brief interview with the father-daughter duo, it transpired that they both take keen interest in the law, politics and news of the day. Lindokuhle mentioned that she is "really interested in forensic accounting. I think that's a part of why the law interests me, because just the thought of being able to testify in court mixed with accounting makes me very excited." Turning to the fact that she's joined at university by her father as a fellow 'student', she mentioned that she finds it inspiring how hard her father works for what he wants - "he has remarkable determination".

Luzuko has a background in public administration and has served many years in local government. His doctoral thesis, supervised by Professor Anél du Plessis, explores aspects of urban informality through the lens of the Constitution of the Republic of South Africa of 1996.

When Luzuko was asked what he admires about his daughter, he said that he truly appreciates her determination to achieve her personal goals and that he enjoys watching her grow. In response to the question of what he would recommend to other doctoral candidates who have just

embarked on the journey, he replied, "You have to work really hard. There is no two ways about it. Keep the end goal in mind." For his daughter and other first-year students, Luzuko recommended, "Everything in moderation", and remember "that one's body needs a schedule to function at its best."



Development and Rule of Law Programme (DROP)

Legal Pathways to Sustainable Soil Management in Africa

DROP is pleased to announce the release of its new book, "Legal Pathways to Sustainable Soil Management in Africa: Insights from Botswana, Burkina Faso, Cameroon, Kenya, Madagascar, Morocco, Mozambique, Namibia, South Africa, Uganda and Zambia", edited by Professor Oliver Ruppel and Ms Ruda Murray. (Click [here](#) to access the book or scan the QR code.)



DROP and SU School for Climate Studies Explore Digitalisation, AI, and Soil Protection

DROP and the Stellenbosch University School for Climate Studies co-organised a workshop, titled "Digitalisation, AI, Sustainability and soil protection: Multiple perspectives" which took place at STIAS in April. (Read more about the workshop [here](#).)



The 10th LLM Legal Aspects of World and Regional Trade Workshop

The 10th LLM Legal Aspects of World and Regional Trade Workshop on “Digitalisation, AI, sustainability and international trade law”, which was organised by Professor Oliver Ruppel and DROP, took place at the Wallenberg Conference Centre, STIAS, from

7 to 8 April 2025. The workshop focused on AI trade-relevant regulation at the global, regional, and domestic levels, with a special focus on sustainability in times of climate change.



HF Oppenheimer Chair in Human Rights Law

Postgraduate Seminar on “The Cultivation of Your Legal Craft: Your Postgraduate Research Journey”

On 12 March 2025, the HF Oppenheimer Chair in Human Rights Law, Professor Sandra Liebenberg, hosted a lunchtime seminar in the CL Marais Building, which focused on the important topic of the journey and process of research. The seminar was well attended by SU postgraduate students.

The guest speaker for this seminar was one of the Chair's special alumnus members and current extraordinary research fellow at the Department of Public Law, Gideon Basson. Gideon is currently pursuing his DPhil in law studies at the University of Oxford, where he is also the convener of the Bonavero Graduate Research Forum. He offers research training

in this convening role.

In an interactive online presentation format, Gideon presented his thoughts on what is important in the process of research and writing. From discussing broader principles such as situating one's research as part of a knowledge conversation, to drilling into finer details such as having a good filing system for one's research and being meticulous when it comes to referencing - the postgraduate students learnt some invaluable lessons from Gideon during this seminar. The Chair is extremely grateful to Gideon for his time and passion for sharing his immense research expertise.



HF Oppenheimer Chair in Human Rights Law incumbent, Professor Sandra Liebenberg, along with the seminar presenter, Gideon Basson, and the postgraduate attendees

HF Oppenheimer Chair Hosts Prof Fowkes on Constitutional Power



On 26 March 2025, the HF Oppenheimer Chair in Human Rights hosted Prof James Fowkes for his seminar "On constitutional power in South Africa: beyond the story of negotiation".

Professor Fowkes, Professor of Foreign and International Law at the University of Münster (Germany), who studied at Wits University and Yale Law School, challenged the widely accepted narratives about South Africa's Constitution. He disputed the conventional wisdom that portrays South Africa as having a negotiated and fundamentally value-based constitution, arguing instead that both perspectives misunderstand our constitutional foundations.

In his presentation, Professor Fowkes proposed that the South African constitutional order is fundamentally grounded in power rather than values or negotiated compromise. He characterised South Africa's constitutional development as a constructive revolution led by the ANC, comparing it to India's post-1949 constitutional order under the Congress Party as the closest historical parallel.

Central to his argument was an analysis of Section 74(1) of the Constitution, which he described as revealing the true nature of our constitutional foundations. This section, requiring a 75% threshold for amending the Constitution's founding provisions, represents, in his view, not a limitation imposed on Black majority power, but rather an acknowledgement and expression of that power.

Professor Fowkes concluded by arguing that South African constitutional defenders have historically distanced the Constitution from Black democratic authority - the very force that gives it legitimacy. He called for a reframing of the constitutional narrative that acknowledges the revolutionary nature of South Africa's constitutional transformation. This perspective, he suggested, offers an understanding of the Constitution that is more faithful to South Africa's history and provides a stronger foundation for its defence in contemporary debates.

Dr Christiaan van Schalkwyk

The HF Oppenheimer Chair in Human Rights was delighted to celebrate the LLD Graduation of Dr Christiaan van Schalkwyk in the March 2025 University Graduation ceremonies. Dr Van Schalkwyk completed his LLD under the supervision of Professor Liebenberg with a study entitled, *"Integrating environmental considerations in socio-economic rights adjudication: The role of ecologically sustainable development."* This study explores how the judicial enforcement of socio-economic rights can be made more responsive to the impacts of the ecological crisis. It demonstrates how the concept of sustainable development could serve as a bridge between environmental and socio-economic rights. It also recommends a novel approach to integrating environmental considerations in socio-economic rights adjudication. Dr Van Schalkwyk was holder of the prestigious EP Bradlow Human Rights Postgraduate Bursary awarded to a student doing their doctoral dissertation under the auspices of the Chair.

Paying tribute to Dr Van Schalkwyk, Professor Liebenberg said:

"Christiaan made a tremendous contribution to the Oppenheimer Chair in Human Rights Law over the past 4 to 5 years. He was a brilliant research assistant when I served on the UN Committee on Economic, Social and Cultural Rights; took responsibility for organising the inaugural Chair's Postgraduate Human Rights Seminar; assisted myself and Ms Margot Strauss to transition to online teaching of Constitutional Law 312 during the Covid pandemic; helped organise several of the Chair's annual human rights lectures as well as editing them for publication; and supported and mentored several postgraduate students in the Chair over the years."

Dr Van Schalkwyk has been awarded a two-year post-doctoral fellowship working with Professor Melanie Murcott at UCT in environmental rights. At the same time, he will also pursue publishing from his doctoral dissertation. All those associated with the Chair wish Dr Van Schalkwyk well in his new position. Although he will be greatly missed, the Chair will look forward to future collaborations with him in his capacity as alumnus of the Chair.



Professor Sandra Liebenberg and
Dr Christiaan van Schalkwyk

Professor Cathi Albertyn delivers HF Oppenheimer Chair's 19th Annual Human Rights Lecture on Substantive Equality

On 9 April 2025, the HF Oppenheimer Chair in Human Rights Law, Professor Sandra Liebenberg and Professor Nicola Smit, Dean of the Stellenbosch University Faculty of Law, hosted the Chair's annual human rights lecture.

This year's speaker was highly renowned Professor Cathi Albertyn who currently holds the National Research Foundation Chair in Equality, Law and Social Justice at the University of the Witwatersrand. Given Professor Albertyn's deep expertise in equality law, it is no surprise that her lecture addressed the topic of "Substantive equality in South Africa: Past, present and

future".

Professor Albertyn commenced her lecture by reminding the in-person and online audience of the startling fact that "formal equality is back, with a particular vengeance". She was referring to the recent rise of far-right politics, such as the Trump administration in the US and its remarks regarding race laws in South Africa. Highlighting this startling trend set the scene for how apt a time Professor Albertyn's lecture was and reinforced the immediate importance of developing a more transformative understanding of equality law in South Africa today.

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From left to right: Jos Venter, Dr Anisa Mahmoudi, Professor Juanita Pienaar, Professor Sandra Liebenberg, Ms Melissa Robertson, Professor Cathi Albertyn, Professor Richard Stevens, Professor Bradley Slade, Dr Zethu Mkhize, Professor Sibusiso Moyo, Professor Nicola Smit, and Vuyiseka Klaas.



Professor Cathi Albertyn and Professor Sandra Liebenberg

After traversing equality's contested history in South Africa, Professor Albertyn remarked that her address would focus on the South African courts and their deliberation over the meaning of the right to equality. Focusing on our Constitution's demand for substantive equality and the related jurisprudence, Professor Albertyn explained the following characteristics as being instrumental in understanding what substantive equality entails: concern with group discrimination and disadvantage focusing generally on social not economic groups; concern with structural and systemic forms of power; focus on the nature of the harm that flows from differential treatment; concern with a contextual examination of differential treatment; and a focus on various values that may guide an equality assessment.

However, Professor Albertyn expressed that the country's jurisprudence in fact requires a more transformative understanding of substantive equality, that does not merely solely focus on dignity and equal concern and respect. Rather, equality should demand a focus on eradicating structural, social and economic disadvantage, allowing the achievement of individual well-being. Further, Professor Albertyn argued that

the value of equality should play a more pivotal role in shaping our understanding of the right to equality. Here, Professor Albertyn highlighted the concept of "equality of condition" as a means to achieving true substantive equality in South Africa.

Expanding on the concept of "equality of condition", Professor Albertyn explained that this type of transformative jurisprudence would focus on multi-dimensional equality and intersectionality, while taking the factual context and effects of the law into account. Further areas that would need to be reorganised would include, for example, examining the private sphere, as well as addressing economic inequality in our country. Professor Albertyn pointed out that these future developments could be possible by drawing on existing case law.

Professor Albertyn ended her lecture by indicating that even though politics are crucial for delivering real change in a society, the courts and their jurisprudence matter. Professor Albertyn reminded the audience that their understanding of equality should enable transformative change in South Africa. This powerful reminder is timely and critical to achieving the society the Constitution demands in South Africa.



Faculty and
students

Fakulteit en
studente



Visual redress in the Faculty of Law: exciting inauguration of Room 1031 (Old Main Building)

The overall aim of the project of visual redress in the Faculty of Law is to transform the physical spaces of the Faculty into spaces that are welcoming to all and conducive to a positive learning environment. Apart from creating attractive visual spaces, the Faculty pursues:

- a. Memorialisation. Remembering past events, injustices, struggles and achievements, and inviting reflection on how the past continues to inform the present.
- b. Contextualisation. Placing the law (and past legal events and outcomes) in a historical and social context. The aim is to make the legal past more concrete, and to show how general laws and abstract legal concepts and principles impact(ed) on real people's lives and shaped and informed social relations and struggles.
- c. Contestation. Showing that law is sometimes a space of contestation and struggle, and that court judgments, legal processes and the substance of the law are often subjects of controversy.
- d. Critical reflection. The depictions of cases and

other manifestations of law and justice are meant to stimulate critical reflection on law, litigation and adjudication. Each depiction will and should be open to different interpretations.

e. Imagination. Reimagining the law, finding different lenses for looking at the legal past, and imagining more humane and just futures, in which all people living in South Africa will be free from the shackles of institutionalised racism, patriarchy, poverty, and other forms of marginalisation and structural disadvantage.

The visual changes in and around the Old Main Building over the past couple of years are in line with the Faculty's commitment to a critical inquiry into historical injustices and their continuing legacy, and the capacity of law-based processes (like visual redress) to challenge and transform social, economic, and political practices that result in inequality, degradation and oppression.

On Friday 9 May 2025, the Faculty of Law formally marked the completion of the first Storyboard Installation in its continuing visual redress initiatives.

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