

the Law Faculty's internal newsletter to keep you posted on things you might have missed and events, publications and initiatives to look out for.

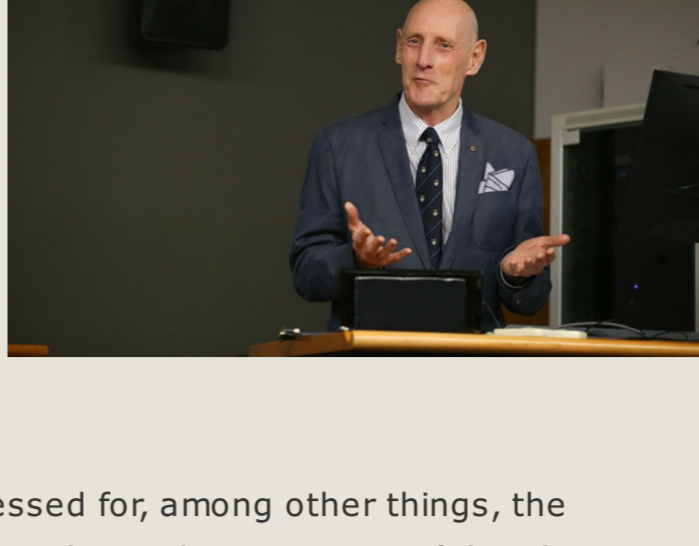
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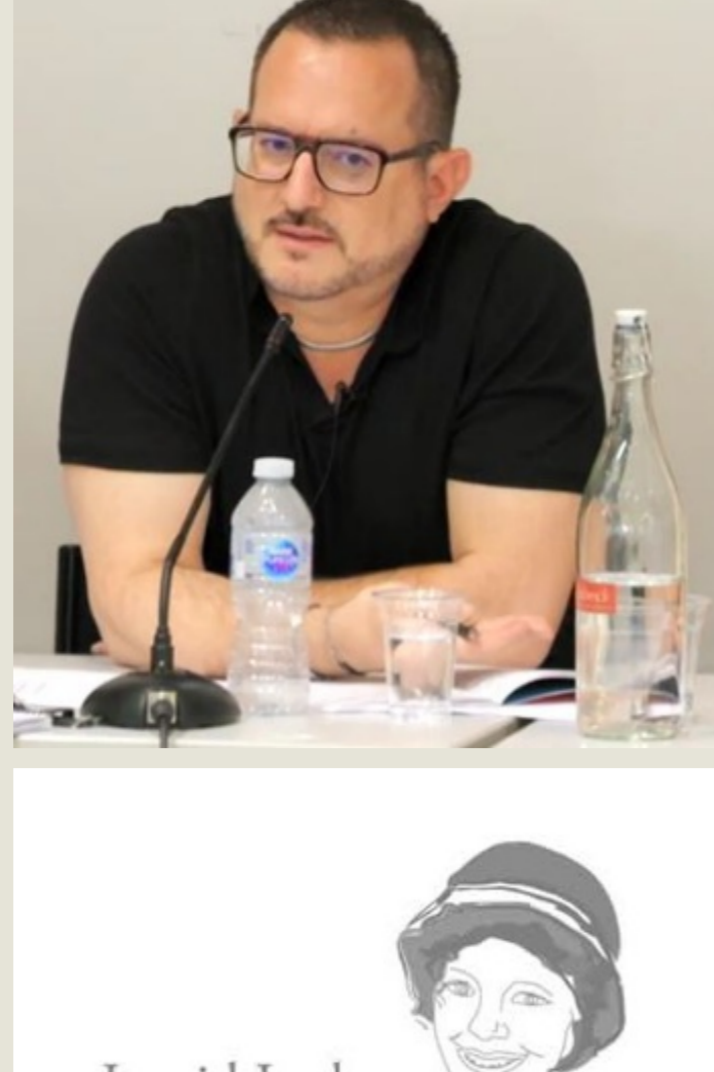
**FACULTY NEWS**

**STAFF NEWS**

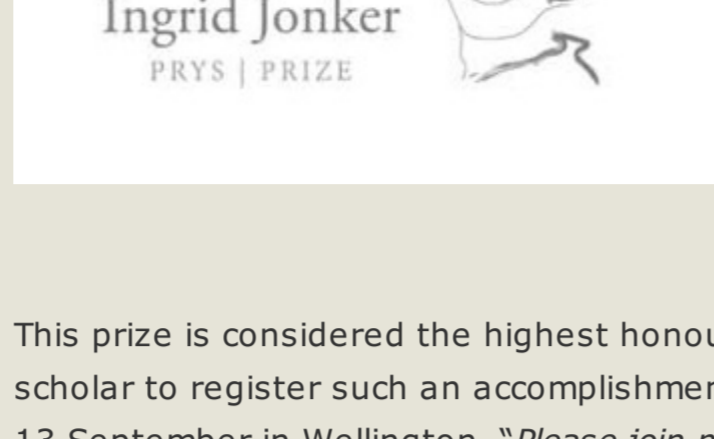
**Congratulations to Distinguished Professor Philippe Salazar**, Director of the Centre for Rhetoric Studies, who was recognised at the 2025 NRF Awards for receiving his 5<sup>th</sup> NRF A-rating. The annual NRF Awards recognise outstanding achievements made by individuals and teams whose excellence has significantly advanced science for the benefit of society.



Their internationally competitive work is assessed for, among other things, the contribution to the field of study focusing on quality and impact. One of the objectives of the awards is to encourage the continued culture of advancing South Africa's scientific knowledge and technological innovation by rewarding those who make use of research for the advancement and betterment of humanity.



**Congratulations to Professor Jacobus Naude** who has been awarded the *Ingrid Jonker Literary Prize* for his poetry collection entitled 'om my kastele in Spanje te sloop', published in 2024 by Human & Rousseau.



This prize is considered the highest honour for Afrikaans poetry. It is rare for a legal scholar to register such an accomplishment. The prize will be awarded at an event on 13 September in Wellington. "Please join me in congratulating Prof Naude for this singular achievement," said the **Dean, Prof Nandor Chirwa**.

**NEW STAFF**



A warm welcome to **Associate Professor Brighton Mupangavanhu**, who has joined the Commercial Law Department as part of the Corporate Law group. He will be teaching Corporation Law on the LLB and collaborating with Judge Dennis Davis on the *Competition Law* courses. Brighton generously agreed to begin teaching on an ad hoc contract basis from 1 July till end-August while he worked out his notice period at UWC. Said **Prof Louw**, HoD of Commercial Law, "I would like to express my sincere gratitude to him for stepping in early to ensure a smooth start to Semester 2."

**FACULTY CALENDAR**

- 3 September** | Faculty Research Seminar @ 12h00 with Prof Michelle Louw
- 9 September** | Faculty Graduation @ 14h00 preceded by celebrations at the Faculty
- 10 & 11 September** | *Dispute Resolution* Conference at Kramer
- 11 September** | *Regional Teaching & Learning Conference* at Kramer
- 17 September** | *Guest Lecture* – Norton Rose Fulbright
- 8 October** | ADRIU's inaugural *Annual Arbitration Lecture*, with OluFunke Adekoya
- 16 October** | Ben Beinart Memorial Lecture, with Professor Geraint Howells, Executive Dean of the College of Business, Public Policy and Law, University of Galway

**FORTHCOMING CONFERENCES, SEMINARS & EVENTS**

**The Pursuit of a Cashless Society in South Africa: Inclusionary Promise or Exclusionary Risk**

**LAW FRC RESEARCH SEMINAR SERIES**



**THE PURSUIT OF A CASHLESS SOCIETY IN SOUTH AFRICA: INCLUSIONARY PROMISE OR EXCLUSIONARY RISK?**

**PRESENTER: PROF MICHELLE LOUW**

WED, 03-09-2025 12PM - 2PM

COMMON ROOM, LEVEL 4, KRAMER BLDG

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South Africa remains largely cash-driven, especially for low-value, high-volume transactions, despite a rise in electronic payments via debit and credit cards. While 85% to 92% of adults are technically "banked", many use their accounts only to receive income, withdrawing it all as cash, thus effectively bypassing digital payment tools. The South African Reserve Bank's 2024 Digital Payments Roadmap aims to reduce reliance on cash. However, the push for a cashless society raises concerns.

Is it inclusive or is it premature in a context where many lack the resources or skills to go digital? This presentation explores whether the initiative promotes financial inclusion or risks further exclusion.

**Judicial Independence Amidst Political Turmoil**

Colleagues are invited to join the DGRU at the *Judges Matter Prize in Excellent Writing on the Judiciary* ("The Judges Matter Prize") prizegiving event. This event includes a panel discussion with the essay judges on this year's essay topic: *Judicial independence amidst political turmoil*. The judges are **Em Prof Hugh Corder**, **Adv Karrisha Pillay SC** and **Judge Lee Bozalek**.  
Date: Wednesday 10 September 2025  
Time: 12h00  
Venue: Faculty Common Room  
Refreshments will be served after the discussion and prizegiving. Please RSVP to [jenna.maulean@uct.ac.za](mailto:jenna.maulean@uct.ac.za) by 5 September.

**JUDGES MATTER**  
EXCELLENT WRITING ON THE JUDICIARY COMPETITION

UNDERGRADUATE AND POSTGRADUATE PRIZES VALUED AT **R30 000**

**POSTGRADUATE**  
**COURT IN THE CROSSFIRE: JUDICIAL INDEPENDENCE AMIDST POLITICAL TURMOIL**

The *Judges Matter Prize* is designed to promote critical thinking about issues related to the judiciary, specifically targeting the emerging legal minds within our academic community. This annual award celebrates outstanding essays that focus on judicial accountability and the regulation of judicial conduct. Winning essays are selected with a focus on originality, innovative perspectives, and exceptional writing skills.

**FACULTY SPRING GRADUATION - 9 SEPTEMBER 2025**

The Faculty will be celebrating its PhD, LL.M, MPhil and LLB graduands on **9 September 2025** during UCT's *Spring Graduation Week*. We will be sharing details shortly of the PhD and research celebration, as well as the LL.M, MPhil and LLB celebration that will be held in the Faculty prior to the formal ceremony on Upper Campus. Please check your calendars for the invitations, and be sure to RSVP for catering purposes. See you there!

**PAST CONFERENCES, SEMINARS & EVENTS**

**LARC's Umhlabi Film Festival**

From 5 to 7 August, the Land and Accountability Research Centre (LARC) hosted the Umhlabi Film Festival in the Law Faculty at the University of Cape Town. The three-day festival aimed to deepen public engagement with critical issues of land, identity, and social justice, with particular attention to the experiences of rural communities in South Africa. Screenings included a curated selection of films: Mathonga Elizwe: *Spirits of the Land* (Dr Mngqol Ngubane), Umhlabi Wokhoko: *Land of My Ancestors* (Nondumiso Masache), *A Piece of Ground* (Seshile Manzini), *This Land* (Miki Redelinghuys), and Episode 3 of LARC's podcast Umhlabi Talks, *Decolonising Land with Dr Jacob Gietter: The Erasure of the Xhosa-Khoja and San Peoples*. These works critically examined themes such as land dispossession, ecological preservation, urban housing struggles, and the historical erasure of indigenous communities.

The festival brought together students, academics, and legal practitioners, creating opportunities for direct engagement with filmmakers. Attendees participated in discussions exploring pathways toward land justice, the restoration of dignity, and the creation of sustainable, inclusive approaches to land governance. The event underscored the power of film and storytelling in fostering critical dialogue and raising awareness of pressing social justice issues.



**Robust ESG Reporting Frameworks in Banking, Competition & Corporate Law**

The 2<sup>nd</sup> *International Banking, Competition & Corporate Law Conference* (BCLL) took place at North West University from 13-15 August 2025. This conference gathering focused on the theme *Embracing Environmental, Social, and Governance (ESG) Practices and Robust ESG Reporting Frameworks in Banking, Competition & Corporate Law to Promote International Trade, Consumer Protection, and International Best Practices*.

The Faculty's Department of Commercial Law made its mark with three colleagues presenting papers. **Dr Kea Motlogelo** presented on *"Reframing Financial Inclusion in South African Banking Law: A Critical Feminist Legal Perspective on Gendered Access to Finance."* Commercial Law PostDoc **Dr Elfas Torera** followed with a presentation titled *"Perspectives on the Moyo Fintech Product in the Context of Mobile Money Adoption, Use, and Regulation in South Africa."* The third paper was delivered by Commercial Law PostDoc **Dr Sebastian Krafsik** on *"Harmonising G20/OECD Corporate Governance Principles with South African Banking Law: Bridging Global Standards and Domestic Practice."* Additionally, Sebastian contributed as a speaker to a panel on *"Practical Tips on Academic Collaboration, Multi-/Inter- & Transdisciplinary Research,"* highlighting key aspects of collaborative publication. This conference provided a great platform for UCT Law colleagues to share valuable ideas and perspectives on current issues and challenges in banking, finance, and corporate law.



**PUBLICATIONS**

**Financial Inclusion Law & Over-Indebtedness**

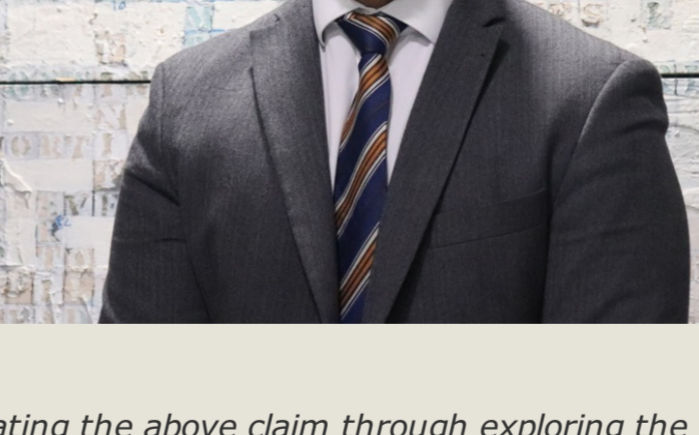


**Prof Michelle Louw** recently co-edited the peer-reviewed volume *Financial Inclusion Law & Over-Indebtedness* (Routledge) with Dr Duygu Dama-Blanken from the Institute for Responsible Finance in Germany.

This latest publication from Prof Louw explores global financial inclusion and over-indebtedness law, with a strong focus on financial consumer protection, particularly regarding vulnerable groups, digitalisation, data use, and access to credit. It offers a comparative perspective across jurisdictions including Germany, Finland, Estonia, Poland, Portugal, Indonesia, South Africa, Kenya, Canada, Brazil, and the USA, and examines how financial services – often involving life-critical resources like money – can both empower and harm consumers. Notably, the book goes beyond the traditional view of financial inclusion as mere access to a bank account. It also considers barriers to credit, credit scoring, blacklisting, and new avenues for inclusion such as open banking, AI tools, and central bank digital currencies. It highlights how financial exclusion can result from both product design (eg. credit databases) and lack of digital literacy, particularly among the elderly and vulnerable. The book also explores credit fairness, particularly the ethical use of AI in credit access, and tackles the persistent global issue of over-indebtedness. The book further assesses harmful practices leading to debt, and examines possible legal and regulatory remedies. Prof Louw co-authored the *Introduction and Conclusion*, and contributed Chapter 10, as sole author, titled *"The in duplum rule in South Africa and Kenya: A tool to protect over-indebted consumers or regulate banking?"*. Full information about the publication is available on the Routledge site.

Dr Faadhil Adams has just published in the PER/ PELJ a paper titled *A Consideration of the Positive Law Application of the Non-State Rules of Law. As state in the paper's abstract, non-state law is often, in private international law, considered as non-applicable before state courts. This article challenges that assumption by making an in-depth enquiry into its application, looking beyond legislation into the practice of state courts. While it is often true that the majority of the world's legal systems do not make allowance for the application of non-state law in their legislation, the practice of state courts would seem to tell a different story.*

**A Consideration of the Positive Law Application of Non-State Rules of Law**



*The article adopts the methodology of investigating the above claim through exploring the application of non-state law instruments in different jurisdictions. It finds that while it is often the case that legislation does not make provision for the application of non-state law, the practice of courts would seem to be more amenable. The full paper is available HERE.*

**ANNOUNCEMENTS**

**COLLEAGUE COURTESIES**

**EVENT INFORMATION**  
If you're holding any kind of event in the Faculty, please take the time to **inform the staff at the Security Desk on Level 4**. They are the front line for informants at Kramer, but have an often without with the information required to play an informed and welcoming role. It helps enormously to put something onto an A4 sheet, indicating event name, date, time, venue and anticipated number of participants, and give this to security perhaps with prestik or tape so that it is visible for security staff.

Got something to share? Have thoughts on what we should include in Faculty Fortnight? Please send your news & ideas to [shapingthefuture@uct.ac.za](mailto:shapingthefuture@uct.ac.za) - we'd really like to hear from you.