



South African Institute for Advanced Constitutional, Public, Human Rights & International Law



THEUNIS ROUX AND DAVID BILCHITZ  
OUTSIDE THE CONSTITUTIONAL  
COURT BUILDING  
ON THE EVENING OF THE BOOK LAUNCH

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## NEWSLETTER August 2007

### 1. NEW STAFF & RESEARCH ASSOCIATES

David Maphakela and Mduduzi Skhosana became the first participants in SAIFAC's LLM Studentship Programme with their arrival at SAIFAC in January 2007. The Programme aims to enable young South Africans to complete a Masters degree in Law before going on to a career in academia or legal practice. David is enrolled for the coursework LLM degree at the University of the Witwatersrand, specialising in constitutional and administrative law, and Mduduzi for the LLM in International Law at the University of Johannesburg.

David Bilchitz commenced work as a Senior Researcher at SAIFAC in February 2007. David has a PhD from the University of Cambridge, and a BA (Hons) LLB from the University of the Witwatersrand. David's book, *Poverty and Fundamental Rights: The Justification and Enforcement of Socio-Economic Rights*, was published by Oxford University Press in February 2007, and formally launched at a function held in the Constitutional Court on 31 July 2007. The guest speakers were Professor Theunis Roux, the Director of SAIFAC, and Justice Edwin Cameron of the Supreme Court of Appeal. Download copies of their presentations here and here respectively.

Mmatsie Mooki joined SAIFAC as a Doctoral Fellow in April 2007. Mmatsie has a BLuris (cum laude) from Vista University, a LLB from Free State University, and a LLM from the University of Pretoria. Her PhD topic is *Legal Access to Abortion in SADC from a Reproductive and Sexual Health Perspective: A Need for Reform?*

Werner Scholtz joined SAIFAC as a Research Associate in May 2007. Werner is an Associate Professor at the University of the North West. He has also lectured in Germany and in 2006 was a guest fellow of the Max Planck Institute for Comparative Public Law and International Law in Heidelberg. His area of research is international environmental law.

Redson Kapindu was appointed as the first Deputy Director of SAIFAC in July 2007, and will begin work in November. Redson joins SAIFAC from the Malawi Human Rights Commission, where he has been the Director of Legal Services since 2003. He has a LLB from the University of Malawi and a LLM from the University of Pretoria.

### 2. PUBLIC SEMINARS

In April 2007, Advocate Raylene Keightley of the Johannesburg Bar presented the third seminar in the joint SAIFAC/SA Human Rights Commission seminar series on recent Constitutional Court judgments. The seminar covered two recent judgments of the Court relating to the Prevention of Organised Crime Act. Willie Hofmeyr, the head of the Asset Forfeiture Unit, also participated in this seminar as the discussant for Adv. Keightley's paper. Download copy of presentation here.

In the same month, Ruthann Robson of the City University of New York Law School, and Bram Fischer Professor Visiting at the University of the Witwatersrand Law School, presented seminar at SAIFAC on the question: 'Is there anything left to say about judicial review?' The seminar was the first in a new SAIFAC seminar series on constitutional theory and the nature of South Africa's constitutional democracy.

In June 2007, David Bilchitz presented a seminar on 'The challenges and possibilities the Civil Union Act creates for family law in South Africa'. The seminar was based on a paper co-authored with Melanie Judge and Fikile Vilikazi. Download copy of framework of presentation here.

### 3. WORKSHOP ON INDIGENOUS & MINORITY RIGHTS

A SAIFAC workshop on Minority and Indigenous Rights was held at the University of Pretoria in April 2007. Distinguished participants included Professor Martin Scheinin of Abo Akademi University, Finland, and Professor



DAVID BILCHITZ



JUSTICE EDWIN CAMERON



SAIFAC DOCTORAL FELLOWS  
MMATSIE MOOKIE  
AND GODFREY MUSILA, AT THE LAUNCH



DAVID BILCHITZ AND GUEST SPEAKER,  
JUSTICE EDWIN CAMERON

James Anaya of Arizona State University, United States. For further information on the workshop and access to the papers presented, contact Solomon Dersso on [solomon@saifac.org.za](mailto:solomon@saifac.org.za).

#### **4. RESEARCH SABBATICAL PROGRAMME FOR JUDGES & ACADEMICS**

Professor Enyinna Nwauche of Rivers State University, Port Harcourt, Nigeria, spent two months at SAIFAC from February 2007 researching the interaction between human rights and intellectual property law. In April 2007, at the end of his sabbatical, Prof. Nwauche presented a seminar on 'The Public Interest in South African Copyright Law'. Download framework of presentation [here](#).

Professor Loretta Feris of the University of Pretoria spent part of her sabbatical period from January to June 2007 at SAIFAC. During this time she completed a paper on 'Constitutional Environmental Rights: An Underutilised resource'. Download copy of paper [here](#).

#### **5. INTERNATIONAL ASSOCIATION OF CONSTITUTIONAL LAW**

Since January 2005 SAIFAC has been managing the secretariat of the International Association of Constitutional Law (IACL). The first half of this year was a busy time for the IACL with an Executive Committee meeting in Bologna in March and the VIIth IACL World Congress in Athens, Greece, in June 2007. The World Congress was attended by over 600 delegates from all over the world. Keynote speakers included Prof. Ronald Dworkin and Justice Dikgang Moseneke of the Constitutional Court of South Africa. Copies of the conference papers can be downloaded from the conference website at <http://www.enelsyn.gr>.

#### **6. AFRICAN NETWORK OF CONSTITUTIONAL LAWYERS**

The African Network of Constitutional Lawyers, which is affiliated to the IACL, was successfully re-launched in Nairobi, Kenya, in April 2007. The re-launching of the Network coincided with a conference on Fostering Constitutionalism in Africa that was attended by over 60 constitutionalists from both francophone and Anglophone Africa. For more on the ANCL and its activities contact the Secretary-General, Dr Danwood Chirwa, on [Danwood.Chirwa@uct.ac.za](mailto:Danwood.Chirwa@uct.ac.za). For photographs of the Nairobi conference, see <http://www.iacl-aidc.org/events>.