



**UNIVERSITY OF CAPE TOWN**  
IYUNIVESITHI YASEKAPA • UNIVERSITEIT VAN KAAPSTAD

## **LAW**

*This speech was delivered by Sir Franklin Berman on the occasion of UCT's July 2022 Law Graduation ceremony, at which Sir Frank was also recognised with the conferral of an LLD Honoris Causa.*

Madam Chancellor, Vice-Chancellor, ladies and gentlemen,

A Graduation Ceremony is above all a day of pride: the pride of those who are graduating at what they have achieved and the efforts that have brought them there; the pride of their parents and families at seeing their offspring publicly honoured and recognized; the professional pride also of their professors and lecturers at having successfully helped them to that point; and lastly the pride of the University itself in the quality of its children as it sends them out into the world.

For me, too, this is a day of pride, not just for the honour the University has conferred upon me, which I receive with modesty and gratitude, but the immense pride at the fact that it comes from my University, the University of Cape Town. Among my treasured possessions is a photograph taken on the steps outside this Hall on the day of my own first graduation of me in my bachelor's gown and hood next to my uncle in his doctoral robes, my uncle who was a member of the academic staff and who was the first and only person in my family, on either my mother's or my father's side, to have gone to university and taken a degree. I went on from UCT to continue my studies overseas, and there I discovered two things that surprised me. The first – and it was a pleasant surprise – was how well UCT had prepared me for Oxford; I had to struggle, and to work harder than I'd ever worked before, but UCT had brought me to a condition in which I felt able to do it. The second – and that was a real surprise – was that I found myself surrounded in Oxford by large numbers of fellow students who, like me, had no university in their family background, amongst them my wife, in the Hall with us today.

I hope that that experience will resonate with many families here this morning, watching one of their own receiving their degree. I hope too that my personal experiences will anchor in their minds, and those of the new graduates themselves, the importance for their future lives of having been educated at this University – an importance not measured superficially in terms of contacts or the ‘UCT brand,’ but by a university education as the gateway to personal opportunity.

I’m especially gratified to be sharing my own moment today with an impressive cohort of doctoral students who have earned their degrees on the strength of their own research. I spoke earlier of my added pride at being honoured by this University. When I was an undergraduate student here, UCT was a well-regarded provincial university with good traditions; now it is a university of world ranking and esteem in a university sector that has greatly expanded. Then it was essentially a teaching university; there were pockets of research, notably, as I remember, in medicine, botany, social anthropology, and law, but the central focus was on taught degrees. I can still recall my sudden surprise, some 40 years ago, to discover that while I wasn’t looking this teaching institution had been transformed into an internationally important centre for research as well, across a wide and extensive range. I say ‘had been transformed,’ but I should really say had transformed itself, through its own efforts. The most recent Research & Innovation Highlights Report makes astonishing reading, with its reference to 3,337 journal articles by a combined total of 3,233 authors, and to external research income at an annual level of 1½ billion Rand. And much of that directed towards the most urgent and relevant problems of today, for Africa and for the wider world, something I have seen directly reflected in my own experience, in the attention and interest overseas donors pay in proposals that emanate from UCT because they emanate from UCT.

I come back to my own undergraduate studies. I took my first degree in what was still the 1950s. From then to now represents a slice of historical time, so of course much has changed, and changed radically; it could not have been otherwise. UCT was then still a non-racially-segregated university – or

nominally so; at least it had its own freedom to choose whom to admit. That freedom was taken away in 1959. Others on this platform can speak with greater authority than I can about the UCT struggle against *apartheid*, though I would like, Vice-Chancellor, to pay tribute to the visionary leadership of your predecessor, Dr Stuart Saunders, whose recent death was so sad a blow, and of those who have followed him.

My point today is, however, a different one. UCT's academic freedom, its freedom to choose whom to teach, was taken away by a piece of legislation mockingly entitled *The Extension of University Education Act* – the 'extension' of university education Act. But 'extension' in fact meant deprivation, and what was offered as an alternative in return was insulting. It is a common characteristic of dictatorial regimes, from the far left to the furthest right, that they seek to control the narrative, to impose names on things, and by so doing to force the debate onto their own ground. I would hope, Vice-Chancellor, that one of the main things you and your talented colleagues have instilled into your students is not to be fooled, but to listen, and to question, and above all to think. To think for themselves; to know not just what they know, but also what it is they don't know, and in that case how to set about finding it. To be sceptical about what is thrust at them, but to understand the difference between that and cynicism. To be independent and free-thinking, but to grasp why no society or institution can operate without structure or authority. If, with your help, they have been able to achieve that, then their futures will be filled with opportunity, and UCT will be able in future years to rejoice in what they have made out of it.