

**REPORT TO THE CHAIR OF COUNCIL OF THE UNIVERSITY
OF STELLENBOSCH CONCERNING PROCEDURAL DEVIATIONS
FROM LANGUAGE PLAN REQUIREMENTS**

INTRODUCTION

[1] Pursuant to a resolution of the Council on 20 February 2016 I was appointed to enquire into “die onlangse proses ten opsigte van taalimplementering”, to make findings as to why procedural deviations occurred and to make recommendations as to how to deal with possible future such occurrences. I was requested to address my report to the Chair of Council. The enquiry was to involve consideration of relevant documentation and interviews with various members of Council and the University staff. To this end I was briefed with copies of, inter alia, the University’s Language Policy (“the Policy”) and the Language Plan (“the Plan”), various minutes and correspondence, the founding papers in two High Court applications against the University and an opinion and memoranda by Counsel consulted by the University with regard to the language of tuition and related matters.

[2] I conducted interviews from 29 March to 1 April. The persons interviewed (listed in chronological order) were –

Professor P.W. van der Walt, Deputy Chair of Council

Mr. G. Steyn, Chair of Council

Mr. J. Theron, Member of Council

Professor J.H. Knoetze, Dean of Engineering

Professor A.F. van der Merwe, Faculty of Engineering

Professor L. van Huyssteen, Chief Operating Officer

Professor R. du Preez, Deputy Dean of Economic and Management

Sciences

Professor C. S. Human, Dean of Law

Professor A. van der Walt, Faculty of Law

Professor G.Quinot, Faculty of Law

Professor M. de Waal, Faculty of Law

Professor A. Schoonwinkel, Vice Rector: Learning and Teaching

Dr. A.D. van der Merwe, Senior Director: Learning and Teaching

Enhancement

Professor D. Brink, Acting Dean of AgriSciences

Dr. M. Nel, Faculty of Theology

Professor W.de Villiers, Rector.

[3] The language specifications in each Faculty's Yearbook form part of the Language Plan and the Plan implements the provisions of the Language Policy. It is not in dispute that in the first quarter of the 2016 academic year there were

deviations to greater or lesser extent from the Yearbook language specifications in most if not all Faculties.

THE FACTS

[4] The events which are material for present purposes commenced with the adoption of the Policy and the Plan in November 2014. They had been in operation for only a few months in the first half of 2015 when the academic and management sectors of the University began to feel the impact of protest pressure from students not proficient in Afrikaans. The pressure was directed at what was said to be the exclusionary effect of Afrikaans and at achieving greater use of English in teaching, in meetings and administratively. By exclusion was meant – and it has had that meaning at all relevant times – exclusion from academic access and success.

[5] The protest voices emanated from two main quarters – Open Stellenbosch and the Students' Representative Council ("SRC"). In response to their representations the University convened a task team to conduct investigations and make recommendations and also briefed Counsel for their opinion on three questions concerning the constitutionality of the Policy and the Plan. It is convenient to refer to those questions below when discussing the contents of the opinion.

[6] The task team solicited students' views, including those of members of Afrikaans student societies, and furnished a report dated 9 September 2015. Its main recommendation was the reformulation of the essence of the Policy as contained in its preamble by deletion of the University's professed commitment to "safeguarding" Afrikaans as an academic language and, instead, the shift of its focus to providing inclusive access for all South Africans and according equal status to Afrikaans and English as academic languages. As regards the Plan, the task team recommended various measures and good practice guidelines to improve the implementation of parallel medium teaching and the dual medium T-option.

[7] On 1 October 2015 the proposed amendment of the Policy was put to the Institutional Forum for its consideration preparatory to later referral to Senate and the Council. However, attention to orderly progress in regard to the language issues became diverted during the ensuing weeks by serious campus unrest both nationally and at Stellenbosch. Although much of the unrest had to do with fees the University management had grounds – which appear to me to have been objectively justifiable – to think that it would extend, at Stellenbosch, to the matter of language in the context of transformation. In the course of his interview the Vice Rector gave a description of the campus climate in this period, and the steps taken to avert unrest. He said (the record does not always read grammatically correctly):

“...nog ’n baie belangrike perspektief is die agtergrond wat afgespeel het terwyl ons die taal kwessie aangespreek het naamlik wydlopende kampus onrus aan universiteite en ook aan ons s’n, wat gekulmineer op 23 Oktober, dit wil sê enkele dae voor die 12 November verklaring van die Bestuur en dat die vlak van onrus universiteite gedwing het sekere besluite wat groot implikasies het in die besonder finansiële implikasies en van die bestuurprosesse wat ons moes volg om die onrus te hanteer het ’n baie belangrike insig na vore gekom, is dat ’n mens prober sover moontlik onrus voorkom deur tydig aksies te neem en gesprek te tree met studente voordat dit ontwikkel in ’n onrus situasie wat grens aan anargie, beskadiging van eiendom, persone se besering en ontwrigting van die akademiese prosesse. So in die lig daarvan neem die bestuur op verskeidenheid kwessies insluitend die taal sekere pro-aktiewe aksies en bespreek dit met student en maak dit bekend aan die studente gemeenskap en... ook aan die Raad.”

He went on to say that there had existed a significant risk that language might become the unrest target at Stellenbosch in the same way that memorials to Cecil Rhodes had been at UCT.

[8] The Rector supported that assessment and put the matter as follows:

“this issue needs to be seen and how it came to our attention and my attention and how it was handled, was in the context of, I think one of the most tumultuous years in higher education in South Africa. And a very trying time in terms of how we were trying to stay afloat in a sense where at a certain point I was extremely worried that we were not going to be able to finish the year in terms of examinations and graduations etc”.

[9] To attempt to meet what it saw as the twin difficulties of the exclusionary effect of language and the unstable campus climate the Rector’s Management Team decided upon changes to language implementation (“the RMT decision”) which would be publicly declared to the University community by way of a media statement.

[10] At a meeting of Council's Executive Committee ("the Exco") held on 10 November 2015 the question was asked whether management had anything to say about the language issue. It is recalled by Professor P.W.van der Walt that the Vice Rector said that there was nothing at that stage and that they would only be ready to discuss the Policy and Plan in March 2016.

[11] On 12 November the media statement was released and discussed with members of senate. The salient parts of the English version read:

"At Stellenbosch University we intend using language in a way that is oriented towards engagement with knowledge in a diverse society and to ensure equitable access to learning and teaching opportunities for all students.

Since English is the common language [a footnoted definition reads '(a) language that is adopted as a common language between speakers whose home languages are different'] in South Africa, all learning ... will be facilitated in English...

For modules with large enrolment numbers, which are divided for pedagogical reasons or because of the size limits of available lecture venues, the University shall keep on expanding parallel-medium instruction in lectures. In smaller class groups all information will be conveyed in English. Additional support in Afrikaans and isiXhosa will be provided in the lecture and/or during the auxiliary, facilitated learning opportunities to assist students' understanding of the academic material. This will depend on the capabilities of the lecturers and teaching assistants. The lecturers will continue to provide presentation material and facilitate assessment in both English and Afrikaans. As is presently the case, students can answer tests, exams and assignments in English or Afrikaans.

...

The primary language of communication and administration... will be English, with Afrikaans and isiXhosa as additional languages. The additional languages may not be used to exclude anyone from full participation at the University. This implies that all communication ... will be in at least English, including meetings, official documents, and services at reception desks and the call centre, etc

The [RMT] will put the above principles as points of departure to the ... Council at its meeting of 30 November 2015. These principles, as points of departure, will be communicated and consulted with Senate, and widely in the broader student and staff communities of the University, as well as with other... stakeholders. A revised Language Policy and language Plan, based on the points of departure articulated in this document, should clearly embrace language diversity ... and ensure accessibility for staff and students. In the meantime, the points of departure will be applied as from January 2016. Students and staff must have avenues to complain in cases of non-adherence, without the risk of being victimised."

[12] On 15 November the Exco (including the Rector) met and adopted a unanimous motion concerning the media statement after reaffirming its commitment to inclusiveness "as per the Strategic [sic] policy/plan". The English version is as follows:

"1. The current management's document represents a perspective of US management and their experience of events and consultations with student bodies. The document is a discussion document and not a policy document.

2. The... Council and Senate have approved the language implementation plan and the implementation thereof for 2016. These decisions for the minimum offering in each language shall remain in place.

3. Any possible future changes in the language policy/plan shall follow the statutory route...”

[13] On 17 November the Deans issued a statement indicating their commitment to implementation of the principle of ensuring that language implementation did not form a barrier to academic access and success, and to following due process for any changes to the Policy and Plan.

[14] On 27 November Senate adopted the following motion by a majority of 121 votes to 33 (three spoilt papers):

“We express our support for the proposal made by the (RMT) on 12 November 2015 with regard to the use of language at Stellenbosch University, the spirit which it embraces, and the clarification of the implementation procedures as outlined at the senate meeting on 27 November 2015.”

[15] Late on the same day Counsel’s opinion was received. It was not in time to be considered at the Council meeting on 30 November and I shall return to it below.

[16] At that meeting Council expressed its support for the Exco motion and adopted a motion containing the following in regard to the RMT decision (I quote from the Afrikaans version because I assume it is the original and the English version is not in all respects an accurate translation):

“....

2.2 Die Raad verklaar onomwonde dat taal nooit enige hindernis mag wees vir enige student wat ... aan die US wil studeer en nie òf Afrikaans òf Engels magtig is nie. Daarom versoek die raad vir bestuur om die nodige meganismes met die oog hierop uit te bou en deurlopend te monitor. Indien dit sou beteken dat die Engelse akademiese aanbod die gestelde teiken oorskry, sal dit die ondersteuning van die Raad geniet.

2.3 Tegelykertyd verklaar die Raad dat dit nie ten koste mag wees van die ooreengekome minimum teiken vir die Afrikaanse aanbod nie. Die Raad versoek ook dat Afrikaanse voorgraadse aanbod nog verder verhoog sal word...

2.4 Wat die administratiewe en kommunikasie-taal... betref, besluit die Raad dat taal nooit uitsluitend mag wees vir studente en personeel nie. Die Raad aanvaar dat, soos tans amptelike dokumente en kommunikasie daarom in Afrikaans sowel as in Engels beskikbaar sal wees..."

(The minimum offering at that stage, expressed as a percentage, was approximately 63% in respect of both Afrikaans and English.)

[17] On 2 December the Law Faculty informally decided (not all members were present) that its lectures would be given primarily in English. In her interview Professor Human said that this decision was influenced by a combination of factors. With but one exception the language specification for all modules in the Faculty is the T-option which requires at least 50% of a lecture to be given in Afrikaans with no interpretation service available. For some time students lacking proficiency in Afrikaans had expressed to the staff their anxieties in this regard. The Faculty members present thought that the RMT decision, the Senate resolution and the Council motion all offered the basis on which to meet the problem. Changing the specification was not

pertinently raised but what was envisaged was to apply an in-Faculty interpretation according to which the body of the lecture would be in English with the introduction and concluding summation in Afrikaans. However, one Faculty member did warn of the implications, in adopting this approach, of deviating from the specification.

[18] On 4 December a meeting was attended inter alia by Deans, academic staff, the Rector and Dr. Van der Merwe. No minutes of the meeting were taken but Dr. van der Merwe reported in an email to the Vice Rector the next day her impressions and some concerns raised by those present. "Die oorwegende gevoel" she wrote "is dat ons met 'n meertalige/veeltalige benadering met nie-uitsluiting as oorhoofse raamwerk moet werk." One of the points of concern she referred to as follows:

"Indien hierdie taalspesifikasies veranderings gedoen word wat in konflik met die Jaarboek en/of Taalplan is, of daar wel regsaksies kan volg. Hier is gevra of ons wel 'n regsopinie gaan inwin of reeds ingewin het. Ons het wel genoem dat ons 'n regsopinie het en dit sal raadpleeg om te sien of daar enige kwessies is."

Professor Human said in her interview that she asked the Rector whether her Faculty would have management's support if litigation ensued. She said he not only replied in the affirmative but added that there was a legal opinion which supported what was being contemplated. Professor Knoetze, in his interview, rendered Professor Human's question to the Rector and the latter's reply thus-

“Maar mag ons hierdie veranderinge implementeer wat almal om die tafel net voor dit gesê het dit is wat ons kan doen vir volgende jaar ... ten einde uitvoering te gee aan hierdie kennisoordrag van lesings moet ten minste in Engels plaasvind en dat ons niemand uitsluit op grond van taal nie. ... En toe het die rektor geantwoord ja, ons mag, hulle het 'n regsmeening gekry wat sê ons kan.”

In his interview the Rector said that a general question was asked about the opinion but that he had not yet himself seen it. His recollection was that, in the context of “meganismes” (echoing the term employed by Council in the motion of 30 November), the question was whether an opinion had been obtained on the language Policy. He added that there was no talk of the opinion supporting the measures that the meeting was considering. Dr. Van der Merwe’s version of this aspect as recounted to me was that at no stage was it said that legal opinion supported the Law Faculty’s proposal to offer virtually entire lectures in English.

[19] On 21 January 2016, at a special meeting of the Engineering Faculty Board, it was decided that modules specifying Afrikaans plus interpretation (A+i) would from then on switch to English plus interpretation (E+i). It was generally accepted by the staff members I interviewed that this change did not entail a quantitative reduction in the Afrikaans offering.

[20] At a Law Faculty Board meeting on 25 January it was decided that English would be the primary teaching language during lectures and that there would be

an opportunity for an introduction, a summary and questions and answers in Afrikaans.

[21] Several of the other Faculties (depending on whether or not they specified the T-option) by and large followed either the Law example or the Engineering one. It is unnecessary for present purposes to go into detail.

[22] Early in February Afriforum and individual applicants applied in the Cape High Court for orders compelling compliance with the Yearbook specifications. They expressly applied for such compliance to be in accordance, inter alia, with the Council motion of 30 November. The application was withdrawn when, on 12 February, the University undertook that all Faculties would implement the Policy, Plan and Yearbook specification "in accordance with the Council decision of 30 November 2015".

[23] That undertaking was the subject of a meeting on 15 February attended by students and members of the Law Faculty, Dr. van der Merwe, the Vice Rector and Counsel who represented the University in the application proceedings. Counsel warned that deviation from the T-option was in conflict with the Yearbook specifications but Professor Quinot said in his interview that he and colleagues were not wholly convinced that counsel was right. According to Professor Human, the Vice Rector's "instruksie", as she put it, was that the Law Faculty should continue to implement its January decision to lecture in English with Afrikaans introduction, summary and questions. Dr. Van der

Merwe said she did not understand that what the Vice Rector said amounted to an instruction in that regard and confirmed that some of the Law Faculty staff did differ strongly from Counsel's point of view. The Vice Rector told me that what he said at that meeting was consistent with an email he sent , inter alia, to Deans the previous day in which he said management interpreted the Council motion of 30 November as affording Faculties the freedom to adapt the practice of the specifications in favour of non-exclusion without forsaking Afrikaans. He emphasised that he said in that email that lecturers were requested to so employ the languages that no student would be excluded and not to stop using Afrikaans and that in their endeavours they were assured of management's full support in the search for workable solutions.

[24] Then, on 20 February the Council adopted the following resolution-

“With due recognition of the exceptional circumstances and for the interim, until Council formally accepts a new language Policy and Plan, the language specifications of modules may be applied flexibly while adhering to:

- a) the use of languages in the classroom in such a way that no student is excluded from the lecture;
- b) the promotion, encouragement and ensurance of the use of Afrikaans in the lecture”.

[25] That decision elicited a fresh court application, the result of which has been an order requiring unqualified implementation of the Policy, Plan and specifications i.e. unqualified by the Council motion of 30 November.

COUNSEL'S OPINION

[26] In response to the question whether the University was constitutionally compelled to have a 100% English academic offering, Counsel concluded that it is required by the Constitution that the University continue to increase the access and prospects of success of undergraduates especially many Black (African) students who have inadequate Afrikaans by reducing the barriers to learning resulting from their lack of Afrikaans.

[27] As to whether the Policy and Plan were susceptible to successful constitutional challenge, Counsel's answer was that the University was vulnerable unless, inter alia, both English and Afrikaans were used in all official internal documents and important meetings and unless problems surrounding the implementation of the T-option were removed.

[28] With particular regard to the T-option, the following observations by Counsel are pertinent:

“For those faculties which still have a high percentage of T-specifications, there may be a constitutional problem. The higher the

percentage the more difficult it will be for an English student as she will have to cope with more modules where she cannot understand at least 50% of the lectures...

Some T- specification modules should be changed to [other] specifications.

The complaint is that the T-specification... is not properly implemented. Some lecturers end up giving almost all their lectures in Afrikaans, seriously disadvantaging the English students.... This is a legitimate concern. The policy and plan rely heavily on the T-specification in order to both promote multilingualism, and to increase access.

[The University] should investigate whether it is possible to build some flexibility into the system so that if there are students who are having difficulties with the T-specification in a particular module, it is supplemented by the use of interpretation services. Even if implemented properly, the T-specification will act as a barrier to access. (My emphasis)

We cannot emphasise enough how much the constitutionality of [the] Policy and Plan depend on the proper and fair implementation of the T-specification. If many Black (African) students experience it as a barrier to learning, the policy as a whole may be vulnerable to attack..."

[29] Plainly, all those Faculties making major use of the T-option, pre-eminently Law, were at the centre of the language dilemma.

DISCUSSION

[30] Individual accounts differ in regard to what was said at the respective meetings of the management with Deans on 4 December and the meeting between management, the Law Faculty and Counsel on 15 February. These factual disputes have, for whatever reason, assumed importance for some, as has a non-disclosure by management at the Exco meeting of 10 November. It must be borne in mind that minutes of the two later meetings were not taken.

[31] Because the Exco meeting is claimed to have offered the opportunity for management to have made advance mention of the RMT decision of 12 November, I asked the Vice Rector about this. He said that apart from the fact that language was not an agenda item, the essence of the contemplated changes were not considered materially in conflict with the Policy and the media statement was at that point in any event still in embryo. As a draft of the proposed media statement was available for discussion the next morning and ready for the Rector to inform Mr. Steyn about it later in the day, it is arguable that the essence of the decision must have been capable of disclosure the previous day. However, one cannot draw that inference if the decision was not yet ready for final formulation. I doubt that there was a responsibility to disclose what was not finally thought through and was still subject to change. In any case, because the decision, when finalised and declared, had inevitably to go to the Council I do not think it can be found that its non-mention to the Exco constituted culpable non-disclosure.

[32] Turning to the meeting of 4 December, it appears to be common cause that those present were informed that a legal opinion had been obtained and that management assured the staff members there of its support in the event of legal action. The issue is whether the Rector said that the opinion supported the proposed deviations from the language specifications. Two Deans have told me he did. He and Dr. Van der Merwe say that was not said. Memory is ever open to influence by a variety of factors and it is not in the least surprising to find differing versions of the same event or discussion. The Deans were anxiously seeking support should there be legal action and management was keen to give it. That was the context in which the opinion came to be mentioned. Maybe there was a subconscious readiness to recall assurances of support being strengthened by reference to the opinion. At all events it seems to me that the following facts are important. First, before the present point of dispute had arisen, Dr. van der Merwe said in her email next day to the Vice Rector (who had not been at the meeting) that they had said they would consult the opinion to see if there were any issues. Second, the opinion clearly offers no support for procedural deviations from the language specifications. Had the Rector said what he is alleged to have said his misrepresentation would have been susceptible to easy and embarrassing exposure. Third, there is nothing about the opinion, much less that it supports the deviations, in the notes made by Professor S. du Plessis, Dean of Economic and Management Sciences or in an email from Professor Human to the University media officer dated 27 January

which sets out the relevant history from 30 November onwards in some detail. In the result I do not find that the Rector told the meeting that the opinion supported the deviations. What is not beyond the bounds of possibility is that people's recollections of one discussion (there will have been many in the course of a very stressful few months) became superimposed on their recollections of others. One of the most important considerations in this factual milieu is that the opinion did indeed offer support in substance for the anti-exclusionary initiatives of the RMT, the Deans and, of course, of the Council (even if, on 30 November, it did not know that). Counsel's views in that regard no doubt became progressively known as the new academic year commenced and thus came to filter through into the ongoing debate.

[33] As regards the meeting of 15 February, the question is whether the Vice Rector "instructed" the Law Faculty to act contrary to the view of Counsel (different Counsel from those who furnished the opinion) that the specifications could not be deviated from without following due process. Dr. van der Merwe said there was no instruction as such and she confirmed that members of the Faculty differed from Counsel as to what measures could be taken without amendment of the Policy, Plan and specifications. This is essentially the point made in the Vice Rector's email of 14 February to which I have referred, in which he relied on the Council's motion of 30 November as having given the University room to apply pragmatic measures in an endeavour to avoid the

problems of the T-option, to enhance inclusion and to maintain tuition in Afrikaans. As the Afriforum applications show, they were measures open to constitutional attack from Afrikaans students as long as the Policy, Plan and specifications were not amended. However, as the opinion shows, they were measures that were required (subject to due process) to ward off a foreseeable constitutional challenge from students not proficient in Afrikaans. In the prevailing circumstances the approach adopted by the Vice Rector at this meeting cannot reasonably be faulted in my view.

[35] I have dealt with the factual disputes for the reason stated but I must stress that those disputes are peripheral to the main question I have been asked. That question is: how did the deviations from the Yearbook come about?

[36] The answer is not hard to find. As 2015 unfolded, complaints were increasingly voiced by students not proficient in Afrikaans that tuition in Afrikaans excluded them from access to learning and from prospects of academic success. This created a language issue which festered in the uneasy atmosphere of the national and regional campus unrest. The issue was one that troubled the staff and management extensively. A solution was required and the unstable climate prompted management to reach a decision sooner rather than later. The proposed solution was contained in the RMT decision of 12 November.

[37] However, it was not that decision which resulted in the specification deviations. On 30 November Council did not just insist on adherence to the amendment process required by the Policy and the Plan. It declared unequivocally that language was to be no impediment to a student not in command of English or Afrikaans. It went on to urge management "om die nodige meganismes met die oog hierop uit te bou en deurlopend te monitor". If thereby the English academic offering was increased that would have Council's support but this was not to be at the expense of the agreed target for the Afrikaans offering which Council requested be further increased.

[38] It was consequent on that pronouncement that the Faculties proceeded to make tuition language arrangements which deviated from the Yearbook specifications.

[39] Deviation in the case of the T-option was unavoidable. The insuperable difficulty was that carrying Council's motion into effect rendered the T-option incapable of implementation. Extension of the English segment of a lecture to avoid the exclusionary effect experienced by students not proficient in Afrikaans would necessarily reduce the Afrikaans segment. The only thing to do to avoid that dilemma would have been to provide additional classes either all in English or all in Afrikaans. I do not think that would have constituted mere "meganismes". It would seem to me to have material re-organisational

implications with regard to staff, venues and timetables, if not cost implications as well.

[40] Where A+i was changed to E+i, the interests of non-exclusion were served and the Afrikaans offering was not quantitatively reduced but there was nevertheless deviation from the specifications.

[41] Finally, Council resolved on 20 February to allow Faculties and the RMT flexibility in the application of the language specifications. The consideration that Council might in that regard have been wrong in law (a matter on which the University would be advised by its attorneys and Counsel) is beside the point. Council's resolution reflects its own assessment of the merits of what was sought to be done, fairly and equitably, by management and staff to promote both the necessary inclusiveness and the continuing use of Afrikaans.

FUTURE DEVIATIONS

[42] Amendment of the Policy and Plan are currently in prospect. There is neither need nor purpose in contemplating circumstances which might obtain after any amendment because the provisions governing language specifications might then be materially different. Therefore the possible future deviations to which this enquiry relates would be such as might occur or threaten to occur pending any amendment. The consequences of the recent litigation might have

resolved the complaints of Afrikaans students to some extent but may well have served to rekindle the grievances of students not proficient in Afrikaans. The risk of repeat language implementation problems still exists. The language issue will not fade in a hurry.


[43] I do not think it is contentious to say that staff members need to be allowed the freedom to make flexible adjustments to increase the English content of their teaching and to maintain the Afrikaans content as they see the situation may demand. Ideally, policy provisions should enable, not shackle. A generous interpretation of the specifications should be the aim where possible. As already mentioned, there will no doubt be substantial time and cost implications in providing extra teaching but that is unavoidable if the University is to meet the constitutional obligations it owes students in the respective language camps. Reading the documentation provided and listening to the staff members interviewed, I was struck by the extent to which staff not only aspire to, but apparently achieve, an admirable degree of pragmatism. Their concern is to make themselves understood by their students in the most practical way. If students still have complaints steps should be considered whereby these are channelled through to Faculties and management rather than to publicity-hungry agencies. Appointment of a senior staff member whose job is to oversee and report to the RMT on language management could be considered.

[44] What is also desirable, so it seems to me, is maximum communication between management and staff and management and Council or, where time constraints exist, the Chair of Council. Lack of communication impairs efficiency and can generate mistrust. It may well have done so at times in this instance. If problems threaten to disrupt, it appears desirable that they be dealt with in a way that involves communication at the highest level.

CONCLUSION

[45] Had the Faculties, the RMT and the Council not taken the anti-exclusionary decisions and action they did the University would, on grounds explained in Counsel's opinion, have been vulnerable to constitutional challenge by students not proficient in Afrikaans. It is no small irony that, having taken those steps, it felt vulnerable to the court challenges mounted by Afrikaans students but this only serves to highlight the wisdom of having instituted the current review process aimed at amendment of the Policy and Plan. On the strength of the interviews and the documentation made available to me I am of the opinion that all concerned were motivated to maintain and preserve the function, reputation and welfare of the University without infringing any students' constitutional rights.

Dated at Cape Town this 14th day of April 2016.

A handwritten signature in dark ink, appearing to read 'C. T. Howie', is written above a horizontal line.

C. T. HOWIE

"I"
244

Jacobs, T, Me [tarien@sun.ac.za]

From: Chris Otto <chriso@psggroup.co.za>
Sent: Sunday, 03 November 2019 09:26
To: Retief, Ronel [ronelretief@sun.ac.za]
Subject: Fwd: Dr Ronel Retief

Follow Up Flag: Follow up
Flag Status: Flagged

Geagte dr Retief,
Sien asb die aangehegte brief wat ek aan voorsitter George Steyn gestuur het.
Met vriendelike groete,
Chris Otto.

Sent from my iPad

Begin forwarded message:

From: george <george@georgesteyn.co.za>
Date: 03 November 2019 at 09:01:16 SAST
To: Chris Otto <chriso@psggroup.co.za>
Subject: Re: Dr Ronel Retief

ronelretief@sun.ac.za

Sent from my Samsung Galaxy smartphone.

----- Original message -----

From: Chris Otto <chriso@psggroup.co.za>
Date: 2019/11/03 07:59 (GMT+02:00)
To: George Steyn <george@georgesteyn.co.za>
Subject: Dr Ronel Retief

George,
Stuur asb haar e-posadres vir my. Met die hangende Kommissie van Ondersoek wil ek seker maak dat ek op die lys van getuies is. Dis belangrik dat die waarheid en feite aan die Kommissie voorgelê word. Ek het persoonlik tydens die nominasieproses met talle partye geskakel, oa Prof Wim de Villiers en Regter Edwin Cameron.
Ek dink ook dat Dr Michiel le Roux 'n belangrike bydrae sou kon lewer.
Met vriendelike groete.
Chris.

Sent from my iPad

Handtekeninge ter ondersteuning van EDWIN CAMERON se nominasie

1	Annette M Steyn
2	Anton MJ Melck
3	Avril Halstead
4	Brent Walsh
5	Catharina Charter (Neé Lombard)
6	Chris Otto
7	Christine de Clercq
8	Cindy Steenekamp
9	Dan Badenhorst
10	Dawne Botha
11	Dirk Jakobus Louw
12	Dr Jerome Slamet
13	Dr Koos Bekker
14	Dr Leslie van Rooi
15	Dr Mary Nel
16	Edwin Hertzog
17	Emile Kruger
18	Emmerentia Carse
19	Erna Meaker
20	Fred Pfaff
21	Gareth Cornelissen
22	Gary Baumgarten
23	Giuseppe Guido Ciucci
24	Gretha Melck
25	Hendric J Carse
26	J van der Westhuizen
27	Jannie Durand
28	Johann Rupert
29	John Charter
30	Joy Michelle Sinclair (Neé Greeff)
31	June Elizabeth Du Plessis (Neé Newman)
32	Linda Badenhorst (Neé Theron)
33	Luc du Plessis
34	Michiel le Roux
35	Mnr George M Steyn
36	Mnr Pieter Kloppers
37	Morne Du Plessis
38	Nina du Plessis
39	Paul Meaker
40	Pieter Fourie
41	Pieter Steyn van Litsenborgh
42	Prof Amanda Gouws
43	Prof Arnoldus Schoonwinkel

44	Prof Christa van der Walt
45	Prof CS Human
46	Prof Geo Quinot
47	Prof Gerhard Kemp
48	Prof Gerhard Lubbe
49	Prof J Botha
50	Prof JD Krige
51	Prof JE du Plessis
52	Prof Joan Hambidge
53	Prof Johan Fourie
54	Prof Juanita Pienaar
55	Prof Lindy Heinecken
56	Prof MJ de Waal
57	Prof Nico Koopman
58	Prof PJ Sutherland
59	Prof Sally Ann Murray
60	Prof Sope Williams-Elegbe
61	Prof TE Cloete
62	Prof Willem JS de Villiers
63	Rob Pattman
64	Schalk Willem Petrus Burger
65	Stuart Sinclair
66	Ubanesia Adams-Jack
67	Victoria Gardner
68	Willem de Clercq
69	Zander Wessels
70	Hendrik Jacobus Du Toit

Opgestel vir die doeleindes van die gesprek met Regter B Fourie, 13 Nov 2019

CHRONOLOGY OF RUN-UP TO THE ELECTION FOR SU CHANCELLOR – REGISTRAR'S ACCOUNT**1. 2018**

Informal discussions about possible suitable candidates for Chancellor start. Edwin Cameron is mentioned amongst others.

2. 4 Feb 2019

The Registrar's PA sends an e-mail to the Registrar and staff of the Centre for Governance Function Support (Registrar's Division) to alert them to the fact that the current Chancellor's term is about to end and that planning for the election of the new Chancellor should start timeously. Emails between the relevant colleagues in the Registrar's Division regarding the operationalisation of the election follow.

15 April 2019

The Rector and Registrar discuss the Chancellor's election in their monthly 1:1 meeting.

3. 16 April 2019

The Registrar e-mails her predecessor to enquire whether there are any guidelines for the election of Chancellor, other than the provisions in the SU Statute.

4. 23 April 2019

The previous Registrar responds to the above, that there are no other guidelines governing the election process, but the Statute itself.

5. 9 May 2019

The PA to the Registrar drafts an SOP for the run-up to the election and proposes that the preparations for the election kick off on 15 July 2019.

6. 19 Jul 2019

The PA to the Registrar communicates the finalised SOP for the run-up to the election of the Chancellor to institutional stakeholders to alert them to their various roles and responsibilities.

7. 19 July 2019

The Registrar sends an e-invitation to members of the Electoral College for the election of the Chancellor at a meeting on 25 September 2019 at 09:00.

8. 14 Aug 2019

The Registrar puts out the call for nominations for candidates for the role of SU Chancellor.

9. 14 Aug 2019

The Rector receives feedback from Ainsley Moos that Johan van Zyl would approach Patrice Motsepe at the Rector's request to avail himself for this position. He (the Rector) shares this news with the Rectorate.

10. **20 Aug 2019**

At the Rectorate Meeting the Rector mentions that the closing date for nominations are coming up on 4 September. Various possible candidates are discussed, including Mr Patrice Motsepe, Judge Edwin Cameron, Ms Phumzile Mlambo-Ngcuka, Ms Nick Newton-King, Ms Ruda Landman, Mr Letsego Kganyago, Judge Kate O'Regan and Mr Elias Masilela.

11. **4 Sep 2019**

Nominations close. The following complete nominations are received by the closing date and time:

Theo Alant

Edwin Cameron

Ruda Landman

Christo van der Rhee

Japie van Zyl

12. **25 Sep 2019**

Meeting of the Electoral College and election of Chancellor. Edwin Cameron elected by an outright majority.

Ronel Retief

12 November 2019

Jacobs, T, Me [tarien@sun.ac.za]

From: Retief, Ronel [ronelretief@sun.ac.za]
Sent: Tuesday, 23 April 2019 17:05
To: Bonthuys, Lazelle [lb1@sun.ac.za]; Coetzee, Alfreda [alfreda@sun.ac.za]
Subject: FW: Verkiesing van Kanselier

FYI

Dr Ronel Retief

Registrateur | Registrar

Registrateursafdeling | Registrar's Division

e: ronelretief@sun.ac.za | t: +27 21 808 4910 | a: Admin A, Ryneveldstraat | Ryneveld Street



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 STELLENBOSCH
 UNIVERSITY



From: Aspeling, Johann [jaa@sun.ac.za] <JAA@sun.ac.za>
Sent: 23 April 2019 05:02 PM
To: Retief, Ronel [ronelretief@sun.ac.za] <ronelretief@sun.ac.za>
Subject: RE: Verkiesing van Kanselier

Beste Ronel

EK het die afgelope week op Vleesbaai gekuier, maar is weer terug op die Bos. Dit gaan goed met ons klomp en ek vertrou by jou ook.

Wat die verkiesing betref is onderstaande ongelukkig die enigste riglyne waarvan ek weet. Uiteraard het julle waarskynlik 'n bietjie daaraan geskaaf toe julle die Statuut oorgeskryf het.

kte met al julle aktiwiteite!

Mooiloop

Johann

Sent from Mail for Windows 10

From: Retief, Ronel [ronelretief@sun.ac.za]
Sent: Tuesday, April 16, 2019 7:07:11 PM
To: Aspeling, Johann [jaa@sun.ac.za]
Subject: Verkiesing van Kanselier

Beste Johann

Hoop dit gaan goed.

250
Daar moet vanjaar 'n nuwe Kanselier aangewys word. Ek wil net hoor of daar enige prosedure-dokument bestaan ten opsigte van die verkiesing, naas die uittreksel uit die Statuut hieronder.

Verkiesing van 'n kanselier

- 3 (1) Die kanselier van die Universiteit word verkies deur 'n kieskollege wat uit die Raadslede, die lede van die Uitvoerende Komitee van die Senaat – die UK(S) – en die president en die visepresident van die Konvokasie bestaan.
- (2) Wanneer die Universiteit 'n kanselier moet verkies, moet die registrateur kennisgewings plaas in media wat na die registrateur se oordeel gepas is om die verkiesingsdatum bekend te maak en Konvokasielede uit te nooi om geskikte kandidate teen die sperdatum te nomineer.
- (3) Nominasies moet op skrif wees en minstens drie weke voor die verkiesingsdatum by die registrateur ingedien word.
- (4) Alle nominasies moet deur minstens 20 Konvokasielede onderteken wees en vergesel word van 'n ondertekende verklaring deur die genomineerdes dat hulle die nominasie aanvaar.
- (5) Die registrateur moet alle nominasies aan die kieskollege bedoel in subparagraaf (1) voorlê vir keuring.
- (6) Die rektor is voorsitter by 'n vergadering van die kieskollege. Sou die rektor afwesig wees, moet die aanwesige lede iemand uit hulle geledere kies om as voorsitter op te tree.
- (7) Die helfte van die kieskollege-lede maak 'n kworum uit.
- (8) Stemming moet by wyse van geslote stembriewe geskied.
- (9) Selfs al sou slegs een persoon genomineer word, mag niemand tot kanselier verkies word nie tensy die meerderheid van die aanwesige kieskollege-lede ten gunste van die genomineerde stem.

Baie dankie
Ronel

Dr Ronel Retief

Registrateur | Registrar

strateursafdeling | Registrar's Division

e: ronelretief@sun.ac.za | t: +27 21 808 4910 | a: Admin A, Ryneveldstraat | Ryneveld Street



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Die integriteit en vertroulikheid van hierdie e-pos word deur die volgende bepalinge bereël. [Vrywaringsklousule](#)

VERKIESING VAN 'N KANSELIER: VERKIESING VAN LEDE UIT GROEP: KONVOKASIE

A. BEPALINGS VAN 2016-STATUUT

Verkiesing van 'n kanselier

3. (1) Die kanselier van die Universiteit word verkies deur 'n kieskollege wat uit die Raadslede, die lede van die Uitvoerende Komitee van die Senaat – die UK(S) – en die president en die visepresident van die Konvokasie bestaan.
- (2) Wanneer die Universiteit 'n kanselier moet verkies, moet die registrateur kennisgewings plaas in media wat na die registrateur se oordeel gepas is om die verkiesingsdatum bekend te maak en Konvokasielede uit te nooi om geskikte kandidate teen die sperdatum te nomineer.
- (3) Nominasies moet op skrif wees en minstens drie weke voor die verkiesingsdatum by die registrateur ingedien word.
- (4) Alle nominasies moet deur minstens 20 Konvokasielede onderteken wees en vergesel word van 'n ondertekende verklaring deur die genomineerdes dat hulle die nominasie aanvaar.
- (5) Die registrateur moet alle nominasies aan die kieskollege bedoel in subparagraaf (1) voorlê vir keuring.
- (6) Die rektor is voorsitter by 'n vergadering van die kieskollege. Sou die rektor afwesig wees, moet die aanwesige lede iemand uit hulle geledere kies om as voorsitter op te tree.
- (7) Die helfte van die kieskollege-lede maak 'n kworum uit.
- (8) Stemming moet by wyse van geslote stembriewe geskied.
- (9) Selfs al sou slegs een persoon genomineer word, mag niemand tot kanselier verkies word nie tensy die meerderheid van die aanwesige kieskollege-lede ten gunste van die genomineerde stem.

Profiel van die Kanselier:

- 1.1 Die statuur van die persoon moet die US tot eer strek;
- 1.2 Die persoon moet nie in die aktiewe partypolitiek betrokke wees nie;
- 1.3 Die persoon moet by aanstelling nie ouer as 70 jaar wees nie;
- 1.4 Die persoon moet 'n algemene kennis van die Hoër Onderwysomgewing hê en daarin kan funksioneer;
- 1.5 Die persoon moet hom/haar vereenselwig met die waardes en strewes van US.
- 1.6 Strategiese oorwegings sal 'n rol speel in die besluit oor aanstelling.
- 1.7 Die aanstelling sal nie diskrimineer op grond van ras, geslag, gestremdheid of geloofsoortuiging nie.

B. PROSES GEGROND OP HIERDIE BEPALINGS

AKSIE	VERANTWOOR- DELIKE PERSOON EN TYDSKAAL	WERKLIKE SPERDATUM
<p>A. TYDRAAM</p> <p>1. Bepaal tydraam vir hele proses</p> <ul style="list-style-type: none"> * Datum nominasies aanvra * Datum waarop die kennisgewing in die koerante geplaas moet word * Bepaal in watter koerante die kennisgewing geplaas moet word * Datum nominasies sluit. Hou datums van US-resesse, openbare vakansiedae en skoolvakansies in gedagte. * Datum kennisgewing en stembriewe vir laai op web (met nodige skakel) stuur aan Korporatiewe komms * Datum stembriewe op web geplaas * Bepaal die datum by watter vergadering die verkiesing gaan plaasvind * Bepaal die betrokkenes wie na hierdie vergadering genooi moet word * Dagboek wanneer bogenoemde persone genooi moet word <p>2. Stuur tydraam vir betrokkenes</p> <ul style="list-style-type: none"> * SISO: Jan du Toit en Gavin Nimmo (vir die aanvra van nominasies deur alle konvokasieledede) * Korporatiewe Kommunikasie : 	<p>1. Begin proses minstens 10 weke voor die verkiesing van die nuwe Kanselier gehou word op die raadsvergadering soos bepaal (25/9) (PA van Reg, LB en RR) (15 Julie)</p> <p>2. Minstens 10 weke voor die vergadering waarop besluit word om verkiesing te hou (PA van Reg) (15 Julie)</p>	

<ul style="list-style-type: none"> • Dir Kommunikasie en Belanghebberverhoudings (SvdMerwe) • Adjunk-Dir: Digitale Kommunikasie (Marik Hornsveld) • Tegniiese Web-Koördineerder (Ilse Arendse) (Everlytic) – as daar dokumente saam met die kennisgewings moet gaan wat nie deur die e-posstelsel gedra kan word nie; <p>* Alumnikantoor: Snr Data-administrateur (– as die Konvokasie betrokke is)</p>		
<p>B. STEMPOEL</p> <ol style="list-style-type: none"> 3. Bepaal stempoel – (Konvokasielede in die geval) 4. Versoek die lys van lede van die Konvokasie van Alumni Kantoor (gee 1 week om dit te ontvang) 5. Stuur hierdie lys aan SISO, Gavin 6. Onttrek uit die Konvokasie lys die name en e-posadres en taalvoorkeur, indien van toepassing (soos wanneer dokumente/kennisgewings aan verskillende taalgroepe apart gestuur moet word). 	<ol style="list-style-type: none"> 3. PA van Reg, LB (22 Julie) 4. PA van Reg (22 Julie) 5. PA van Reg (29 Julie) 6. Een week na ontvangs (PA van Reg) (29 Julie) 	
<p>C. NOMINASIES</p> <ol style="list-style-type: none"> 7. Berei nominasievorm voor. Dit moet die volgende van genomineerde aanvra (in beide tale): <ul style="list-style-type: none"> * Naam en US-nommer v genomineerde * Name en handtekeninge van ten minste twintig sekondante * Naam en handtekening van genomineerde vir aanvaarding v nominasie 	<ol style="list-style-type: none"> 7. SSM (PA van Reg + LB (5 – 9 Augustus) 	

<ul style="list-style-type: none"> * Sluit profile van 'n kanselier op die nominasievorm in * Foto * BAIE kort CV (50 woorde maks) * BAIE kort Visiestelling (50 woorde maks) 	<p>Nog nie voorheen versoek maar ek dink hierdie 3 goed is NB</p>	
<p>8. Skryf konsep-nominasiekennisgewing (haal relevante par uit Statuut aan en vra dat spesifieke aandag aan ras, geslag en gestremdheid gegee moet word) en heg nominasievorm aan.</p>	<p>8. PA van Reg + LB (5 – 9 Augustus)</p>	
<p>9. Vra nominasies aan (per e Everlytic – aangesien dit aan die Konvokasie gaan)</p>	<p>9. LB + Everlytic (12 – 14 Augustus)</p>	
<p>10. Gee ten minste 3 weke tyd vir nominasies om in te kom</p>	<p>10. PA van Reg (Everlytic), LB (e-pos) (14 Augustus tot 4 September)</p>	
<p>11. Nominasies moet minstens 3 weke voor die verkiesingsdatum by die Registrateur ingedien word</p>	<p>11. PA van Reg Ontvang dit op (4 September)</p>	
<p>12. Kontroleer of nominasies geldig is soos hulle inkom (dws is persoon wel lid van die stempoel, en voldoen hy/sy aan vereistes om genomineer te word, ens – kyk 5 hierbo) (– Alumni Kantoor kontroleer NET die Konvokasie se nominasies - of hulle wel Konvokasielede is)</p>	<p>12. PA van Reg, Malena Fourie (indien v toepassing) (Vanaf 4 – 11 September)</p>	
<p>13. Registrateur lê al die volledige nominasies aan die kieskollege voor</p>	<p>13 LB + Reg (11 – 18 September)</p>	
<p>D. STEMBRIEF EN STEMMING</p> <p>14. Stel intussen stembrief op</p> <p>15. Stemming geskied tydens die genoemde vergadering (Raadsvergadering op 25 September) via geslote stembrief</p>	<p>14. LB (Week voor 25 Sept)</p>	

<p>16. Die rektor is die voorsitter van hierdie vergadering</p> <p>17. Selfs al is daar slegs 1 nominasie, mag niemand as 'n Kanselier aangewys word tensy die meerderheid van die aanwesige kieskollege-lede ten gunste van die genomineerde stem.</p>		
<p>E. STEMUITSLAG</p> <p>18. Rektor skakel die verkose Kanselier om hom geluk te wens alvorens dit aan die raad en die res van die kieskollege bekend gemaak word</p> <p>19. Stuur kennisgewing aan Korporatiewe Kommunikasie om via Everlytic aan alle Konvokasielede bekend te maak</p> <p>20. Korporatiewe kommunikasie maak dit ook via interne kommunikasie aan alle personeellede en studente bekend</p>	<p>18 Prof Wim de Villiers, 25 Sept</p> <p>19. (Everlytic), LB (25 / 26 Sept)</p>	

Jacobs, T, Me [tarien@sun.ac.za]

From: Coetzee, Alfreda [alfreda@sun.ac.za]
Sent: Friday, 19 July 2019 13:08
To: Bonthuys, Lazelle [lb1@sun.ac.za]; Van der Merwe, Susan [svdmerwe@sun.ac.za]; Adams, VJ, Me [va@sun.ac.za]; Hornsveld, Marick [mhornsveld@sun.ac.za]; Arendse, Ilse [ilsea@sun.ac.za]
Cc: Matthee, L, Mrs [lvr@sun.ac.za]; Kok, Wildre [wkok@sun.ac.za]; Retief, Ronel [ronelretief@sun.ac.za]; Bruns, Karen [kbruns@sun.ac.za]; Stuart, Shaun [sstuart@sun.ac.za]
Subject: SOP / Tydlyn vir die verkiesing van 'n nuwe kanselier
Attachments: SOP vir verkiesing van 'n kanselier soos 19 Julie 2019 (LB met Alf se insette - finaal).docx
Importance: High

Beste Kollegas

Huidige kanselier, dr Johann Rupert se termyn verval 31 Desember 2019. Die aangehegte dokument is vir jul aandag en gebruik sodat ons binne die gegewe tyd 'n nuwe kanselier kan aanwys, ons het sover moontlik ruim tyd ingebou.

Vera, sal jy asseblief soos telefonies bespreek hierdie inligting aan die persone stuur wat die data gereed moet kry?

Die uitnodiging na die kieskollege vergadering op 25 September van 09:00 tot 10:00 is vanoggend versend.

Groete

Alfreda Coetzee

Kantoorbestuurder: Kantoor van die Registrateur | Office Manager: Office of the Registrar

Afdeling van die Registrateur | Division of the Registrar

e: alfreda@sun.ac.za | t: +27 21 808 4910 | a: Admin A 2020, Ryneveldstraat | Ryneveld Street, Stellenbosch 7600



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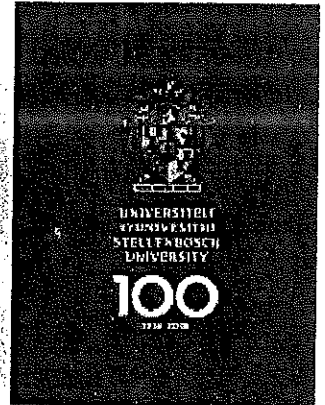


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From: KONVOKASIE
Sent: Wednesday, 14 August 2019 14:26
To: Retief, Ronel [ronelretief@sun.ac.za]
Subject: Nominasie vir die Amp van Kanselier | Nomination for the Office of Chancellor

Konvokasie / Convocation

NOMINASIE: Amp van Kanselier
NOMINATION: Office of Chancellor



US-nommer | SU Number: 11152486

Beste Konvokasielid

Die ampstermyn van die Kanselier van die Universiteit Stellenbosch, dr J.P. (Johann) Rupert, verstryk teen die einde van 2019. Dr Rupert is nie herkiesbaar nie.

Ooreenkomstig Par. 3 van die Statuut van die Universiteit, word lede van die Konvokasie hiermee in kennis gestel dat skriftelike nominasies van geskikte kandidate vir die amp van Kanselier, vir die termyn 1 Januarie 2020 tot 31 Desember 2025 ingedien kan word.

'n Nominasievorm is op die Universiteit se webblad beskikbaar by: <http://bit.ly/2yQ7D42>. Die sluitingsdatum vir die indiening van nominasies is Woensdag, 4 September 2019 om 12:00.

Elke nominasie moet deur minstens 20 (twintig) lede van die Konvokasie onderteken wees en vergesel wees van 'n verklaring deur die genomineerde dat hy/sy die nominasie aanvaar. Nominasies kan per e-pos aan die Registrateur, ronelretief@sun.ac.za, gestuur word.

Die US gegradueerdes, alle permanente akademiese personeel, asook persone wat 'n diploma na 2010 aan die US verwerf het, is lede van die Konvokasie.

Volgens Par. 3(1) van die Statuut word 'n kanselier uit die genomineerde kandidate aangewys deur 'n kieskollege bestaande uit die lede van die Raad, die lede van die Uitvoerende Komitee van die Senaat, en die President en die Visepresident van die Konvokasie.

Vriendelike groete

Dr Ronel Retief
Registrateur
Universiteit Stellenbosch

Dear Convocation member

The term of office of the Chancellor of Stellenbosch University, Dr JP (Johann) Rupert, expires towards the end of 2019. Dr Rupert is not eligible for re-election.

In accordance with Par. 3 of the University's Statute, members of the Convocation are hereby notified to submit written

25:
nominations of suitable candidates for the office of Chancellor for the term 1 January 2020 to 31 December 2025.

A nomination form can be obtained on the University's website at: <http://bit.ly/33E65bA>. The closing date for nominations is Wednesday, 4 September 2019 at 12:00.

Each nomination has to be signed by at least 20 (twenty) members of the Convocation, and has to be accompanied by a statement certifying that the nominee accepts the nomination. The completed nomination form can be sent by email to the Registrar at ronelretief@sun.ac.za.

All SU graduates, all permanent academic staff members, as well as people who received a diploma after 2010 at Stellenbosch University, are members of the Convocation.

According to Par. 3(1) of the Statute, the Chancellor shall be elected from the nominees by an electoral college consisting of the members of the Council, the members of the Executive Committee of Senate and the President and the Vice-President of the Convocation.

Kind regards

Dr Ronel Retief
Registrar
Stellenbosch University

saam vorentoe · masiye phambili · forward together

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This email was sent to ronelretief@sun.ac.za on 14-08-2019

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Email Powered By University of Stellenbosch



Jacobs, T, Me [tarien@sun.ac.za]

From: Koopman, NN, Prof [nkoopman@sun.ac.za]
Sent: Wednesday, 14 August 2019 22:06
To: De Villiers, WJS, Prof [wimdv@sun.ac.za]
Cc: Du Plessis, Stan [stan@sun.ac.za]; Retief, Ronel [ronelretief@sun.ac.za]; Slamet, JA, Dr [jaslamat@sun.ac.za]; Schoonwinkel, Arnold [schoonwi@sun.ac.za]; Cloete, TE, Prof [eugeneclote@sun.ac.za]; Klopper, HC, Prof [hklopper@sun.ac.za]
Subject: Re: Wim de Villiers: Nominasie as US Kanselier

Dankie vir opdatering Wim. Dis goed dat hulle ons gedagte steun. Ons hou dan wel duimvas.

Mooi aand!

Nico

Sent from my iPhone

14 Aug 2019, at 21:51, De Villiers, WJS, Prof [wimdv@sun.ac.za] <wimdv@sun.ac.za> wrote:

Kollegas
 Sien asb Ainsley Moos se skrywe hieronder ter inligting.
 Vriendelike groete
 Wim

Sent from my iPad

Begin forwarded message:

From: Ainsley Moos <ainsley.moos@africanrainbowcapital.co.za>
Date: August 14, 2019 at 4:09:33 PM GMT+2
To: "De Villiers, WJS, Prof [wimdv@sun.ac.za]" <wimdv@sun.ac.za>
Subject: Nominasie as US Kanselier

Beste Wim

Ek het jou voorstel om moontlik vir Dr Patrice Motsepe as US Kanselier te nomineer met Johan van Zyl bespreek. Johan voel dit is 'n uitstekende idee maar dat ons asb moet kennis neem dat Dr Motsepe al in die onlangse verlede deur beide lkeys en Wits genader is om as Kanselier te dien. Dit het hy uiteraard nie opgeneem nie.

Johan het onderneem om die voorstel direk met Dr Motsepe oor die volgende week of wat te bespreek en dan sal ons terugvoer gee.

Groete
 Ainsley

Ainsley Moos Executive - Corporate & Stakeholder Relations

T: +27 21 1800 107

M: +27 83 296 4697

E: ainsley.moos@africanrainbowcapital.co.za

www.africanrainbowcapital.co.za

<RSImage.png>

1st Floor, Marsh Building, Cnr Fredman Drive & Fifth Street, Sandton, Gauteng, South Africa - [Map](#)
 1st Floor, 43 Plein Street, Stellenbosch, Western Cape, South Africa - [Map](#)

<RSImage.pn

Jacobs, T, Me [tarien@sun.ac.za]

From: Retief, Ronel [ronelretief@sun.ac.za]
Sent: Tuesday, 24 September 2019 23:45
To: De Villiers, WJS, Prof [wimdv@sun.ac.za]
Cc: Kok, Wildre [wkok@sun.ac.za]
Subject: Vergadering van die Kieskollege vir die aanwys van US Kanselier 25 Sep 2019
Attachments: Kieskollege vir die aanwys van Kanselier _ PRESENSIELYS 25Sep2019 RR.doc

Importance: High

Beste Wim

Die volgende ter ondersteuning van jou taak as Voorsitter van môre se vergadering van die Kieskollege vir die aanwys van die US se nuwe Kanselier:

Nominasies:

Er is 5 nominasies ontvang wat aan alle vereistes voldoen het:

- Minstens 20 lede van die Konvokasie (geverifieer deur die Alumnikantoor) het elke nominasie ondersteun.
- Elke kandidaat het skriftelik ingestem tot die nominasie.
- Elke kandidaat het 'n foto, visiestelling en CV voorsien vir voorlegging aan die Kieskollege. (Let daarop dat die Sekretariaat die dokumentasie geplaas het soos dit ontvang is – dus, geen redigering of vertaling is gedoen nie.)

Stemprosedure:

Ek het met Regsdienste, asook met prof Rassie Malherbe gekonsulteer oor die moontlikheid om 'n proxy vir iemand te gee om te stem. Dit na aanleiding van navrae in dié verband.

Beide Regsdienste en Rassie is van mening dat die Statuut nie voorsiening maak vir proxies nie – die Statuut praat eksplisiet van “members present and voting”. Rassie skryf:

PROXY-STEM

Kl 3(9) sluit nie op sigself proxy-stemme uit nie, maar dit moes uitdruklik iewers gereel gewees het ter kwalifisering van kl 3(9). In die afwesigheid van so 'n spesifieke reëling/kwalifikasie, is proxy-stemme myns insiens nie moontlik nie!

Ons laat ook nie elektroniese stemme vooraf toe van persone wat glad nie die vergadering bywoon nie.

Ons laat wel toe dat persone stem wat vir die duur van die vergadering Skype en dus virtueel “teenwoordig” is. Dit is nou reeds gevestigde praktyk dat ons 'n persoon wat op hierdie wyse deelneem, dus vir die duur van 'n vergadering Skype of andersins elektronies inskakel, as “aanwesig” beskou. Dit is dus nie net inskakel om 'n stem uit te bring nie, maar wel om ook deel te neem aan die gespreksvoering. Ons het ook 'n meganisme geskep om diegene wat by wyse van Skype deelneem, in staat te stel om hul stem intyds (m.a.w. tydens die vergadering wanneer die ander lede stem) uit te bring. Dit geskied by wyse van 'n sms/whatsapp aan die Sekretaris: 082 874 0871 (ingeval persone wat Skype nie die nommer het nie).

Brendon Grindley-Wieldon (Finansiële Kontroleur) is versoek om die stemme te help tel.

Die kandidaat wat 'n volstrekte meerderheid ontvang, dus 50% plus een stemme van die lede teenwoordig wat stem (“members present and voting”), is die aangewese Kanselier.

Sodra die stemuitslag bekend is, kan jy die nuwe Kanselier skakel en hom/haar dienoooreenkomstig inlig. Dus vóór die nuus na buite bekend raak. Desmond woon die vergadering by en sal sorg dat daar so spoedig moontlik 'n verklaring/berig uitgereik word, nadat jy met die nuwe Kanselier gepraat het.

Ek wys ook net daarop dat Nicola aangedui het dat sy dalk 15 minute laat sal wees – sy open 'n geleentheid by Stias, dink ek. Sy wil uiteraard graag stem en as jy dus die eerste 15 minute wy aan die administratiewe reëlins hierbo, sal dit 'n bietjie tyd wen totdat sy daar is.

Ek heg die presensielys aan soos ek dit het.

Die Raadsvergadering begin om 10:00, ook in die Raadsaal.

Baie sterkte. Ek glo dit sal goed gaan.

Vriendelike groete
Ronel

Dr Ronel Retief

Registrateur | Registrar

Registrateursafdeling | Registrar's Division

e. ronelretief@sun.ac.za | t: +27 21 808 4910 | a: Admin A, Ryneveldstraat | Ryneveld Street

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UNIVERSITEIT STELLENBOSCH UNIVERSITY

**KIESKOLLEGE - AANWYS VAN KANSELIER
ELECTORAL COLLEGE – ELECTION OF CHANCELLOR**

25 SEPTEMBER 2019

NAAM / NAME	HANDTEKENING / SIGNATURE
Bonthuys, Lazelle	SEKRETARIAAT – GEEN STEM
Brink, Danie	VERSKONING AANGETEKEN
Brody, Hubert (HR)	
Chikte, Usuf (UME)	
Cillié, Charl (CD)	
Cloete, Eugene (TE)	
Coetzee, André (AR)	
Davidse, Wayde (WP)	
De Villiers, Wim (WJS)	
Dietrich, Anthony (AR)	
du Plessis, Stan (SA)	
Durand, Jannie (JJ)	SKAKEL ELEKTRONIES IN
Fataar, Aslam (MA)	
Fourie, Johan (J)	
Gonzales, Hein (H)	
Gouws, Amanda (A)	
Hambidge Joan (JH)	
Heunis, Jan	SKAKEL ELEKTRONIES IN
Joubert, Paulu (PG)	
Keet, André (A)	

Klopper, Hester	
Koopman, Nico (NN)	
Leysens, Anthony	
Liebenberg, Willie	
Lingela, Sindi (TS)	
Madiba, Mbulungeni	VERSKONING AANGETEKEN
Meiring, Jean (JJ)	
Moodie, Nadine	NUWE RAADSLID – GEORGE SAL HAAR AMPTELIK VERWELKOM BY RAADSVERGADERING, MAAR MISKIEN MOET JY DIT OOK NET NOEM?
Moos, Ainsley (AV)	
Nel, Reggie	
Ngomane, Tsakani (T)	
Ngwenya, Gwen (GSA)	
Retief, Ronel	SEKRETARIS – GEEN STEM
Schoonwinkel, Arnold (A)	
Smit, Nicola	
Steyn, George (GM)	
Stuurman, Ziyanda (Z)	VERSKONING AANGETEKEN
Theron, Johan (JG)	SKAKEL ELEKTRONIES IN
Thompson, Desmond	WOON BY – GEEN STEM
Tshehla, Sam	
van Deventer, Gesie (GMM)	
van Niekerk, Wikus	
van Wyk, Carli (CA)	
Volmink, Jimmy	
Warnich, Louise	
Woolard, Ingrid	

STRICTLY CONFIDENTIAL / STRENG VERTROULIK

Meeting of the Electoral College: SU Chancellor /

Vergadering van die Kieskollege: US Kanselier

Date / Datum: 25 September 2019

Time / Tyd: 09:00

Venue / Lokaal: Board Room, Administration Building B (Victoria Street, Stellenbosch) /
Raadsaal, Administrasiegebou B (Victoriastraat, Stellenbosch) /

Place / Plek: Stellenbosch

Dr R Retief

REGISTRAR / REGISTRATEUR

10 September 2019

Tel. (021) 808 4516

Background information / Agtergrond-inligting

- 2016 SU Statute / 2016 US Statuut
(Attachment A / Bylae A) 32
- Communications from the Registrar / Kommunikasie deur die Registrateur
(Attachment B / Bylae B) 37
- Notices / Kennisgewings
(Attachment C / Bylae C) 40

Members of Electoral College / Lede van Kieskollege

Prof Wim de Villiers (Chairman/Voorsitter)

Prof Danie Brink, Mr/Mnr Hubert Brody, Prof Usef Chikte, Mr/Mnr Charl Cillié,
 Prof Eugene Cloete, Prof André Coetzee, Mr/Mnr Wayde Davidse, Prof Anthony Dietrich,
 Prof Stan du Plessis, Mr/Mnr Jannie Durand, Prof Aslam Fataar, Prof Johan Fourie,
 Mr/Mnr Hein Gonzales, Prof Amanda Gouws, Prof Joan Hambidge, Adv Jan Heunis,
 Mr/Mnr Paulu Joubert, Prof André Keet, Prof Hester Klopper, Prof Nico Koopman,
 Prof Anthony Leysens, Mr Willie Liebenberg, Ms/Me Sindi Lingela, Prof Mbulungeni Madiba,
 Adv Jean Meiring, Ms/Me Nadine Moodie, Mr/Mnr Ainsley Moos, Prof Reggie Nel,
 Dr Tsakani Ngomane, Ms/Me Gwen Ngwenya, Dr Ronel Retief, Prof A Schoonwinkel,
 Prof Nicola Smit, Mr/Mnr GM Steyn, Ms/Me Ziyanda Stuurman, Mr/Mnr Johan Theron,
 Mr/Mnr Desmond Thompson, Prof Sam Tshehla, Adv Gesie van Deventer,
 Prof Wikus van Niekerk, Ms/Me Carli van Wyk, Prof Jimmy Volmink, Prof Louise Warnich and
 Prof Ingrid Woolard.

Dr Ronel Retief

REGISTRAR / REGISTRATEUR

10 September 2019

Theo Alant



**Vision Statement / Visiestelling:
Stellenbosch University / Universiteit Stellenbosch**

Die optrede van alle persone verbonde aan die universiteit moet bydra tot die bevordering van die status van die Universiteit van Stellenbosch as 'n universiteit van wêreldgehalte.

Die Universiteit van Stellenbosch moet 'n instelling wees van geen diskriminasie: Geen diskriminasie met betrekking tot toelatingsvereistes van student. Geen diskriminasie met betrekking tot standaarde by die aanstelling of bevordering van staflede.

The actions of all persons attached to the University of Stellenbosch must contribute to enhancing the status of the University of Stellenbosch as a world class institution of learning.

The University of Stellenbosch must be a university of no discrimination: No discrimination with respect to entrance requirements of students. No discrimination with respect to standards for appointment or promotion of members of staff.

- Aktief betrokke by die Kemptonparkse onderhandelinge vir die Tussentydse Grondwet van 1993. Verantwoordelik vir die gedeeltes oor Finansies in die Tussentydse Grondwet sowel as die reëlings vir die pensioene van politici van die vorige bedeling.
- Des. 1993- April 1994: Verteenwoordig die Regering op die Raad vir Finansies van die Uitvoerende Oorgangsraad.
- April 1994 – April 1999: Lid van die Nasionale Vergadering.
- 1995-1996: Betrokke by die onderhandelinge vir en die opstel van die 1996-Grondwet. Het die konsepte van die gedeeltes oor Veiligheidsdienste (hoofstuk 11) en Finansies (hoofstuk 13) opgestel.
- Mei 1999: Tree vrywilliglik uit die politiek en die Parlement.
- 1999-2017: Boer op sy plase langs die Modderivier in die Jacobsdaldistrik met boerbokke, skape en beeste, produseer koring en mielies, en plant pekanneutbome aan.
- Jan. 2017 tot tans: Afgetree. Spandeer tyd deur te lees, reis en genealogiese navorsing te doen. Is adjunkvoorsitter van die Raad van Trusteas van die Geslote Pensioenfondswat toesig hou oor die betaling van pensioene aan politici uit die vorige politieke bedeling.

Cameron, Edwin

Curriculum Vitae

EDWIN CAMERON

Born: 15 February 1953, Pretoria, South Africa

DEGREES & ACADEMIC AWARDS

Awarded Anglo American Corporation Open Scholarship

Stellenbosch University 1972-1976

BA Law *cum laude* (1974)

BA Honours in Latin *cum laude* (1975)

Rhodes Scholarship to Oxford

Oxford University 1976-1978 and 1981-1982

BA in Jurisprudence with first class honours and Jurisprudence Prize (Oxford, 1978)

LLB *cum laude*; Voet Medallion for top law graduate (University of SA, 1981)

BCL with first class honours and Vinerian Scholarship (Oxford, 1982)

ACADEMIC AND PRACTITIONER EXPERIENCE

Stellenbosch University

Lecturer in Latin and Classical Studies (before leaving for Oxford), 1976

Johannesburg Society of Advocates

Practising advocate 1983-1994

Centre for Applied Legal Studies, University of the Witwatersrand (1986 - 1994)

1986-1994 – practising human rights lawyer and academic

1989 Awarded personal professorship in law.

While at CALS, human rights practice included labour and employment law, defence of ANC fighters charged with treason; conscientious and religious objection; land tenure and forced removals; gay and lesbian equality; and successfully defending the “Sharpeville Six” against their death sentences.

From 1988 advised the National Union of Mineworkers on AIDS/HIV, and helped draft and negotiate the industry’s first comprehensive AIDS agreement with the Chamber of Mines.

Drafted the Charter of Rights on AIDS and HIV, and co-founded and was first chair of the AIDS Consortium (a national affiliation of non-governmental organizations working in AIDS).

Founding first director of AIDS Law Project (now SECTION27).

Oversaw LGBTIQ movement’s submissions to the constitution-negotiating process 1992–3.

Inaugural lecture at Wits University, “Sexual Orientation and the Constitution: A Test Case for Human Rights” (October 1992), with other work, helped secure the express inclusion of sexual orientation in the Constitution.

Academic awards and honours:

- 2000 Honorary fellow of the Society for Advanced Legal Studies, London
- 2003 Visiting fellow, All Souls College, Oxford (writing *Witness to AIDS*)
- 2007 Visiting judge, Birkbeck College, University of London
- 2008 Honorary professor, City University, London
- 2009 Brudner Prize for gay and lesbian studies, Yale University
- 2013 Bellagio writing residency (writing *Justice: A Personal Account*)

- 2003 Bentham Lecture, University College, London
- 2004 Inaugural Lecture in Law, British Academy
- 2005 Prestige Lecture, University of Stellenbosch
- 2006 Ronald Louw Memorial Lecture, University of KwaZulu-Natal
- 2007 Special lecture, Birkbeck College, University of London
- 2008 11th Annual Lord Chief Justice Taylor Memorial Lecture, Inner Temple, London
- 2009 Brudner Lecture, Yale University
- 2012 Fourth Lord Leslie Scarman Lecture, Middle Temple, London
- 2012 Keynote address at Columbia University Bio-Ethics Centre
- 2014 Keynote address, Johns Hopkins Center for Public Health & Human Rights and Center for AIDS Research
- 2014 Robert P Anderson Memorial Lecture, Yale Law School
- 2015 Bram Fischer Memorial Lecture, Rhodes House, Oxford
- 2016 Eudy Simelane Memorial Lecture, Pietermaritzburg
- 2017 High Court of Australia Annual Lecture
Dean's distinguished lecture, University of the Western Cape
- 2018 O'Byrne Lecture, University of Calgary
Owen Lecture University of British Columbia, Vancouver
Alberico Gentili Lectures, University of Macerata
- 2019 Keynote address, American Association of Law Schools, New Orleans

SELECTED SCHOLARLY ARTICLES SINCE 2000

- "The Deafening Silence of AIDS" [First Jonathan Mann Memorial Lecture at the XIII International Conference on AIDS and HIV, Durban, July 2000] *Harvard Health and Human Rights Journal* Vol 5 No. 1 (Autumn 2000) 7-24, available at <http://www.hhrjournal.org/archives-pdf/4065220.pdf.bannered.pdf>
- "Confidentiality in HIV/AIDS – Some Reflections on South Africa and India" (2001) 1 *Oxford University Commonwealth Law Journal* 35-37
- "Constitutional protection of sexual orientation and African conceptions of humanity" (2001) 118 *SA Law Journal* 642-650
- "Law in the struggle for truth" (2003) 120 *SA Law Journal* 1-7
- "AIDS denial and Holocaust denial: AIDS, justice and the courts in South Africa" (2003) *SA Law Journal* Vol 120, 525-539
- "When judges fail justice" (2004) 121 *SA Law Journal* 580-594, (2005) 58 *Current Legal Problems* 83-99
- (with Jonathan Berger) "Patents and Public Health: Principle, Politics and Paradox" (2005) 131 *Proceedings of the British Academy* 331-369; also published in David Vaver (ed), *Intellectual Property Rights* (Routledge, London: 2005)
- "Legal and Human Rights Responses to the HIV/AIDS Epidemic" (2006) 17 *Stellenbosch Law Review* 37-90
- "Normalising Testing, Normalising AIDS" (2007) 112 *Theoria – A Journal of Social and Political Theory* (April 2007) 99-108
- "Nepal's New Constitution and Fundamental Rights of Minorities – Lessons of the SA Experience" (2007) 23 *SA Journal on Human Rights* 195
- (with Scott Burris) "The Case against Criminalization of HIV Transmission" *Journal of the American Medical Association (JAMA)* 2008; 300(5): 578-581, August 6, 2008
- "What you can do with rights" [2012] 2 *European Human Rights Law Review* 147-159
- "Constitutionalism, Rights, and International Law: The *Glenister* Decision" *Duke Journal of Comparative and International Law*

*Landman,
Gertruida Mathilda (Ruda)*

Curriculum Vitae

RUDA LANDMAN

Gertruida Mathilda Landman 531118 0046 084

137 Fourth Ave, Melville, Johannesburg 2092

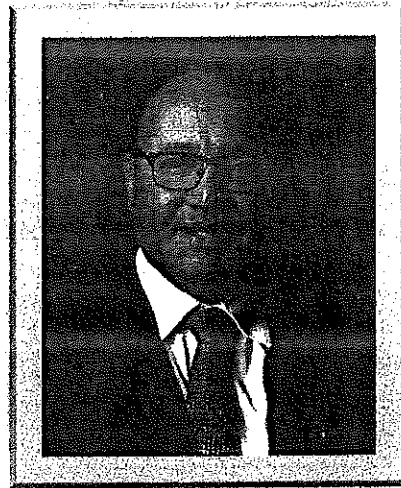
082 452 7774

rland@iafrica.com

	Education
1978,79	University of South Africa Philosophy from first to third year for non-degree purposes Completed third year with distinction
1976	Stellenbosch University BA Hons (English)
1975	Stellenbosch University Higher Education Diploma
1974	Stellenbosch University BA
2019	Alliance Francaise isiZulu Course 1 and 2
	Awards
2011	Stellenbosch University PhD, honoris causa
1985 to 2007	Several awards as best presenter/journalist

	Publications
2015 to present	<p>GRAD – published by Van Schaik Publishers and sponsored by Capitec. Compiled by me in collaboration with StudyTrust.</p> <p>GRAD is a glossy 54-page booklet published annually and aimed at first-year students at university, covering topics like taking responsibility, managing money, managing time, effective study, handling stress, etc. The first edition in 2015 was sponsored by Investec. 10 000 copies were distributed to four universities in Gauteng. In 2016 Capitec came on board, and we could grow the footprint. This year (2019) 160 000 copies were distributed to all 25 residential universities in South Africa. We work closely with the staff members at each university charged with the first-year experience (FYE).</p>
2018	<p>Tell me your story – Tafelberg</p> <p>A collection of 18 interviews selected from the series I do for the website <u>The Change Exchange</u>. People (from Nick Binedell to John Kani, from Gogo Dineo to Esmaré Weideman) are led and supported to tell their life stories, with special attention to change moments, both professional and personal. The proceeds from sales of the book go to StudyTrust, my partners in GRAD.</p>
2003	<p>Ruda Landman Off Camera – Doublestorey</p> <p>Weerskante van die Lens – Lapa Uitgewers</p> <p>A collection of essays on my work at <i>Carte Blanche</i> which was published in English and Afrikaans simultaneously under the above titles. I translated the text myself.</p>

Christo van der Rheede



**Vision Statement / Visiestelling:
Stellenbosch University / Universiteit Stellenbosch**

Idees rig die toekoms. Goeie idees bring vooruitgang in groot dele van die wêreld mee. 'n Samelewing moet daarom 'n omgewing skep waarin idees kan floreer. Deur middel van Afrikaans en sy hoër funksies skep dit nie net idees nie, maar dit bring opvoedkundige, sosio-politieke en ekonomiese bemagtiging oor grense heen mee. Aan die hart hiervan lê nasiebou, vooruitgang en welvaartskepping. En die vergestaltung van die waardes en ideale soos vervat in ons Nasionale Grondwet. Die US kanselier het hierin 'n kritiese rol om te vervul.

Direksielid	ATKV Sake Sedert 2017
Direksielid	AgriSETA Sedert 2017

NASIONALE BETROKKENHEID

Agri SA Droogtefonds	Sedert 2015
Agri Phakisa	Sedert 2016
Agri SA en Motsepe Stigting Swartboer Vestigingsprojek	Sedert 2018

LOOPBAANDETAIL

J.S. Klopper Primêr Posvlak 1 Onderwyser	1986 – 1994
Symphony Primêr Departementshoof	1994 – 1998
Symphony Primêr Adjunk- Prinsipal	1996 – 1998
Silversands Primêr en West Bank Sekondêre Skool Prinsipaal	1999 – 2005
Stigting vir Bemagtiging Hoof Uitvoerende Beampte	2006 – 2011
Afrikaanse Handels-instituut (AHI) Hoof Uitvoerende Beampte	2012 – 2015
Agri SA Adjunk-Hoof Uitvoerende Beampte	2015 tot op datum

INISIATIEWE

Symphony Primêre Skool Rekenaargeletterdheidsprojek	Vestig in 1997
Silversands Primêre Skool Musiek- en Balletprojek	Vestig in 2001 Vestig in 2006
Nasionale Prinsipale Opleidingsprojek	Vestig in 2016

Sukseste op AHI-vlak

Bou die organisasie vanaf 70 to 110 sakekamers uit.
 Bou die AHI se profiel internasionaal, op die vasteland van Afrika sowel as plaaslik uit.
 Vestig die AHI in die media en op verskillende regeringsvlakke.
 Verseker dat die sleutelministers die AHI se nasionale kongresse bywoon.
 Vestig goeie verhoudinge met verskeie ministers in die Departemente van Grondhervorming en Landelike Ontwikkeling, Klein Besighede, Finansies, Landbou en Energie.
 Vestiging van 'n verskeidenheid van hoogs interaktiewe netwerksessies vir AHI-lede met leiers in die korporatiewe sektor.
 Vestiging van 'n ontwikkelingsprogram vir sakekamers en fasiliteer interaksies tussen plaaslike kamers, munisipaliteite en ander rolspelers.
 Vestiging van 'n Memorandum van Verstandhouding tussen die AHI, Samewerkende Regering en Tradisionele Sake en die Suid-Afrikaanse Vereniging vir Plaaslike Regering ten einde plaaslike ekonomiese ontwikkeling te bevorder.
 Konseptualiseer 'n dinkskrum om rolspelers byeen te bring met 'n gemeenskaplike belangstelling in grondhervorming, die uitwerk van praktiese oplossings en om 'n positiewe invloed op regeringsgesprekke in die verband te vestig.
 Herstrukturering van die AHI en stel spesialiste aan wat lede kan help met beleidsanalise en -insette.
 Versterk die posisie van die AHI binne BUSA en bevorder goeie verhoudings met organisasies soos Agri SA en Agbiz.

Skakel oor verskeie nywerhede en maatskappye, insluitend:

- Verskeie staatsdepartemente
- Nedlac
- BUSA
- Departement van Handel en Nywerheid
- Eskom
- Transnet
- Media24
- Toyota Suid-Afrika
- Sanlam
- Santam
- ABSA
- Nedbank
- Sasfin
- Politieke partye
- Ambassades
- Nasionale en internasionale georganiseerde besigheid netwerke
- Europese Sakekamers asook Chinese en Indiese sakekamers.

Reël netwerkgebeurtenisse, waaronder:

- AHI konferensie oor grondhervorming met die Minister van Grondhervorming en Landelike Ontwikkeling.
- Verskeie AHI konferensies waar Regeringsministers gassprekers opgetree het.

***Van Zyl,
Jakob Johannes (Japie)***

Curriculum Vitae

Descriptive Biography

JAKOB JOHANNES VAN ZYL

August 2019

Dr. Jakob Johannes van Zyl had a long and distinguished career at the Jet Propulsion Laboratory; one of the world's premier space research institutions. His path has included successful implementation of all sizes of projects, formulating new mission concepts, and incorporating new technologies and methodologies into the JPL fabric. Through his career, he interacted and collaborated with NASA Leadership, other NASA Centers, other US Government Agencies, and international space agencies. And, all the while he maintained his academic ties with the California Institute of Technology and the University of Stellenbosch and continued his pioneering research to remain an internationally recognized expert in the field of synthetic aperture radar research.

Education and Road to the United States

Japie van Zyl was born in Outjo, Namibia in 1957. At the age of five he entered boarding school in Outjo, where he attended both primary and high school. He matriculated in 1974, and was named the Dux Student of his class, the highest academic accolade given to a graduating student. Besides academics, he also actively participated in sports, competing at the national level in track and field and rugby.

In 1975 he entered the University of Stellenbosch as a freshman and graduated in 1979, earning the Honours degree in Electronics Engineering (*Cum Laude*) as the top student in his class. While at Maties, he was awarded the Phillips Prize in 1977 for being the top Junior in the Electrical Engineering department, and the Siemens Prize in 1979 for being the top student in the graduating class in electrical and electronics engineering.

In January 1980 he started the required 2-year period of National Service in the South African Navy. He graduated as the top Midshipman from the Officers training, and served his final year with the rank of Sub-Lieutenant at the Logistics Command in Simonstown. During that year he was seconded to the Institute for Maritime Technology, where he conducted research on measuring the radar cross-section of the ocean and Navy ships. This was his first introduction to radar, a field that would come to play a key role in his career.

In 1982 he received a scholarship to study for a master's degree at the California Institute of Technology in Pasadena, California. While his initial focus was telecommunications, his interest quickly turned to remote sensing while taking the class on Spaceborne Remote Sensing then taught by the future Director of the Jet Propulsion Laboratory (JPL), Dr. Charles Elachi. After completing a class term paper on radar scattering models, Dr. Elachi offered to host Japie as a Ph.D. student to continue studies in synthetic aperture radar (SAR). He earned his M.Sc. and Ph.D. degrees in electrical engineering from Caltech in 1983 and 1986, respectively. His Ph.D. thesis, *On the importance of polarization in radar scattering problems*, lay many of the foundations for the Shuttle Imaging Radar – C (SIR-C) mission,

business. This position required him to be the main interface between NASA and JPL for all Astrophysics and Heliophysics activities, as well as significant international agreements, particularly with the European Space Agency, for which JPL provided mission-enabling instruments for the Herschel and Planck missions. He also built new relationships with several Department of Defense and Intelligence agencies for cutting-edge technology demonstrations that now form the largest portion of JPL's non-NASA business, and created new and advanced capabilities for the United States. Under his leadership seven missions were launched successfully, ranging from flagship class missions like Spitzer, to Discovery class like Kepler, to small explorers like Galex and NuSTAR.

In 2011 he became the Associate Director of JPL, responsible for project formulation and strategy. This office is responsible for creating an environment of innovation and the processes and facilities used to acquire new business across all of JPL. During his tenure as Associate Director, he led the development of the JPL Vision for the future and the associated strategy to implement that Vision, including generating and managing the internal investment portfolio of more than \$100M.

Japie finished his career at JPL as the Director for Solar System Exploration, which gave him responsibility for all planetary missions at JPL. He led the team that completed the final phase of the highly successful Cassini mission. After nearly 20 years in space, the Cassini spacecraft was intentionally crashed into Saturn to avoid any possibility that this earth probe could potentially contaminate the moons Enceladus and Titan. His team also successfully landed the Insight craft on Mars in November 2018. This lander brought the most sensitive seismometer ever built to the surface of Mars in an effort to determine if Mars still has any seismic activity. Insight measured the first recorded Mars quake on April 2020.

A Visionary and Inspiring Leader

Arguably his most important contribution to JPL has been to develop a vision for the next decade and a strategy to achieve it while he was the Associate Director. He focused on creating excitement within JPL and to motivate the employees to dare might things and pursue audacious undertakings so that the Laboratory can continue to be a trailblazer into the new era of space exploration. Space is an unforgiving environment, but excessive fear of failure inevitably leads to stagnation and atrophy.

Under Japie's leadership, JPL entered a new era of firsts. He introduced new technologies into the clean rooms during spacecraft assembly and test. Instead of printing blueprints and carrying them around the facility, he introduced digital touchscreen systems that not only give assemblers direct access to the entire library of documentation, but allows them to display drawings in augmented reality glasses so they can see each step in the assembly as they are doing it. JPL was one of the first places to go completely paperless in their assembly rooms.

Taking the idea of augmented reality further, Japie formed a team to work with Microsoft during the development of their highly popular Hololens device, and JPL was featured prominently during the launch of the product. The first application, called Onsite, allows researchers across the globe to walk around on the surface of Mars and experience the landscape in 3D. All the Mars mission now use this technology to plan and execute their science.

European Space Agency (ESA). Under his leadership JPL delivered hardware to most of these agencies, submitted proposals for joint work on many occasions, and did joint research.

Japie has a proven track record of working with the scientific community to help formulate ideas for future missions, and to forge consensus. He participated in advisory groups in both Earth Science and Astrophysics, and he is viewed as being able to bring competing groups together behind a common vision.

Japie is also active in international scientific activities. He is a corresponding member of the International Academy of Astronautics, and has been the Chair of the joint International Astronautics Federation and International Astronomical Union Space Astronomy Technical Committee for the four years. He is also currently an Extraordinary Professor in Electrical Engineering at the University of Stellenbosch, taking him back to his roots at Maties.

A Strong Commitment to Education

Throughout his career Japie maintained a strong link and commitment to education, particularly at Caltech. After Dr. Elachi became the JPL Director, Japie took over the class *Introduction to the Physics and Techniques of Remote Sensing*, which he has been teaching since 2001 as part of the Electrical and Aeronautics Engineering departments at Caltech. Besides being an Extraordinary Professor in Electrical Engineering at the University of Stellenbosch, he is also a Senior Faculty Associate at Caltech. He has been the external advisor for three successful Ph.D. students from Caltech, with a fourth currently working towards his Ph.D.

Japie is also very active promoting education and science at schools and to the general public. He is a regular and popular contributor to the science radio program *Sterre en Planete* that airs in South Africa and Namibia, and he regularly gives skype talks to schools across the world. He teamed with the American Corner in Namibia to give public lectures for the past five years, and the attendance has been growing exponentially.

It is a great source of pride to Japie that his contributions have been recognized by his Alma Mater. In 2015, the University of Stellenbosch gave Japie an honorary Ph.D in Engineering *"for his contribution as driving force behind many a successful space project, ambassador for Africa and Stellenbosch University in probably the most advanced technological environment globally, and an inspiration for young scientists in his home continent."*

Japie has been active in promoting the University of Stellenbosch internationally, and is a key member of the Board of the Friends of Stellenbosch University in the USA.

A World Renowned Researcher

Throughout his career Japie continued his pioneering research into the applications of radar and microwave technology to derive geophysical parameters from the Earth and other Solar System bodies. He has been a science team member on several NASA and international missions including SIR-C/X-SAR and the Japanese PALSAR and led the radar team on SMAP. He still actively publishes in the field, and regularly receive requests for keynote addresses at scientific conferences.

**2016 SU STATUTE (EXCERPT): GOVERNMENT GAZETTE
(2 SEPT. 2016)**

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STAATSKOERANT, 2 SEPTEMBER 2016

No. 40243 33



UNIVERSITEIT STELLENBOSCH UNIVERSITY
UNIVERSITY OF STELLENBOSCH

STATUTE

of

STELLENBOSCH UNIVERSITY

- (5) The nomination or nominations are submitted by the registrar to the electoral college referred to in sub-paragraph (1) for selection.
- (6) The rector serves as chairperson at a meeting of the electoral college, but should he or she be absent, the members present must elect from their ranks a member to serve as chairperson.
- (7) Half of the members of the electoral college form a quorum.
- (8) Voting takes place by secret ballot.
- (9) No person may be elected chancellor unless a majority of the members of the electoral college present and voting vote in his or her favour, even if only one nomination is received.

ATTACHMENT A / BYLAE A

- (5) Die registrateur moet alle nominasies aan die kieskollege bedoel in subparagraaf (1) voorlê vir keuring.
- (6) Die rektor is voorsitter by 'n vergadering van die kieskollege. Sou die rektor afwesig wees, moet die aanwesige lede iemand uit hulle geledere kies om as voorsitter op te tree.
- (7) Die helfte van die kieskollege-lede maak 'n kworum uit.
- (8) Stemming moet by wyse van geslote stembriewe geskied.
- (9) Selfs al sou slegs een persoon genomineer word, mag niemand tot kanselier verkies word nie tensy die meerderheid van die aanwesige kieskollege-lede ten gunste van die genomineerde stem.

Notice to members of the Convocation: Nominations for the Office of Chancellor

Kennisgewing aan lede van die Konvokasie: Nominasies vir die Amp van Kanselier

Beste Konvokasielid

Die ampstermyn van die Kanselier van die Universiteit Stellenbosch, dr J.P. (Johann) Rupert, verstryk op 31 Desember 2019. Dr Rupert is nie herkiesbaar nie.

Ooreenkomstig Par. 3 van die Statuut van die Universiteit, word lede van die Konvokasie hiermee in kennis gestel dat skriftelike nominasies van geskikte kandidate vir die amp van Kanselier, vir die termyn 1 Januarie 2020 tot 31 Desember 2024 ingedien kan word.

'n Nominasievorm is op die Universiteit se webblad beskikbaar by: <http://bit.ly/2yQ7D42>. Die sluitingsdatum vir die indiening van nominasies is Woensdag, 4 September 2019 om 12:00.

Elke nominasie moet deur minstens 20 (twintig) lede van die Konvokasie onderteken wees en vergesel wees van 'n verklaring deur die genomineerde dat hy/sy die nominasie aanvaar. Nominasies kan per e-pos aan die Registrateur, ronelretief@sun.ac.za, gestuur word.

Alle US gegradueerdes, alle permanente akademiese personeel, asook persone wat 'n diploma na 2010 aan die US verwerf het, is lede van die Konvokasie.

Volgens Par. 3(1) van die Statuut word 'n kanselier uit die genomineerde kandidate aangewys deur 'n kieskollege bestaande uit die lede van die Raad, die lede van die Uitvoerende Komitee van die Senaat, en die President en die Visepresident van die Konvokasie.

Vriendelike groete

Dr Ronel Retief
Registrateur
Universiteit Stellenbosch

Notices / Kennisgewings

Cape Times:



NOTICE TO MEMBERS OF THE CONVOCATION

Nominations for the Office of Chancellor

The term of office of the Chancellor of the Stellenbosch University, Dr JP (Johann) Rupert, expires end of 2019. Dr Rupert is not eligible for re-election. In accordance with Par. 3 of the University's Statute, members of the Convocation are hereby notified that **written nominations** of suitable candidates for the office of Chancellor for the term 01 January 2020 to 31 December 2025 will be received by the Registrar, until **12:00 on Wednesday, 04 September 2019**.

A **nomination form** can be obtained on the **Stellenbosch University's website** at <https://bit.ly/2Z2yZyi>. Each nomination has to be signed by at least 20 (twenty) members of the Convocation, and has to be accompanied by a statement certifying that the nominee accepts the nomination. Nominations should be sent by **email** to the Registrar at ronelretief@sun.ac.za.

According to Par. 3(1) of the Statute, the Chancellor shall be elected from the nominees by an electoral college consisting of the members of the Council, the members of the Executive Committee of Senate and the President and the Vice-President of the Convocation.

Dr Ronel Retief | Registrar | Stellenbosch University | Private Bag X1 Matleland | 7602

14 August 2019

Eikestadnuus / Eikestad News:



UNIVERSITEIT
iYUNIVESITHI
STELLENBOSCH
UNIVERSITY

100
1918 · 2018



KENNISGEWING AAN LEDE VAN DIE KONVOKASIE

Nominasies vir die Amp van Kanselier

Die ampstermyn van die Kanselier van die Universiteit Stellenbosch, dr JP (Johann) Rupert, verstryk einde 2019. Dr Rupert is nie herkiesbaar nie. Ooreenkomstig Par. 3 van die Statuut van die Universiteit, word lede van die Konvokasie hiermee in kennis gestel dat skriftelike nominasies van geskikte kandidate vir die amp van Kanselier, vir die termyn 01 Januarie 2020 tot 31 Desember 2025, deur die Registrateur tot **12:00 op Woensdag, 4 September 2019** ingewag word.

Die **nominasievorm** is op **Universiteit Stellenbosch** se webblad beskikbaar by **<https://bit.ly/33unMdj>**. Elke nominasie moet deur minstens 20 (twintig) lede van die Konvokasie onderteken wees en vergesel wees van 'n verklaring deur die genomineerde dat hulle die nominasie aanvaar. Nominasies kan per **e-pos** aan die Registrateur, **ronelretief@sun.ac.za** gestuur word.

Volgens Par. 3(1) van die Statuut word 'n kanselier uit die genomineerde kandidate aangewys deur 'n kieskollege bestaande uit die lede van die Raad, die lede van die Uitvoerende Komitee van die Senaat, en die President en die Visepresident van die Konvokasie.

Dr Ronel Retief | Registrateur | Universiteit Stellenbosch | Privaatsak XI Matieland | 7602

14 Augustus 2019

Kok, Wildre [wkok@sun.ac.za]

From: De Villiers, WJS, Prof [wimdv@sun.ac.za]
Sent: Saturday, 10 August 2019 11:34
To: george@georgesteyn.co.za
Subject: Wim de Villiers: Visrivier en kanselierskap

Beste George

Ek is weer terug van 'n uitmergelende Visrivier Canyon-staptog; baie uitdagend dog belonend... Edwin Cameron het laat weet hy's ongelukkig nie beskikbaar vir die Kanseliersposisie nie agv konflik van belange met die Konstitusionele Hof en Gelyke Kanse saak teen die US - groot jammerte, maar hy't 'n mooi nota geskryf...

Ons sal moet saamdink oor moontlike ander kandidate. My lysie tans in geen besondere volgorde en entoesiasme/geskiktheid - Sizwe Nxasana, Nicky Newton-King, Fred Robertson, Wendy Appelbaum...

Groete

Wim

Sent from my iPad

Samantha Honhaar

From: Jean Meiring <jjmeiring@group621.co.za>
Sent: 14 November 2019 12:32
To: Yaseen Cariem
Subject: Fwd: Edwin

Begin forwarded message:

From: Jean Meiring <jjmeiring@group621.co.za>
Subject: Edwin
Date: 18 August 2019 at 19:42:49 SAST
To: "De Villiers, WJS, Prof [wimdv@sun.ac.za]" <wimdv@sun.ac.za>

Sunday

Dag Wim,

Ek hoop als gaan goed.

Sedert die bekendmaking van die kanseliers-oopte, het etlike mense met my hieroor in gesprek getree. Daarom dan dat ek laat verlede week begin dink en dit my soos 'n blits tref dat daar geen beter mens vir die rol as Edwin Cameron is nie.

Toevallig loop ek hom Vrydgaand by 'n partytjie raak en ek se toe vir hom dat daar iets is wat ek met hom wil bespreek. Ek voel-voel aan die onderwerp en hy se toe dat jy reeds met hom gepraat het. Sy aanvanklike gevoel is van nee. Ek vra hom toe baie pertinent of ons hom nog kan bearbei. "Ek sal jou nie irriteer as ek my gedagtes hieromtrent neerpen en aan jou stuur nie?" Sy antwoord was: doen dit gerus.

Ek dink tog daar is nog ruimte vir oorreding. Ek gaan beslis in die volgende klompie dae bogenoemde gedagtes aan hom stuur. Dalk moet ons ook per telefoon praat - ek wil nie mistrap of op jou tone trap nie.

'n Ander onderwerp wat ek graag wil bespreek is die saak van die eregrade. Ek het verlede week onder sekere raadslede name versprei, ook van vername bruin vroue. Nico is ingekopieer. Hy het hulle dus.

Maar 'n naam wat ek nog nie kon kry nie maar wat ek meen 'n uitstekende idee sou wees is 'n inspirerende figuur - dalk in die onderwys of in gemeenskapsonltwikkeling - op die Kaapse Vlakte. Ek dink dit sou in hierdie tydsgreep baie gepas wees - ook omdat dit haar (en ander soortgelike) werk in die kalklig sou plaas.

Hartlike grote,

Jean

JJ Meiring

Advocates Group 621
 Rex Welsh House
 Sandown Village
 Cnr Maude Street & Gwen Lane
 SANDTON
 Tel: +27 11 263 9000

Fax: +27 11 263 9090
Cell: 0721158962

289

290
'JM2'

Samantha Honhaar

From: Jean Meiring <jjmeiring@group621.co.za>
Sent: 14 November 2019 12:32
To: Yaseen Cariem
Subject: Fwd: Edwin

Begin forwarded message:

From: "De Villiers, WJS, Prof [wimdv@sun.ac.za]" <wimdv@sun.ac.za>
Subject: Re: Edwin
Date: 19 August 2019 at 22:13:23 SAST
To: Jean Meiring <jjmeiring@group621.co.za>

Dankie!
WdV

Sent from my iPad

On Aug 19, 2019, at 6:12 PM, Jean Meiring <jjmeiring@group621.co.za> wrote:

Dag Wim,

Ek het typ gemaak en vir Edwin geskrywe.

Groete,

Jean

JJ Meiring

Advocates Group 621
Rex Welsh House
Sandown Village
Cnr Maude Street & Gwen Lane
SANDTON
Tel: +27 11 263 9000
Fax: +27 11 263 9090
Cell: 0721158962

On 18 Aug 2019, at 7:42 PM, Jean Meiring
<jjmeiring@group621.co.za> wrote:

Dag Wim,

Ek hoop als gaan goed.

Sedert die bekendmaking van die kanseliers-oopte, het etlike mense met my hieroor in gesprek getree. Daarom dan dat ek laat verlede week begin dink en dit my soos 'n blits tref dat daar geen beter mens vir die rol as Edwin Cameron is nie.

Toevallig loop ek hom Vrydgaand by 'n partytjie raak en ek se toe vir hom dat daar iets is wat ek met hom wil bespreek. Ek voel-voel aan

die onderwerp en hy se toe dat jy reeds met hom gepraat het. Sy aanvanklike gevoel is van nee. Ek vra hom toe baie pertinent of ons hom nog kan bearbei. "Ek sal jou nie irriteer as ek my gedagtes hieromtrent neerpen en aan jou stuur nie?" Sy antwoord was: doen dit gerus.

Ek dink tog daar is nog ruimte vir oorreding. Ek gaan beslis in die volgende klompie dae bogenoemde gedagtes aan hom stuur. Dalk moet ons ook per telefoon praat - ek wil nie mistrap of op jou tone trap nie.

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Maar 'n naam wat ek nog nie kon kry nie maar wat ek meen 'n uitstekende idee sou wees is 'n inspirerende figuur - dalk in die onderwys of in gemeenskapsonltwikkeling - op die Kaapse Vlakte. Ek dink dit sou in hierdie tydsgreep baie gepas wees - ook omdat dit haar (en ander soortgelike) werk in die kalklig sou plaas.

Hartlike grote,

Jean

JJ Meiring

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[Vrywaringsklousule](#)

292
'JM3'

Samantha Honhaar

From: Jean Meiring <jjmeiring@group621.co.za>
Sent: 14 November 2019 12:35
To: Yaseen Cariem
Subject: Fwd: Wim de Villiers: Edwin

Begin forwarded message:

From: "De Villiers, WJS, Prof [wimdv@sun.ac.za]" <wimdv@sun.ac.za>
Subject: Wim de Villiers: Edwin
Date: 23 August 2019 at 12:22:05 SAST
To: Jean Meiring <jjmeiring@group621.co.za>

Beste Jean

Dinge lyk inderdaad meer positief, maar die Registrateur het 'n ondertekende nominasiebrief nodig teen 12:00 op die 4de Sept....

Blykbaar vereis Edwin dat beide partye in die Gelyke Kanse-saak instem (nie noodwendig ondersteun nie) dat hy genomineer word.

Ons het natuurlik geen probleem nie, maar weet nie van Jan Heunis nie...dit sal natuurlik 'n absolute tragedie wees as sy stiksienigheid Edwin se nominasie sou ontspoor.

Die Gelyke Kanse-groepering het alreeds Christo van der Reede genomineer as 'n kandidaat (onder die Bruin personeel hier by die Universiteit is daar nul tot erg negatiewe sentiment vir hierdie voorstel)...

Vriendelike groete in afwagting

Wim

Prof Wim de Villiers

Rector & Visekanselier | Rector & Vice-Chancellor

e: wimdv@sun.ac.za | t: +27 21 808 4490 | a: Admin B, Victoriastraat | Victoria Street



UNIVERSITEIT
STELLENBOSCH
UNIVERSITY



From: Jean Meiring <jjmeiring@group621.co.za>
Date: Friday, 23 August 2019 at 10:46
To: "De Villiers, WJS, Prof [wimdv@sun.ac.za]" <wimdv@sun.ac.za>
Subject: Re: Edwin

Dag Wim,

Ek't gisteraand vir Edwin by 'n gedenkgeleentheid vir Hans van der Riet gesien. Verwikkelinge klink positief, maar, ek meen, jy't dit reeds verneem?

Groete,

Jean

JJ Meiring

Advocates Group 621
Rex Welsh House
Sandown Village
Cnr Maude Street & Gwen Lane
SANDTON
Tel: +27 11 263 9000
Fax: +27 11 263 9090
Cell: 0721158962

On 19 Aug 2019, at 10:13 PM, De Villiers, WJS, Prof [wimdv@sun.ac.za]
<wimdv@sun.ac.za> wrote:

Dankie!
WdV

Sent from my iPad

On Aug 19, 2019, at 6:12 PM, Jean Meiring <jjmeiring@group621.co.za> wrote:

Dag Wim,

Ek het typ gemaak en vir Edwin geskrywe.

Groete,

Jean

JJ Meiring

Advocates Group 621
Rex Welsh House
Sandown Village
Cnr Maude Street & Gwen Lane
SANDTON
Tel: +27 11 263 9000
Fax: +27 11 263 9090
Cell: 0721158962

On 18 Aug 2019, at 7:42 PM, Jean Meiring
<jjmeiring@group621.co.za> wrote:

Dag Wim,

Ek hoop als gaan goed.

Sedert die bekendmaking van die kanseliers-oopte,
het etlike mense met my hieroor in gesprek getree.
Daarom dan dat ek laat verlede week begin dink en
dit my soos 'n blits tref dat daar geen beter mens
vir die rol as Edwin Cameron is nie.

Toevallig loop ek hom Vrydgaand by 'n partytjie
raak en ek se toe vir hom dat daar iets is wat ek met
hom wil bespreek. Ek voel-voel aan die onderwerp

en hy se toe dat jy reeds met hom gepraat het. Sy aanvanklike gevoel is van nee. Ek vra hom toe baie pertinent of ons hom nog kan bearbei. "Ek sal jou nie irriteer as ek my gedagtes hieromtrent neerpen en aan jou stuur nie?" Sy antwoord was: doen dit gerus.

Ek dink tog daar is nog ruimte vir oorrading. Ek gaan beslis in die volgende klompie dae bogenoemde gedagtes aan hom stuur. Dalk moet ons ook per telefoon praat - ek wil nie mistrap of op jou tone trap nie.

'n Ander onderwerp wat ek graag wil bespreek is die saak van die eregrade. Ek het verlede week onder sekere raadslede name versprei, ook van vername bruin vroue. Nico is ingekopieer. Hy het hulle dus.

Maar 'n naam wat ek nog nie kon kry nie maar wat ek meen 'n uitstekende idee sou wees is 'n inspirerende figuur - dalk in die onderwys of in gemeenskapsontwikkeling - op die Kaapse Vlakte. Ek dink dit sou in hierdie tydsgreep baie gepas wees - ook omdat dit haar (en ander soortgelike) werk in die kalklig sou plaas.

Hartlike grote,

Jean

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bereguleer. [Vrywaringsklousule](#)

295
'JM4'

Samantha Honhaar

From: Jean Meiring <jjmeiring@group621.co.za>
Sent: 14 November 2019 12:36
To: Yaseen Cariem
Subject: Fwd: Wim de Villiers: Edwin

Begin forwarded message:

From: Jean Meiring <jjmeiring@group621.co.za>
Subject: Re: Wim de Villiers: Edwin
Date: 23 August 2019 at 12:25:42 SAST
To: "De Villiers, WJS, Prof [wimdv@sun.ac.za]" <wimdv@sun.ac.za>

Dag Wim,

Ja, Edwin se dat Koos Bekker skynbaar met Heunis gaan praat oor die Gelyke Kanse-kandidaat. Is daar ander wat in sy dampkring is wat hom tot sy sinne kan laat kom? Steve Georgalla was ook gisteraand by Van der Riet se geleentheid. Het Heubis enige agting vir hom? HC Viljoen? Ek ken net nie die netwerk en invloedsfere so goed nie.

Groete,

Jean

JJ Meiring

Advocates Group 621
Rex Welsh House
Sandown Village
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SANDTON
Tel: +27 11 263 9000
Fax: +27 11 263 9090
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Vriendelike groete in afwagting

Wim

Prof Wim de Villiers

Rector & Visekanselier | Rector & Vice-Chancellor

e: wimdv@sun.ac.za | t: +27 21 808 4490 | a: Admin B,

Victoriastraat | Victoria Street

<image001.jpg><image002.jpg><image003.jpg><image004.jpg><image005.jpg>

<image006.jpg>

From: Jean Meiring <jjmeiring@group621.co.za>

Date: Friday, 23 August 2019 at 10:46

To: "De Villiers, WJS, Prof [wimdv@sun.ac.za]" <wimdv@sun.ac.za>

Subject: Re: Edwin

Dag Wim,

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Verwikkeling klink positief, maar, ek meen, jy't dit reeds verneem?

Groete,

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Fax: +27 11 263 9090

Cell: 0721158962

On 19 Aug 2019, at 10:13 PM, De Villiers, WJS, Prof
<wimdv@sun.ac.za> <wimdv@sun.ac.za> wrote:

Dankiel!

WdV

Sent from my iPad

On Aug 19, 2019, at 6:12 PM, Jean Meiring
<jjmeiring@group621.co.za> wrote:

Dag Wim,

Ek het typ gemaak en vir Edwin geskrywe.

Groete,

Jean

JJ Meiring

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Cell: 0721158962

On 18 Aug 2019, at 7:42 PM, Jean
Meiring
<jjmeiring@group621.co.za> wrote:

Dag Wim,

Ek hoop als gaan goed.

Sedert die bekendmaking van die
kanseliers-oopte, het etlike mense
met my hieroor in gesprek getree.
Daarom dan dat ek laat verlede
week begin dink en dit my soos 'n
blits tref dat daar geen beter mens
vir die rol as Edwin Cameron is nie.

Toevallig loop ek hom Vrydgaand
by 'n partytjie raak en ek se toe vir
hom dat daar iets is wat ek met
hom wil bespreek. Ek voel-voel aan
die onderwerp en hy se toe dat jy
reeds met hom gepraat het. Sy
aanvanklike gevoel is van nee. Ek
vra hom toe baie pertinent of ons
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nie irriteer as ek my gedagtes
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Ek dink tog daar is nog ruimte vir
oorreding. Ek gaan beslis in die
volgende klompie dae bogenoemde
gedagtes aan hom stuur. Dalk moet
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nie mistrap of op jou tone trap nie.

'n Ander onderwerp wat ek graag
wil bespreek is die saak van die
eregrade. Ek het verlede week
onder sekere raadslede name
versprei, ook van vername bruin
vroue. Nico is ingekopieer. Hy het
hulle dus.

Maar 'n naam wat ek nog nie kon
kry nie maar wat ek meen 'n
uitstekende idee sou wees is 'n
inspirerende figuur - dalk in die
onderwys of in

gemeenskapson ontwikkeling - op die Kaapse Vlakte. Ek dink dit sou in hierdie tydsgreep baie gepas wees - ook omdat dit haar (en ander soortgelike) werk in die kalklig sou plaas.

Hartlike grote,

Jean

JJ Meiring

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Rex Welsh House
Sandown Village
Cnr Maude Street & Gwen Lane
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Tel: +27 11 263 9000
Fax: +27 11 263 9090
Cell: 0721158962

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Die integriteit en vertroulikheid van hierdie e-pos word deur die volgende bepalinge bereël. **Vrywaringsklousule**

Nalanie de Villiers

From: Nalanie de Villiers
Sent: Thursday, 14 November 2019 12:46 PM
To: yaseenc@vdsllaw.co.za
Cc: Lorinda van Niekerk
Subject: RE: INTERVIEW WITH ADV JAN HEUNIS SC AND MR DANIE ROUSSOUW ON 12 NOVEMBER 2019
Attachments: Annexures to letter 14-11-19.pdf; Letter to Judge Fourie 14-11-19.pdf
Importance: High

Dear Mr Cariem

We attach a letter for the attention of Judge Fourie, with attachments.

Mrs Van Niekerk will be consulting out of the office until after 16h00 today. Kindly copy me in in any correspondence exchanged with our office so that I can ensure that it receives immediate attention in her absence.

Yours faithfully,

NALANIE DE VILLIERS

Personal Assistant | Persoonlike Assistent - Lorinda van Niekerk

1st Floor | 1ste Vloer | Cluver Markotter Building
Cluver Markottergebou | Mill Street | Meulstraat
Stellenbosch | 7600
P.O. Box 12 | Posbus 12 | Stellenbosch | 7599

T (+27) 21 808 5618 F (+27) 21 886 5420
W www.cluvermarkotter.law

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CLUVER MARKOTTER

Judge Burton Fourie
c/o Van der Spuy Attorneys
Cape Town
For Attention: Mr Y Cariem
By email: yaseenc@vdsllaw.co.za

Date: 14 November 2019
Your ref: Mr Y Cariem/sh
Our ref: UNI/0735 | LNK/ndv
e-mail: lorindan@cluvermarkotter.law

Dear Commissioner

RE: INTERVIEW WITH ADV JAN HEUNIS SC AND MR DANIE ROUSSOUW ON 12 NOVEMBER 2019

1. As you are aware, Cluver Markotter were the attorneys of record throughout the litigation which culminated in the unanimous judgment of the Constitutional Court ("CC") in case number CCT311/2017 handed down on 10 October 2019 (the "**Gelyke Kanse**" matter). I was the instructing attorney. Our lead counsel was Jeremy Muller SC ("**Muller SC**").
2. Muller SC and I have perused the transcript of the interview which you held with Gelyke Kanse's attorney ("**Rossouw**") and lead counsel ("**Heunis SC**") on Tuesday, 12 November 2019.
3. There are 3 aspects arising from that interview which seem to us to require elucidation. One relates directly to the events which gave rise to your investigation. The other two are more peripheral to it but nonetheless call for clarification or comment. I address all 3 issues below. Should you, however, require an interview with Muller SC and/or me, we will of course make ourselves available for this purpose tomorrow.

The exchanges between counsel in late August 2019

4. At pages 17-24 of the transcript Heunis SC recounts exchanges which took place between him and Muller SC, which culminated in Heunis SC's letter of 29 August 2019 to Cameron J.
5. It might be useful were we to provide what we consider to be the relevant chronology of events:
 - 5.1. On the morning of Monday, 26 August 2019, Heunis SC came to see Muller SC in the latter's chambers. (Item 11 of the chronology provided to you as annexure "**C**" to the US's letter of 4 November 2018 erroneously mentions a call to Muller SC). He informed Muller SC that Professor De Villiers had telephoned him and conveyed to Muller SC the tenor of his conversation with Professor De Villiers. He intimated that he was particularly concerned at having learned during this conversation that Justice Cameron and Professor De Villiers had

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been in communication with one another concerning the possibility of Justice Cameron making himself available for the chancellorship of SU, and said that he was at a loss as to what to do next.

- 5.2. Later that day Muller SC telephonically conveyed the content of this conversation to me. (As Heunis SC correctly informed you, neither Muller SC nor I had previously been aware of these exchanges between Cameron J and Professor De Villiers.)
- 5.3. I thereafter started making enquiries in order to establish what the facts were in this regard.
- 5.4. On Tuesday, 27 August 2019, Rossouw forwarded his letter of that date to me. In relation to the letter I point out that:
 - In paragraph 7 Rossouw suggested that it might be necessary for the parties' lead counsel to request a meeting with the Chief Justice and, thereafter, one with Justice Cameron; and
 - In paragraph 8 Rossouw recorded that *"to the extent that we may fairly be called upon to do so, we shall use our best endeavours to resolve this matter in line with what the public interest and the requirement of justice and fairness demand"*.
- 5.5. On receipt of copies of the email exchanges between Justice Cameron and Professor De Villiers of 2 August, 10 August and 21 August 2019, I caused these emails to be forwarded to Muller SC during the morning of Wednesday, 28 August 2019.
- 5.6. Later that morning I consulted with Muller SC in his chambers. During the course of the consultation I requested him to convey the gist of these email exchanges to Heunis SC.
- 5.7. Muller SC did so at a meeting with Heunis SC in the latter's chambers later that day. In the course of this discussion he conveyed to Heunis SC that, after an initial exchange of communications, Cameron SC had subsequently conveyed to Professor De Villiers that it had become clear to him that he could not consider the position of chancellor in view of his involvement in the Gelyke Kanse appeal; that Professor De Villiers had accepted this; that, subsequently, Justice Cameron had intimated to De Villiers that other individuals connected with the University had also contacted him to urge him to make himself available; that, as a consequence Cameron J had reconsidered his position, but that he had made it clear to Professor De Villiers that he could not accept the nomination without Heunis SC at least indicating that he had no objection. Muller SC said that this was probably the context within

which Professor De Villiers had telephoned Heunis SC on the 26th. Heunis SC responded that Professor De Villiers had not mentioned this to him during their call.

- 5.8. It was also during this conversation between Heunis SC and Muller SC – or, perhaps, one between them shortly thereafter, Muller SC is unsure – that Muller SC learned for the first time that Heunis SC's main concern was Cameron J having to recuse himself, as Heunis SC believed that Cameron J might be a potential vote in favour of Gelyke Kanse. Muller SC thinks that there was some discussion at this juncture about the possibility of the parties writing jointly to Cameron J to intimate that there was no objection to him accepting a nomination as chancellor since neither counsel wished to see Cameron J recused.
- 5.9. A short while later, Heunis SC delivered to Muller SC a proposed draft letter which he had prepared, addressed by Heunis SC to Cameron J, for our consideration. A copy of the draft letter is annexed marked "A". Neither Muller SC nor I had a hand in preparing the draft letter.
- 5.10. Shortly after receiving the draft letter Muller SC conveyed to me the content of his discussion with Heunis SC as well as the content of the draft letter.
- 5.11. I later met with Muller SC at his chambers afterhours on 28 August to discuss the draft letter. Although the first paragraph of the draft letter did not entirely accurately record the circumstances under which the letter had been prepared, since both parties had the same objective in mind we had no objection to the formulation.
- 5.12. Following our consultation Muller SC informed Heunis SC that we had no objection to the letter being sent to Cameron J in that form.
- 5.13. On the morning of Thursday, 29 August 2019, Heunis SC forwarded his letter to Cameron J's Registrar, copying Muller SC. That afternoon Heunis SC received confirmation from the Registrar that the letter had been received by Cameron J, who thanked Heunis SC sincerely for it, and advising that Cameron J would write, more formally, through his Registrar, to inform the parties of the approach to him regarding the chancellorship. Heunis SC forwarded this email to Muller SC, for which Muller SC thanked him in an email, noting "***I think your idea of the letter was a very elegant solution***". I attach marked "B" the relevant email exchange in this regard.
6. The testimony recorded at the foot of page 17 and over to the top of page 18 of the transcript may create an impression that during a conversation on 28 August, Muller SC intimated to Heunis SC that he was conveying a request from Cameron J that Gelyke Kanse indicate that it had no

objection to him making himself available for the position of chancellor; and that it was because of this request ("dit is na aanleiding van daardie versoek") that Heunis wrote his letter to Cameron J of 29 August 2019.¹ Any such impression would be incorrect. As set out above, Muller SC had merely conveyed to Heunis SC the gist of the historical exchanges between Professor De Villiers and Cameron J, including what Cameron J had written in his email of 21 August 2019. The letter was Heunis SC's idea.

Justice Cameron had refused to communicate with Heunis SC and Muller SC or to receive correspondence earlier in the year

7. At pages 18-19 and 32 of the transcript Heunis SC and Rossouw record that Cameron SC had earlier refused to communicate with Muller SC and Heunis SC, or to receive a letter sent jointly by Muller SC and Heunis SC to him concerning the translation of the record into English. This is contrasted with the fact that Cameron SC was however prepared to communicate with the Rector of SU, Professor De Villiers.
8. According to my records the facts in this regard are these:
 - 8.1. Heunis SC arranged with Cameron J's Registrar for Muller SC and Heunis SC to speak to Cameron J telephonically concerning the delay in translation of the record on the morning of Monday, 4 February 2019.
 - 8.2. On Monday, 4 February 2019, however, Cameron J's Registrar informed Heunis SC that Justice Cameron was unavailable to speak to counsel and that counsel should instead speak to Mr Makgakga, the Registrar of the Constitutional Court.
 - 8.3. Attempts by Heunis SC to make contact with Mr Makgakga were unsuccessful. Accordingly, Muller SC and Heunis SC decided to address a joint letter, placing certain facts on record, expressing concern that no meaningful progress on the translation appeared to have been made, and requesting Justice Cameron's intercession on this issue on the parties' behalf. After discussions between counsel, Heunis SC prepared a draft of the letter, to which Muller SC effected certain revisions. The finalised letter, addressed, not to

¹ This is also the impression created in an article written by Heunis SC in the 3 November 2019 edition of Die Rapport newspaper (part of Exhibit "G" to the US letter of 4 November 2019), where he writes concerning his conversation with Muller SC on 28 August 2019: "*Na Rossouw se skrywe [van 27 Augustus 2019] het die Universiteit se senior advokaat my gevra om, op Cameron se versoek, aan te dui of ons beswaar sou hê indien die Regter benoem sou word as 'n kandidaat vir die kanselierskap. Ek het aan Cameron geskryf dat daar nie beswaar sou wees teen sy aanvaarding van 'n benoeming nie*" (my emphasis).

Cameron J, but to his Registrar, was emailed by Heunis SC to Justice Cameron's Registrar on 6 February 2019. A copy of the email (without its annexures), is annexure "C" hereto.

8.4. Following transmission of the letter, Heunis SC was evidently in contact with Justice Cameron's Registrar, who informed him that Justice Cameron had seen the letter and had told her to inform counsel that they were to contact the Registrar of the Constitutional Court in regard to its content. This was conveyed to Muller SC by Heunis SC. Annexed marked "D" is a copy of the relevant email exchanges between counsel on 5 February, 7 February and 8 February 2019.

The judgment of the CC is clearly wrong, from which it may reasonably be inferred that Cameron J was unduly influenced by his communications with Professor De Villiers

9. At pages 9-10 and page 22 of the transcript it appears that Heunis SC and Rossouw assert that Cameron J was unduly influenced by his communications with Professor De Villiers and base this conclusion on the contention that the CC's judgment is clearly wrong, something which is out of character for Justice Cameron. In turn, this contention is evidently based on one aspect of the judgment only, namely, the manner in which the judgment addresses the cost of full parallel medium instruction.
10. We do not wish to address the merits of Gelyke Kanse's appeal to the CC. We merely record and point out the following in this regard:
 - The US legal team did not share what Heunis SC and Roussouw say was Gelyke Kanse's assessment of its prospects on appeal, either before or after oral argument was heard;
 - While the main judgment was written by Cameron J, this was, of course, a unanimous decision of all 10 Justices;
 - The issue of cost was addressed at some length in paragraphs [31]-[45] of the main judgment with reference, *inter alia*, to the CC's earlier decision in *Afriforum v University of the Free State* [2017] ZACC 48; 2018 (2) SA 185 (CC); 2018 (4) BCLR 387 (CC);
 - Froneman J, like Cameron J, had been one of the 3 dissenting Justices in *Afriforum* CC. In his concurring judgment he commenced with the following introduction: "*It is always a pleasure to read the elegant and persuasive judgments of my brother Cameron J. His judgment here (first judgment) is no exception. I concur in its reasoning and outcome*" (at para [64] of the judgment); and

- A full bench of the Western Cape High Court had, likewise, rejected Gelyke Kanse's case on the cost of full parallel medium instruction.

Yours faithfully



LORINDA VAN NIEKERK
CLUVER MARKOTTER INC

ADV. J C HEUNIS S.C.

BA LLB LLM (Cum Laude) LLD

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28 August 2019

Justice E Cameron
Judge of the Constitutional Court of the Republic of South Africa
Constitution Hill
1 Hospital Street
BRAAMFONTEIN

e-mail: emoloto@concourt.org.za

Dear Judge Cameron

RE: NOMINATION AS CANDIDATE FOR THE POSITION OF CHANCELLOR OF
STELLENBOSCH UNIVERSITY

1. Adv Jeremy Muller SC, lead counsel for the Respondents in the matter of Gelyke Kanse and Others v Chairman of the Senate of Stellenbosch University and Others in which the Constitutional Court has reserved judgment and who has knowledge of the facts and content of this letter to you, has requested me to indicate to you whether there would be an objection from the Appellants in the aforementioned matter if you were to be nominated as a candidate for the position of Chancellor of Stellenbosch University.
2. It so happens that a number of alumni who have links with Gelyke Kanse themselves considered nominating you as a candidate for that position but, in the final analysis, decided against it because we concluded that it would not be appropriate to approach you in that regard in view of the fact that you are a member of the Court who is seized of the matter involving Gelyke Kanse, on the one hand, and the University, on the other.
3. Be that as it may, this serves to inform you that there will be objection from the parties which I represent in that case to your acceptance of a nomination as a candidate for

no

J

the position of Chancellor of Stellenbosch University.

Yours sincerely

Jan Heunis S.C.

DRAFT

308 B.

Suite 1204 Advocates

From: Suite 1204 Advocates <1204adv@capebar.co.za>
Sent: Thursday, 29 August 2019 4:23 pm
To: 'JC Heunis'
Subject: RE: Urgent letter to Justice Cameron

Dear Jan

Many thanks.

I think your idea of the letter was a very elegant solution.

Kind regards
Jeremy

Jeremy Muller SC

Tel no: +27 21 4246993
Fax no: +27 21 4221662
e-mail: 1204adv@capebar.co.za

From: JC Heunis [mailto:heunisjc@law.co.za]
Sent: Thursday, 29 August 2019 03:47 PM
To: 'Suite 1204 Advocates' <1204adv@capebar.co.za>
Subject: FW: Urgent letter to Justice Cameron

Dear Jeremy,

Finally confirmation that Justice Cameron had received the letter.

Regards.

Jan.

From: Elizabeth Moloto <emoloto@concourt.org.za>
Sent: Thursday, 29 August 2019 3:34 PM
To: Jan Heunis <heunisjc@law.co.za>
Subject: RE: Urgent letter to Justice Cameron

Dear Advocate Heunis,

Justice Cameron has received your letter dated today, and thanks you sincerely for it. He will write more formally, through the Registrar, to inform the parties of the approaches to him regarding the Chancellorship.

Confidentiality Warning: The contents of this e-mail and any accompanying documents are confidential and privileged. Any use thereof, in whatever form, by anyone other than the addressee is strictly prohibited

Kind regards

Elizabeth Moloto

From: Jan Heunis [<mailto:heunisjc@law.co.za>]
Sent: 29 August 2019 02:37 PM
To: Elizabeth Moloto
Subject: FW: Urgent letter to Justice Cameron

Dear Ms Moloto,

I refer to our telephone conversation a moment ago.

Kindly confirm that you have given the attached letter to Justice Cameron as per my request this morning.

Kind regards, Jan Heunis SC
(021) 423-1792

From: Jan Heunis [<mailto:heunisjc@law.co.za>]
Sent: Thursday, August 29, 2019 9:59 AM
To: 'emoloto@concourt.org.za'
Cc: 'Suite 1204 Advocates'
Subject: Urgent letter to Justice Cameron

Dear Ms Moloto,

Please be so kind as to hand the attached letter to Justice Cameron and confirm that you have done so. It is quite urgent and important, thank you.

Kind regards, Jan Heunis

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5.

Suite 1204 Advocates

From: Adv Heunis SC <heunisjc@law.co.za>
Sent: Wednesday, 6 February 2019 8:30 am
To: emoloto@concourt.org.za
Cc: 'Suite 1204 Advocates'; 'Danie Rossouw'
Subject: URGENT: Case No CCT 311/2017. - Gelyke Kanse and Others /
Chairman of the Senate of Stellenbosch University and others
doc00196220190206083100.pdf
Attachments:
Importance: High

Dear Ms Moloto,
Please find enclosed a letter and annexures for your kind attention.
Kind regards, Adv J C Heunis SC
(021) 423-1792

-----Original Message-----

From: scanner@capebar.co.za [mailto:scanner@capebar.co.za]
Sent: Wednesday, February 6, 2019 8:31 AM
To: heunisjc@law.co.za
Subject: Scan Received

Please see attached

TASKalfa 60021
[00:17:c8:64:01:b2]

ADV. J C HEUNIS S.C.

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6 February 2019

Ms Elizabeth Moloto
Registrar to
Justice E Cameron
Judge of the Constitutional Court of the Republic of South Africa
Constitution Hill
1 Hospital Street
BRAAMFONTEIN

e-mail: emoloto@concourt.org.za

Dear Ms Moloto

**RE: GELYKE KANSE AND OTHERS / THE CHAIRMAN OF THE SENATE OF
STELLENBOSCH UNIVERSITY AND OTHERS
CASE CCT 311/2017**

1. The undersigned, lead counsel for the Applicants and the Respondents respectively in the abovementioned matter, arranged last week with you to speak telephonically to your Judge, Justice E Cameron, during the course of the morning of Monday, 4 February 2019.
2. In the event you indicated on Monday that Justice Cameron was unavailable to speak with us and that we should speak with Mr Kgwadi Makgaka, the Registrar of the Constitutional Court. However, not only was he unavailable to take our call then and there, but even though you undertook to request him to call Adv Muller during the course of the day, he did not do so and has still not done so.
3. The purpose of our call was to share our concern over the fate of the Gelyke Kanse application, an obviously important and urgent matter, the reasons for which we set out in what follows.

4. The matter was set down to be heard on 13 September 2018, after having been with the Court for almost a full year. However, during the afternoon of 10 September 2018 the parties were notified by the Registrar, Mr Makgaka, that the matter had been removed from the roll since the Court required the entire record to be translated. The parties were directed to have the whole record translated into English, for which the Court would reimburse them. For convenience we attach a copy of the Directions.
5. Principally in an attempt to obtain more particulars of the way going forward, the Applicants' legal representatives met with Justice Cameron on 13 September 2018 with the blessing of the Respondents' legal representatives.
6. As a consequence of that meeting, the Registrar wrote to the parties on 19 September 2018 thanking them for their helpful approach to the challenge of the translation of the record and confirming, on behalf of the Court, the arrangements made at the meeting with Justice Cameron regarding such translation subject to, *inter alia*, the parties determining which institution has the capacity to provide a proper translation on its own and entrust responsibility to that institution alone.
7. By 25 September 2018 the parties had agreed and resolved that the Stellenbosch University Language Centre was best placed to handle the translation on its own.
8. Following that the parties liaised with each other on an ongoing basis regarding the particulars of the process of translation and the Language Centre prepared a cost estimate for services to be rendered. Stellenbosch University was also of the view that the Court should first approve the budget before work on the translation could commence.
9. On 18 October 2018 the Applicants' attorney of record addressed an urgent letter to the Registrar to which he annexed the Language Centre cost estimate and requested urgent approval to proceed. When no response had been received by 24 October 2018, the Applicants' attorney sent a follow-up email. By that time both parties had finalised the record so as to enable the Language Centre to commence with the translation as soon as the anticipated green light was given.
10. However, on 9 November 2018 the parties received a letter from the Registrar in which he noted that the Language Centre had quoted R676 017-56 in respect of the translation. The Registrar advised that since this was more than the the Court's procurement delegated authority to authorise without a full tender process, which is R500 000-00, the Court or the office of the Chief Justice had to enter into a formal departmental procurement tender process. To this was added the consideration that neither Stellenbosch University nor its Language Centre was available to the Court as suppliers because they were not located in Gauteng.
11. According to the Registrar's letter, the Court's Procurement / Supply Chain Management Unit had, in the meantime, requested quotations from service providers on the National Treasury database and had received quotations, varying between

R102 000-00 and R365 000-00, from three translation services. The last sentence of the letter reads as follows: *"The translation will be contracted and the translation of the record provided as soon as possible, where after the matter will be restored to the Court's roll."*

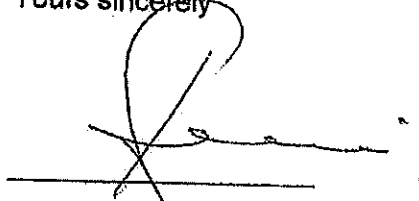
12. Following further deliberations between the parties, the Language Centre agreed to keep its cost under R500 000-00 and, on 16 November 2018, the Registrar was in writing informed of this and requested to indicate whether the parties, having determined that the Language Centre has the capacity to provide a proper translation on its own within a timespan of approximately three months, could give the Language Centre the go-ahead.
13. Not having heard from the Registrar by 26 November 2018, the Applicants' attorney again requested him in writing to respond to the email of 16 November 2018.
14. We should mention that during this time frequent attempts were made to speak telephonically with the Registrar, all to no avail.
15. On 6 December 2018 the Registrar wrote to the Applicants' attorney expressing the Court's regret that notwithstanding the meeting on 13 September 2018 and the Court's ensuing letter of 19 September 2018, a formal quotation process was unavoidable. The Court recognised and regretted the delay and inconvenience that this entailed. The last two paragraphs of the letter are particularly important and read as follows:

"The Court now proposes, in consultation with the chief financial officer, to invite quotations from a number of reliable translation services, which will include the University of Stellenbosch Language Centre.

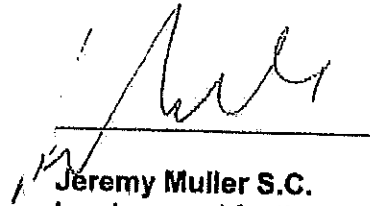
The request for quotations will in view of the circumstances specify a short completion date, which is proposed to be 25 January 2019."
16. On 7 December 2018 the Applicants' attorneys sent a letter to the Registrar requesting clarification of certain aspects of his letter of the previous day which were unclear to the parties. It was responded to by him on 12 December 2018 when he advised that 25 January 2019 was the date set for completion of the translation and that, in terms of procurement policy, invitations and specifications/requirements had been sent to service providers for quotations. The invitations had evidently been sent the previous week and the closing date for submissions of quotations was 12 December 2018, in other words the day on which the letter was sent.
17. On 20 December 2018 the Language Centre was informed that the tender had not been awarded to it. For convenience, we attach a copy of the email to this effect from Ms Janie Boschhoff, Administrative Clerk of the Court.

18. Despite this email, the parties to this day do not know whether, and if so, who, was awarded the tender. They have also not been contacted by any service provider regarding the translation.
19. After 12 December 2018 there were several emails sent and telephone calls made in attempts to establish what progress, if any, had been made, all to no avail.
20. This is an abridged version of the facts which prompted the request for telephonic discussion with Justice Cameron on 4 February 2019, since it was he who was assigned to meet with the Applicants' legal representatives on 13 September 2018, subsequent to which the provisional arrangements made at that meeting were confirmed by the Full Court as evidenced by the Registrar's letter of 19 September 2018.
21. Against this backdrop we respectfully request Justice Cameron to intercede on the parties behalf, or to request the Chief Justice to do so, since it would seem that no meaningful progress has been made in the space of almost five months.

Yours sincerely



Jan Heunis S.C.
Lead counsel for the Applicants



Jeremy Muller S.C.
Lead counsel for the Respondents

315

D.

Suite 1204 Advocates

From: Suite 1204 Advocates <1204adv@capebar.co.za>
Sent: Friday, 8 February 2019 7:48 am
To: 'Adv Heunis SC'
Subject: RE: GK / US

Dear Jan,

It seems that we have been firmly told by Cameron, via his Registrar, that we are not to pursue this through him any longer.

The immediate issue is to find out what the position is pertaining to the translation. I suggest you or Danie try to keep contacting the chief registrar in this regard, using the direct number you now have, followed by another email if necessary.

Regards

Jeremy

From: Adv Heunis SC [mailto:heunisjc@law.co.za]
Sent: Thursday, 07 February 2019 11:57 AM
To: 'Suite 1204 Advocates' <1204adv@capebar.co.za>
Subject: RE: GK / US

Dear Jeremy,

I called Ms Moloto this morning to confirm that she had received our letter to Judge Cameron. She confirmed that she had received the letter, but that we should talk to the Registrar. I thereupon asked whether she had given the letter to Judge Cameron, only to be told that she had given it to one of his law clerks.

I insisted that we really need to know whether Judge Cameron has seen the letter, whereupon she told me to phone again in 2 hours' time. I duly did this and was told that the Judge had seen the letter and had told her to tell us that we must contact the Registrar.

She gave me the Registrar's direct number, but I also managed to get the Chief Justice's direct number from her.

Shall we walk about this when you have a moment?

Regards, Jan

From: Suite 1204 Advocates [mailto:1204adv@capebar.co.za]
Sent: Tuesday, February 5, 2019 5:25 PM
To: 'Adv Heunis SC'
Subject: RE: GK / US draft letter to Concourt

Dear Jan

I attach the draft letter with a few suggested revisions, tracked.

I would prefer not to address Cameron directly. I have no doubt that his Registrar will provide him with a copy of this letter.

I have copies of the annexures that I suggest we attach to the letter.

With kind regards

Jeremy Muller SC

Tel no: +27 21 4246993

Fax no: +27 21 4221662

e-mail: 1204adv@capebar.co.za

From: Adv Heunis SC [<mailto:heunisjc@law.co.za>]

Sent: Tuesday, 05 February 2019 02:36 PM

To: 'Suite 1204 Advocates' <1204adv@capebar.co.za>

Subject: GK / US draft letter to Concourt

Yaseen Cariem

From: Edwin Cameron <cameron.edwin@gmail.com>
Sent: Thursday, November 14, 2019 2:23 PM
To: Yaseen Cariem
Cc: Samantha Honhaar; elizabethmetsi@gmail.com
Subject: Re: INDEPENDENT INQUIRY: PROFESSOR WIM DE VILLIERS - Thursday 14 November 14h00

Dear Yaseen

Since our conversation has just ended, could you please be so kind as to convey to the Chairman, Judge Fourie, that there was on other thing that slipped my mind, which was that the Rektor and I met after my nomination, and that public complaint has been made also about that. As the released correspondence shows, this meeting was envisaged immediately after, and as a direct result of, Mr Heunis's and Gelyke Kanse's signification that they had no objection to my nomination as Chancellor. We eventually met, for approximately forty minutes, at OR Tambo Airport, at 15h30 on 18 September, when the Rektor was returning to Stellenbosch, and I was catching a flight abroad. The sole purpose of the meeting, and the sole subject of discussion, apart from courtesies and pleasantries, since the Rektor's spouse was also present, was the mechanics of the election and what would follow should I be elected Chancellor.

With thanks and kind regards
 Edwin Cameron

On Thu, 14 Nov 2019 at 13:25, Yaseen Cariem <yaseenc@vdslaw.co.za> wrote:
 Thank you, Judge.

I will log in and call at 13h30.

Yaseen Cariem
 Director
 VanderSpuy Cape Town
 4th floor, 14 Long Street
 Cape Town

----- Original message -----

From: Edwin Cameron <cameron.edwin@gmail.com>
 Date: 2019/11/14 13:23 (GMT+02:00)
 To: Yaseen Cariem <yaseenc@vdslaw.co.za>
 Cc: Samantha Honhaar <Samanthah@vdslaw.co.za>, elizabethmetsi@gmail.com
 Subject: Re: INDEPENDENT INQUIRY: PROFESSOR WIM DE VILLIERS - Thursday 14 November 14h00

Thanks, Yaseen - I am back and ready.

On Thu, 14 Nov 2019 at 12:02, Yaseen Cariem <yaseenc@vdslaw.co.za> wrote:

Thank you for the update, Judge.

We are set for 13h30.

Kind regards

ADV. J C HEUNIS S.C.
BA LLB LLM (Cum Laude) LLD

HUGUENOTE KAMERS 1007
KONINGIN VICTORIASTRAAT 40
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15 November 2019

Mr Yaseen Cariem
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Dear Mr Cariem

**THE SU'S CHRONOLOGY OF EVENTS SURROUNDING JUSTICE CAMERON'S
NOMINATION AS SU'S CHANCELLOR**

1. I convey my appreciation for the fact that I was given an opportunity to comment on the aforesaid chronology. My comments follow.
2. Ad paragraph 10 thereof - 26 August 2019

I note that it is not claimed that the Rector had told me, as Adv Jeremy Muller SC subsequently did, that Justice Cameron had asked him (the Rector) to ask me to agree to his nomination as Chancellor. It is not correct that the Rector called me to ask whether I would agree to Justice Cameron being nominated as a candidate for the position of Chancellor. The conversation developed as follows:

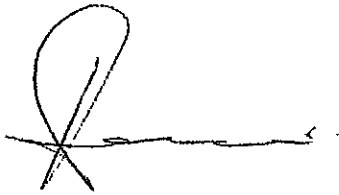
- I was asked to hold on for the Rector.
- When he came on the line, he said that he assumed that I knew why he was calling, to which I responded that I had no idea.

- He then proceeded to tell me that there were many prominent people who were of the view that Justice Cameron would be an excellent candidate for the position of Chancellor of SU and that during a telephone call to Justice Cameron he (the Rector) told him that he would be an excellent candidate for three reasons. Justice Cameron indicated that he was greatly honoured by the approach.
 - The Rector also asked me whether I knew how the Chancellor is elected, which I interpreted as an attempt to convey to me the fact that Justice Cameron would certainly be elected.
 - By way of response I told the Rector that a number of Gelyke Kanse affiliated alumni, including myself, had come to the conclusion that Justice Cameron would be a good Chancellor, but that we refrained from asking him precisely because we thought that it would be inappropriate to raise such a suggestion with him whilst he was one of the presiding judges over the matter between Gelyke Kanse and SU.
 - I then asked the Rector whether he had actually spoken to Justice Cameron, whereupon he told me: *"n Hele paar keer gedurende die afgelope twee weke."*
 - The Rector certainly did not ask me whether I would agree to Justice Cameron being nominated as a candidate for the position of Chancellor. On the second occasion when I discussed the matter with Jeremy Muller SC, he told me that Justice Cameron had asked that I should be asked whether or not Gelyke Kanse would agree to his nomination as a candidate for the position of Chancellor. I would point out that we never did. We merely said, after saying what our own position in that regard had been, that we would not object.
 - Precisely because the Rector was non-specific as to the purpose of the call and I had been one of the alumni who nominated Dr Christo van der Rhee as a candidate for the position of Chancellor - a fact that was surely known to the Rector - I deduced that I was being asked to pave the way for a withdrawal of Dr Van der Rhee's candidacy.
3. Ad paragraph 12 thereof - 27 August 2019

A perusal of West & Rossouw Attorneys' letter to Cluver & Markotter Attorneys of 27 August 2019 will reveal that the summary thereof in paragraph 12 of SU's chronology is inaccurate. In particular, it is not correct where it says that the

Rector and other unidentified persons had contacted me regarding the nominations for Chancellor candidates. It actually conveys that the Rector and other unidentified persons (who may or may not be attached to SU) had contacted Justice Cameron regarding his nomination as a candidate for the Chancellorship.

Yours sincerely

A handwritten signature in black ink, consisting of a large, stylized capital 'J' followed by a horizontal line and a small flourish.

Jan Heunis S.C.

President of the Convocation of Stellenbosch University

CC: Mr Danie Rossouw
West & Rossouw Attorneys

Embargo: check against delivery

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Speech by Dr J C Heunis SC, President of the Convocation of the University of Stellenbosch, on the occasion of the 2019 Annual General Meeting of the Convocation

Toespraak deur dr J C Heunis SC, President van die Konvokasie van die Universiteit van Stellenbosch, by geleentheid van die 2019 Algemene Jaarvergadering van die Konvokasie

"If you have tears, prepare to shed them now." Julius Ceasar by William Shakespeare

From a governance perspective, these are dark days indeed for Stellenbosch University.

From the perspective of the administration of justice at the highest possible level, these are dark days for South Africa.

It was with a sense of utter disbelief and astonishment that we had to learn that the Rector had telephonically contacted, on a number of occasions, one of ten judges who presided over a matter in which the Rector himself was the first respondent, to discuss with him the possibility of making himself available as a candidate for the position of Chancellor of the University before the matter was argued and after it had been argued but before judgment was handed down.

15/11/19

The Rector's response to the appointment of Judge Burton Fourie to investigate the matter, as reported in Die Burger of 24 October 2019, that he had accepted Judge Cameron's initial response that he was not available for the position and that there was no further contact between them until after Judge Cameron was informed in writing that his nomination as Chancellor was acceptable to the applicants in the Constitutional Court case against Stellenbosch University, is not correct.

For example, he called me on the morning of 26 August 2019 and, during the course of the conversation and in response to a question by me, told me that he had spoken to Judge Cameron a couple of times during the past two weeks. That was the reason why I reported the matter to his legal representatives. If he denies this, then the question is why did he make the call? If the answer is to tell me that Judge Cameron would be available if the applicants had no objection - they never gave their approval - then how did he know that?

In any event, the contact between him and Judge Cameron subsequent to Judge Cameron's acceptance of the nomination but before judgment was handed down in the matter, was also highly irregular.

"But Brutus is an honourable man." Julius Ceasar by William Shakespeare

It was also with a sense of shock that we learnt that the Judge in

question not only took the phone calls from the Rector but, while the case was pending and before judgment was handed down, arranged to meet, and met, with the Rector.

All of this is significantly aggravated by the fact that the Judge was responsible for the Constitutional Court's unanimous judgment in that matter and that, even before judgment was handed down, he was elected as the next Chancellor of this University.

It gets worse. Not only did the Rector seemingly approach Judge Cameron with the blessing or knowledge of one or more members of his management team and one or more Members of the University Council, itself the second respondent in the matter before the Constitutional Court, but one of the Members of the Council similarly spoke to Judge Cameron while the matter was pending and judgment awaited about his possible candidacy for the position of Chancellor on which occasion, as is apparent from a letter which he subsequently wrote to Judge Cameron, he was seemingly given the green light by the Judge to go ahead and attempt to persuade him to accept the nomination.

Of course we raised this matter, serious as it is, with the Chief Justice saying, as we did, that the developments evidenced irregular and inappropriate conduct on the part of the Judge who wrote the Court's judgment and requested him to indicate what he intended to do about it. After eleven days the Chief Justice responded nonchalantly and non-specifically that "*(t)he procedure*

to be followed whenever a Judge finds himself or herself in a potential conflict of interest situation were complied with in this matter”.

Of course this raised more questions than answers. In fact, it was no answer at all.

We accordingly wrote to the Chief Justice and Acting Chief Justice asking for particulars of the procedure of which it was said that it had been followed and of how and when the aforesaid procedure was complied with in the matter. This letter was dated 6 November 2019 and we have yet to receive a response thereto. Hopefully we will get one when someone on Constitution Hill mercifully realises that the boil has to be lanced and the facts have to be faced.

I say this because article 13 of the Code of Judicial Conduct provides as follows:

*“A judge must recuse him- or herself from a case if there is a –
(a) real or reasonably perceived conflict of interest; or
(b) reasonable suspicion of bias based upon objective facts,
and shall not recuse him- or herself on insubstantial grounds.”*

Significantly note 13(i) provides that recusal is a matter regulated by the constitutional fair trial requirement, the common law and case law.

Note 13(iv) provides that if a judge is of the view that there are no grounds for recusal but believes that there are facts which, if known to a party, might result in an application for recusal, such facts must be made known timeously to the parties, either by informing counsel in chambers or in open court, and the parties are to be given adequate time to consider the matter.

According to Die Burger of 24 October 2019, the Rector responded as follows:

"Ek het beslis nie met die regsproses ingemeng nie. Ek is tevrede dat ek in absolute goeie trou opgetree het en dat die verkiesingsproses korrek verloop het. Trouens, Regter Cameron se nominasie vir Kanselier het voortgegaan met die instemming van Gelyke Kanse."

This is simply not correct. The Judge's nomination as Chancellor did not proceed with Gelyke Kanse's approval.

The first point that has to be made is that the fact that he had variously been approached by at least the Rector and a Member of the Council of the University were never disclosed to Gelyke Kanse by Judge Cameron. It was disclosed to me during the Rector's ill-advised telephone call, a development which I virtually immediately reported to the University's lead counsel that very same morning.

The fact that Judge Cameron had requested an indication as to

whether there would be an objection from the applicants in the matter if he were to be nominated as a candidate for the position of Chancellor, was conveyed to me by my opposite number, not the Judge, a day or two later and with his knowledge and consent I informed the Judge as follows:

"2. It so happens that a number of alumni who have links with Gelyke Kanse themselves considered nominating you as a candidate for that position but, in the final analysis, decided against it because we concluded that it would not be appropriate to approach you in that regard in view of the fact that you are a member of the Court who is seized of the matter involving Gelyke Kanse, on the one hand, and the University, on the other.

3. Be that as it may, this serves to inform you that there will be no objection from the parties which I represent in that case to your acceptance of a nomination as candidate for the position of Chancellor to Stellenbosch University."

Article 13 of the Code of Judicial Conduct was clearly not complied with in the present instance, particularly if regard is had to the fact that the legal representatives of the applicants in the matter were never informed by the Judge himself, or the Chief Justice, of the fact that the former had been approached by respondents in the matter. We only found that out after the case was argued, before judgment was handed down because it was naively brought to our attention, clearly without the knowledge of his own legal representatives, by the Rector himself in an obvious

attempt to advance Judge Cameron's candidacy.

These developments are particularly serious, especially if one bears in mind that the public at large and the applicants in the court proceedings only learned the full extent of the contact between De Villiers and Cameron and Cameron and Meiring after the Constitutional Court judgment, authored by Judge Cameron, was handed down.

It was, after all, only when the judgment had been delivered and it became apparent that the Judge had dismissed very powerful facts and arguments put up by the applicants on very flimsy grounds indeed, that the correspondence between him and the Rector and Adv Meiring was called for.

Only then did the full extent of the contact between the Rector and the Judge and a Council Member and the Judge become apparent.

To provide some perspective as to exactly how inappropriate this conduct was, I would mention that on occasion before the matter was argued both lead counsel enquired whether they could have a telephonic discussion with Judge Cameron regarding aspects of the logistics of the case, the reason for attempting to speak to him about it being the fact that he was previously appointed by the Chief Justice, as senior Judge, to attend to some aspects of the administration of the matter. Judge Cameron declined to take the call from the two advocates of the opposing parties, yet, on the

Rector's own showing, he took several calls from him, a party to the proceedings, while the case was pending, and also arranged for a meeting between the two of them.

This will not go away. It cannot be swept under the carpet. It has all the makings of a major scandal embroiling not only the University but the highest Court in the land.

Of course it is to be welcomed that Judge Burton Fourie was appointed to investigate the matter; if anything his brief should have been wider to include the possibility that other members of the Rector's management team knew of the approaches as well as Council Members who approached, or knew of approaches to, Judge Cameron since the Council was, after all, a party to the proceedings by virtue of the Chairman being the second respondent.

Of course, the upshot of this is that the Court's judgment is irredeemably tainted. We will not accept that justice was done and it certainly was not seen to be done. This means, of course, that these developments, in conjunction with the myopic decisions of the Senate and the Council to effectively dispense with Afrikaans as a language of instruction, have now finally resulted in Afrikaans no longer being a language of instruction at this University, except, of course, in the Afrikaans Faculty, much like French in the French Faculty.

Ten spyte van al hierdie gebeure het die Rektor in Die Burger van

Saterdag, 19 Oktober 2019, onder meer soos volg geskryf:

“Ons glo ons kan die land ten beste dien as ‘n nasionale bate wat toeganklik vir almal is, nie ‘n insulêre enklawe wat agter ‘n taalgordyn toegetrek is nie.”

Waarvan praat die Rektor? Niemand wil die Universiteit agter ‘n taalgordyn toetrek nie. Al wat verlang word, is dat die taal van die meerderheid van die bevolking van die Wes-Kaap en van die meerderheid van die meerderheidsbevolkingsgroep van die Wes-Kaap, ‘n primêre taal van onderrig met gelyke status aan Engels aan die Universiteit van Stellenbosch sal wees.

Hy sê ook:

“Aan die US bly Afrikaans een van ons twee onderrigtale – om grondige pedagogiese redes. Sowat 8000 studente dui jaarliks steeds aan Afrikaans is die medium wat hulle ten beste toegang tot die US se kennisbronne gee, en dit is hoekom ons ons aanbod daarin voortsit – op innoverende maniere wat niemand uitsluit nie.”

Hierdie veralgemening is gewoon nie waar nie. Hoekom luister die Rektor nie na wat Frederick van Dyk, verlede jaar se Primarius van Helshoogte, en Tiaan Alberts, vanjaar se Primarius van Dagbreek, sê en skryf nie. Daar kom van Afrikaans as onderrigtaal, soos ons voorspel het, in die praktyk niks tereg nie.

Nogtans sê die Rektor, hierdie keer by geleentheid van die bekendstelling van die Eerste Leerstoel vir Afrikaans by die Universiteit, dat dit "loutere snert" is dat die Universiteit Afrikaans die rug toegekeer het en dat die geleentheid 'n herbevestiging daarvan was dat die Universiteit voortgaan om Afrikaans as onderrigtaal te bevorder.

Hierdie tipe stelling is soortgelyk aan die bewerings in die Voorsitter van die Raad, mnr George Steyn, se eedsverklaring in die Konstitusionele Hof saak waar hy by herhaling sê dat die nuwe taalbeleid nie 'n beduidende afskaling van die gebruik van Afrikaans as onderrigtaal aan die Universiteit te weeg sal bring nie.

Dit is nie wat die Konstitusionele Hof sê nie. Regter Cameron sê byvoorbeeld in paragraaf 6 van die uitspraak onder meer die volgende:

"Although the University disputed that the 2016 Language Policy 'invariably' reduces Afrikaans tuition – claiming 'it merely reconfigures it' – this is not so. The 2016 Language Policy effectively gives preference to English in circumstances the Policy specifies."

In die daaropvolgende paragraaf sê hy die volgende:

"The practical effect is that, while under graduate classes are still generally offered in Afrikaans, Afrikaans has lost its position of

primacy. Instead it is placed on a sandy footing where the deluge of English predominance, both local and global, could well destabilise and eventually topple it."

Of course, if he had regard to the replying affidavits, which he declined to do, he would have known better still. He would have known, for example, that the Rector told Council Member Johan Theron that the University was destined to become an English university.

Volgens Regter Froneman beteken die uitspraak in praktiese terme onder meer dat eerstetaal Afrikaanssprekendes wat Afrikaans verkies, voorgraads afgewaterde onderrig in Afrikaans in verskillende variasies sal ontvang. Andersins sal dit in Engels wees. Op nagraadse vlak sal hulle onderrig slegs in Engels ontvang.

Die Hof wou nie na getuienis kyk wat in repliek, en nadat die nuwe Taalbeleid in werking getree het, aangebied is nie en waarvolgens dit duidelik blyk dat vir alle praktiese doeleindes Afrikaans, anders as in die Afrikaanse Fakulteit, nie meer 'n taal van onderrig aan die Universiteit is nie.

Elders sê Regter Froneman dat hierdie standpunt landwyd herhaal word en dat "(e)erste taal Afrikaanssprekendes wat Afrikaans verkies, sal by die Universiteit van Stellenbosch afgewaterde onderrig in Afrikaans ontvang en onderrig in Afrikaans met Engelse vertaling by die Potchefstroom kampus

van die Noordwes Universiteit”.

Dit volg hy op met die volgende stelling:

“Mens benodig nie internasionale studies nie, waarvan daar vele is, om te besef dat hierdie stand van sake Engels as dominante taal bevestig, nie net op tersiêre vlak nie, maar, soos ons sal sien, ook vanaf laerskool na hoërskool tot by universiteit. Menings mag wissel oor die wysheid hiervan, maar dit is seer eienaardig dat hierdie Hof, die uiteindelijke bewaker van minderheidstaalregte ingevolge die Grondwet, sy goedkeuring daaraan gee.”

Vervolgens sê hy ook:

“Die derde, mees kommerwekkende, gevolg is vir die hoofsaaklik swart en bruin mense op die laagste sosio-ekonomiese skaal van ons samelewing. Hulle woon die swakste toegeruste skole by, beide in befondsing en personeel, in die landelike en stedelik gemarginaliseerde gemeenskappe en word die meeste benadeel deur slegs Engels as hul keuse van onderrig. Hulle ontvang onvoldoende moedertaalonderrig wanneer hulle hul opvoeding begin en die Engelse onderrig is ook dikwels van ‘n swak gehalte.”

He continued as follows:

“The evidence before us shows that Afrikaans is the home language of a significant proportion of brown people in the

Western Cape (and also the Northern Cape). It also shows that they are predominantly working-class people and that many of them are not proficient in English. Statistically they are the smallest of all population groups proceeding to tertiary education. Poverty means that it is more difficult for them than for most even to aspire to tertiary education. And if they do get that far, they have only one university to go to in the Western Cape where Afrikaans may be chosen as a medium of instruction. Now, when they arrive at Stellenbosch, they will find that their choice of medium of instruction is not as comprehensive as those more privileged students who choose English. The grim message that seems to be sent to this segment of extremely marginalised brown people, is that, if they are to be accommodated, they need to grow out of poverty and learn English fast.

There is something deeply disturbing and wrong about this."

And yet he agreed with the outcome of Cameron's judgment!

World-renowned expert on universities, Prof Phil Altbach, posed the question: What is an academic community? He responded as follows to his own question:

"It includes a sense of generally shared academic values along with the commitment to a university, to colleagues and to students."

If this is true then at governance level Stellenbosch University is the antithesis of an academic community.

For example, I cannot use the University's database to communicate freely with alumni or members of the Convocation because everything that I may want to communicate has first to be approved by the Rector and the Chairman of the Council. Censorship in the 21st century in an open democracy at a *universitas magistorium et scholarium*.

The last time when I spoke to the latter and asked him how he was, he swore at me, said that he was not obliged to tell me how he was and walked away, subsequently to deny when the press asked him about it, what he had said to me.

More recently, I requested a copy of the Executive Committee of the Council's resolution to appoint Judge Burton Fourie, also since I had to testify before him and wanted to know firsthand what his brief is. The Registrar of the University responded to me this morning by saying that she had discussed my request with Mr Steyn and that Committee reports do not get put in the public domain as a rule since it is regarded as internal council documents. Accordingly my request was turned down.

I am the duly elected President of the Convocation of the University of Stellenbosch. I was elected as a Council Member on two occasions by members of the Convocation with the most votes. I have stayed true to the position adopted by my immediate predecessors in respect of languages of instruction at this University as I have stayed true to the popularly expressed views

of the Convocation itself.

I shall not sit down and keep my own counsel because the mythical king can do no wrong.

However, if the Chairman of the Council and the Rector do not resign their positions in the near future and if Judge Cameron is sworn in as the next Chancellor of this University, I will no longer be prepared to remain President of its Convocation and I shall resign.