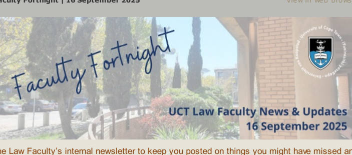


the Law Faculty's internal newsletter to keep you posted on things you might have missed and events, publications and initiatives to look out for.

In this issue
* Faculty News * Faculty Calendar *
* Lectures, Seminars, Conferences & Events * Publications *
* Research * Engaged Scholarship *
* Announcements & Notes *

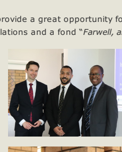
FACULTY NEWS

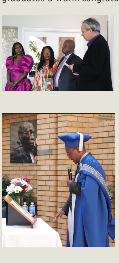
SPRING GRADUATION

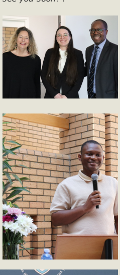
Congratulations to **Faiza Mohamed** (Dean's PA) and **Ncumisa Manana** (Finance Office) who were both awarded their *PG Dip in Management Studies* from the UCT Graduate School of Business last week. A fantastic achievement – we look forward to hearing what's next!

In addition to these two achievers, the Faculty congratulated almost 130 Law graduates on Tuesday 9 September, at the university's Spring Graduation. We were thrilled to celebrate 15 PhDs and four Master's by research, at a morning tea – where family and friends joined the graduands to witness them and their hard work being acknowledged by the Dean, their supervisors, and Faculty staff. A little later, from 12 – 1pm, the Dean and Deputy Dean Undergraduate spoke to the 36 LLBs and 70 LLMs who were to receive their degrees at the 14h00 ceremony in the Sarah Baartman Hall. Sanele Tshabalala, President of the Law Students' Council, also shared a few words of recognition and congratulations with the graduating Class of 2024.

These Faculty celebrations provide a great opportunity for the Faculty to bid our graduates a warm congratulations and a fond "*Farwell, and see you soon*!".







Top Row (L to R): Vyonna Bondi's family; Dr Faadhil Adams and Dean Chirwa with Dr Coen Ripson; Em Prof vd Spuy and Dean Chirwa with Dr Annie Kok.
Middle Row (L to R): Prof Chirwa, A/Prof Omar and Sanele Tshabalala address graduands
Bottom Row (L to R): Dumo Moyo and Dr Victor Amadi; Callum Beukes and Edith Mugadza

This past week of university vacation once again demonstrated exactly how busy the Faculty gets when there is no teaching! Along with the two Faculty graduation celebrations, the Faculty hosted three different conference gatherings (10 – 11 September : *Integrated Approaches to ADR* Conference: 11 September: *Regional Teaching & Learning in Law* Conference; and 12 September: *International Competition Law* symposium, a BRICS conference spin-off), and also held the Final Year Moots.

Above and Right: Final Year student mooters, presenting their heads of argument to judges during the week-long moot session held at the Faculty in vac week - Quincy Hitler and partner: Amohelang Molefi and partner; and Zandisile Ndlanzi and James Drummond.

FACULTY CALENDAR

17 September | *Guest Lecture* for students – Norton Rose Fulbright
3 October | Book Launch - *Behind Prison walls : Unlocking a Safer South Africa*
8 October | ADRU'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 Centre for Law and Society and the Centre of Criminology are pleased to host a seminar on the recently released book *Behind Prison Walls: Unlocking a Safer South Africa* on Friday 3rd October 2025. The authors, retired Justice Edwin Cameron, Rebecca Gore and Sohela Surajpal, will be in conversation with Khomotso Moshikaro, Irvin Kinnes and Ziyanda Stuurman (UCT).

Date: Friday, 3rd October 2025
Time: 14h00 – 15h00
Venue: Kramer Law Building, Lecture Theatre 3

Light refreshments will be served. Kindly RSVP by sending an email to Jemima Thomas (pbl-cls@uct.ac.za)

About Behind Prison Walls
South Africa has the largest prison population in Africa. After the Zuma presidency undermined crime intelligence, violent crime skyrocketed, and the murder rate increased by more than 70%. South Africa has one of the highest rates of femicide in the world, and the vast majority of murderers in South Africa are never prosecuted to conviction. Perhaps an even more shocking truth is that our prisons help perpetuate these crimes. Visiting Vereeniging Prison as a student changed the trajectory of Justice Edwin Cameron's life. More recently, as Inspecting Judge of Prisons, he has faced the numerous failures of our carceral system, impelling him to explore ways to improve it. With this book, he and his colleagues, Rebecca Gore and Sohela Surajpal, confront our history and propose solutions for the future. *Behind Prison Walls* provides a deeply unsettling yet ultimately hopeful examination of how South Africa can achieve greater safety.

About the authors

- *Justice Edwin Cameron* is the Inspecting Judge of Prisons and a retired Justice of the Constitutional Court.
- *Rebecca Gore* is a research associate at the Centre for Law & Society and a pupil advocate at the Cape Bar.
- *Sohela Surajpal* is a law clerk and legal researcher to the Inspecting Judge of Prisons.

Exhibition at Michaelis, UCT's School of Fine Art
100 years : 100 objects

The Michaelis School of Fine Art is celebrating its 100th anniversary this year, marking a century since the Cape Town School of Art was officially incorporated into UCT (1 October 1925). Over these years, more than 4 000 people have passed through its studios, each leaving a mark—whether in artistic invention, critical discourse, or the shared memories, both challenging and inspiring, that define the school's legacy. Michaelis has not been without tensions and conflicts, yet it has also been a space where students and staff have reshaped the South African art landscape, fought for social justice, and generated creative possibilities and solutions in a complex social environment.

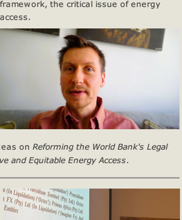
This exhibition, curated by Associate Professor Fritha Langerman, will mark these 100 years of the Michaelis School of Fine Art. It presents an unofficial history told through 100 objects, images and anecdotes, many contributed by past and present staff. *On until 8 October 2025.*

PAST CONFERENCES, SEMINARS & EVENTS

On 29 August **Dr Sebastian Krafzik**, a PostDoc in Commercial Law, participated in the workshop on *Energising Sustainable Development: A Review of Sustainable Development Goal (SDG) 7* at the University of Huddersfield (UK). This event provided a platform to address, within a legal framework, the critical issue of energy access.

At the workshop, Sebastian presented his ideas on *Reforming the World Bank's Legal Framework for SDG 7: Toward Context-Sensitive and Equitable Energy Access*.

On the 29th of August 2025, **Luyanda Xulu** (Commercial Law) participated in the *Southern Africa Insolvency Law Academics Society (SAILAS)* conference, hosted by Nelson Mandela University (NMU). Xulu presented his research in a presentation titled *Strengthening Regulatory Frameworks for Insolvent Crypto Asset Service Providers (CASPs) in South Africa.* The conference provided the opportunity to engage with and learn from leading insolvency and business rescue scholars, while also sharing Xulu's own work in this growing area of research.



The J20
Summit of heads of courts of G20

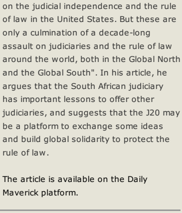
South Africa was recently host for the J20 - the summit of heads of constitutional and supreme courts of the G20 member countries. A number of Faculty colleagues attended this gathering, amongst them **Vanja Karth** and **Mbekezeli Benjamin**. In an article written by Mbekezeli in the Daily Maverick, he argues that the J20 summit in Johannesburg offers a golden opportunity for a global reset to protect the rule of law. Mbekezeli commented in a recent LinkedIn post: "In the last few months we've seen outrageous attacks on the judicial independence and the rule of law in the United States. But these are only a culmination of a decade-long assault on judiciaries and the rule of law around the world, both in the Global North and the Global South". In his article, he argues that the South African judiciary has important lessons to offer other judiciaries, and suggests that the J20 may be a platform to exchange some ideas and build global solidarity to protect the rule of law.

The article is available on the Daily Maverick platform.

Briefing of Porfolio Committee

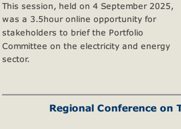
Prof Hanri Mostert, SARChI Chair of Mineral Law in Africa, recently participated in the *Portfolio Committee on Electricity and Energy*.

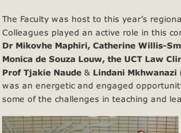
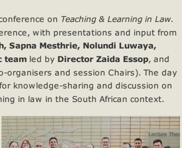
This session, held on 4 September 2025, was a 3.5hour online opportunity for stakeholders to brief the Portfolio Committee on the electricity and energy sector.



Regional Conference on Teaching & Learning in Law

The Faculty was host to this year's regional conference on *Teaching & Learning in Law*. Colleagues played an active role in this conference, with presentations and input from **Dr Mikovhe Maphiri, Catherine Willis-Smith, Sapna Mesthrie, Nolundi Luwaya, Monica de Souza Louw, the UCT Law Clinic team** led by **Director Zaida Essop**, and **Prof Tjakie Naude** & **Lindani Mkhwanazi** (co-organisers and session Chairs). The day was an energetic and engaged opportunity for knowledge-sharing and discussion on some of the challenges in teaching and learning in law in the South African context.



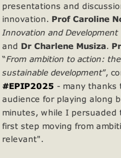



Above, teams from UCT, SU and UWC; and left, session presenters answering questions.

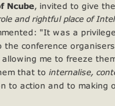
European Policy in Intellectual Property (EPIP) - Conference

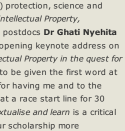
UCT Law was well-represented last week at the 2025 Annual Conference of EPIP. The conference took place at the University of Antwerp, from Wednesday 10 - Friday 12 September 2025, bringing together scholars from various disciplines, including the fields of economics, law, management science and political science, as well as stakeholders and policymakers for theoretical, empirical and policy-oriented presentations and discussions on intellectual property (IP) protection, science and innovation. **Prof Caroline Ncube**, the Faculty's *SARChI of Intellectual Property, Innovation and Development* attended the conference with postdocs **Dr Ghati Nyehita** and **Dr Charlene Musiza**. **Prof Ncube**, invited to give the opening keynote address on "*From ambition to action: the role and rightful place of Intellectual Property in the quest for sustainable development*", commented: "It was a privilege to be given the first word at **#EPIP2025** - many thanks to the conference organisers for having me and to the audience for playing along by allowing me to freeze them at a race start line for 30 minutes, while I persuaded them that to *internalise, contextualise and learn* is a critical first step moving from ambition to action and to making our scholarship more relevant".

In addition to the opening address, Faculty colleagues shared their research and insights in Parallel Session A.2 – Crafting Livelihoods: Knowledge Management and IP Governance (Themed Session), where Dr Charlene Musiza spoke on Indigenous and Rural Women's representation in the creative sector and IP system: The Tonga basket weavers of Zambia; and in Parallel Session B.2 – WIPO Sponsored EPIP Special Session Gender and IP Policy (II) where **Dr Ghati Nyehita** spoke on Intellectual Property as a Tool for Reparative Justice: Empowering Refugee Women in Africa.



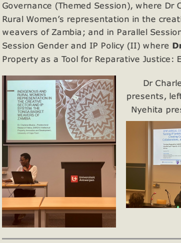
Dr Charlene Musiza presents, left; and Dr Ghati Nyehita presents, below.





Prof Ncube presents the opening address, above.

PUBLICATIONS



Dr Nomfundo Ramalekana has recently co-authored a paper with **Dr Justice Mavedzenge**, on the role of courts in enabling or curtailing the institutionalisation of political parties in South Africa and Zimbabwe.

Published in *World Comparative Law*, the article is available on the journal's platform. Titled *Courts as a Forum for Safeguarding the Right of Opposition Parties to Participate in Democratic Processes: A Comparative Analysis of South Africa and Zimbabwe,* the paper's abstract explains the paper as follows:

Courts can play a critical role in protecting the democratic participation of opposition parties. In this article, we examine the role of apex courts in South Africa and Zimbabwe as forums for democratic contestation by opposition parties. Specifically, we critically assess the courts' records in enabling and protecting opposition parties' ability to equally participate in democratic processes. Our analysis focuses on four themes in the courts' jurisprudence: (i) the disenfranchisement of voters perceived to be aligned with the opposition, (ii) requirements for the registration of political parties and individual candidates seeking to participate in elections, (iii) the independence of electoral management bodies to ensure fair and equal participation for all parties, including the opposition, and (iv) the enforcement of electoral justice in cases of alleged unfair or unfree elections. Additionally, recognising the importance of political funding for opposition parties, the article examines the legislative framework governing political party funding. The article demonstrates that while South Africa and Zimbabwe share similar constitutional frameworks and commitments to political rights, their apex courts have taken divergent approaches toward protecting opposition parties. The Zimbabwean Constitutional Court has largely restricted political rights, curtailing the institutionalisation of opposition parties and hindering the development of multi-party democracy. In contrast, the South African Constitutional Court has generally served as an enabling force for institutionalising opposition parties and strengthening multi-party democracy. We attribute the difference in approach to the broader political context: while both countries formally commit to multi-party democracy, Zimbabwe's ruling party has entrenched a system of competitive authoritarianism, which it maintains by, amongst other measures, undermining independence and relegating the courts to a rubber-stamping role for measures that curtail political freedoms. By contrast, South Africa's judiciary has maintained its independence, supporting the protection of opposition rights even within a dominant-party system. We conclude our analysis with the observation that a dominant political party, including a liberation party, does not inevitably stifle opposition rights. Independent institutions – such as courts and electoral management bodies – serve as essential bulwarks against such attempts, ensuring the preservation of democratic principles and equitable political participation.

RESEARCH

URC Call for Applications: Conference Travel Grants

Application Deadline: 19 September 2025

Please note that this Call is applicable for applications for conferences taking place between 1 January and 30 June 2026. The purpose of the award is to allow recipients to present the results of their recent research to a relevant audience at a conference or meeting of appropriately high academic standing.

IMPORTANT: URC Conference travel funds should not be the primary source of funding for applicants as the URC is unable to fund 100% of eligible costs. Applicants may apply for a national conference once every year and an international conference once every two years. However, subject to this, applicants cannot apply for both a national and an international conference in the same year.

Kindly note that T1 contract staff are unfortunately not eligible to apply for this grant.

Please contact Lamize Viljoen in the Faculty's Research Office for more information.

ENGAGED SCHOLARSHIP

Mbekezeli Benjamin has been very busy, engaging in various forums on matters related to the judiciary, and media. Benjamin recently joined the *Imidibaniso Exchange Workshop* as an Exchange speaker. The Imidibaniso Exchange Workshop, previously known as the Imidibaniso Bootcamp, is an in-person annual one-day media and communications workshop for scientists of all disciplines, researchers, communicators, academics and students. It offers a fun, interactive and enriching snapshot of best practice creative communications insights that scientists can consider in their public engagement plans for their research projects.

Further, Mbekezeli also joined Kgaogelo Maponya and Justice Johann Kriegler in a debate on Nqaba S Mabece's show 'People's Court' on eNCA on 31 July. The topic was on mandatory retirement for judges in South Africa. The debate coincided with Constitutional Court Justice Mbuyiseli Madlanga's retirement at the relatively 'young' (for judicial circles) age of 63, after his 12 year term on the court expired. The issue was whether Madlanga's retirement came too early, and if there wasn't mandatory term limits, he would've served for longer and added more value to the court.

In a recent LinkedIn post, Benjamin share his view that mandatory retirement is necessary, and there is nothing wrong with the 12-year term limit at South Africa's apex court - for the following reasons:
" - *It allows new judges to come with fresh ideas and energy, to move our jurisprudence forward;*
- unlike the early years in our democracy when (mostly black and women) judges came into the bench relatively young (and also retired young) nowadays on average judges come into the judiciary in their late 40s/ early 50s, and would've gained enough experience to be effective and retire at the right age of 70.
- we don't want judges to voluntarily choose when to retire, as we might have the situation like in the US where judges on their last legs are still presiding over cases."

The full discussion is available on the enca platform.

ANNOUNCEMENTS

COLLEGIAL 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 visitors at Kramer, but have are 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.

Shaping the future @UCTLaw

Got something to share? Have thoughts on what we should include in Faculty Fortnight?

Please send your news & ideas to gaby.ritchie@uct.ac.za – we'd really like to hear from you.