

The SADC – LAWYERS ASSOCIATION

The 17th Annual SADC – LA Conference and General Meeting.

Welcome Address, 17th August 2016, FNB Portside.[Not for publication]

President Gilberto Correia, Chairpersons of the LSSA Mr. Notyesi and Mr Van Rensburg, all Presidents and Chairpersons of Law Societies in the SADC region, ex-Presidents present, Dr. Carlos Cauou, fellow colleagues and friends from other jurisdictions and from South Africa

It has been too long, far too long since I attended a gathering of fellow lawyers from the region, eight years ago if my memory serves me well.

Old colleagues and friends have come and gone, the leadership has changed over the years, new members and law societies have

come on board from within the region. There are many new faces and that is good. The Association has indeed grown over these 17 years or more.

Notwithstanding these changes I daresay that the challenges in the region have remained the same, if not, have become more urgent and increasingly complex.

President, over the next three days you will be required to deal with those challenges, head on and with the characteristic robustness and seriousness that this Association is known for.

In the light of the changing international landscape and in particular the developments in Europe with the Brexit vote, the ongoing international financial crisis, the challenging political and economic instability in many parts of the world and not least of all, right here in some parts of Africa.

All of this has impacted on the difficult and challenging questions of regional integration especially in the global South. As the

Sustainable Development Goals [SDGs] of the United Nations are implemented, much closer attention and assessment is needed of the successes and failures of development in Africa. The global financial crisis has, as African commentators and academics correctly raise, brought with it new theoretical and practical concerns about the value of economic integration. They pose the question “if integration is not a panacea for weaker economies and can expose those economies to greater economic loss [an issue seeing both in Africa and in Europe] new attention must be focused on the questions of when, whether, and how to pursue regional integration?’

President Correia, your Association meets in the shadow of the world renown and iconic Table Mountain, known to the Khosan people as HOERIKWAGGO, a great wonder of nature. The mountain protects the people of the Cape from the blustering winds of the south west and heralds the winter rains that nourishes the soil that feeds

its inhabitants. For centuries it has remained a beacon from the southern ocean that attracted the early Portuguese and Dutch seafarers to seek safety from the turbulence of the unrelenting ravages of the Atlantic Ocean. These sojourners however abused the hospitality offered to them by the indigenous people through bloody conquest, settlement and exploitation. So too did the majestic peaks of the mountain attract as a beacon the nefarious slave traders with their human bounty from the forests and villages of Angola and lands all along the coast of West Africa. In turn, so too did the overburdened galleons of slave traders bear thousands of men, women and children bound in chains, from the coastal plains of East Africa, the surrounding islands and as far afield as southern Asia. In time, the British followed suit and through imperial greed, and an insatiable lust for power, land and mineral wealth, unleashed bloody wars and battles of conquest upon the many tribes of Southern Africa. They bravely resisted. Not too long thereafter did the British continue its crusade by waging

war against its fellow settlers in what is described as the first and second Anglo/Boer wars.

In fortresses and dungeons , slaves lived and died in utter disregard of their humanity having being abused and whipped as servants and labourers in the homesteads and farms of their white captors. They too soon rose in rebellion.

In all of this President, the mountain stood pristine and remained a refuge for those who yearned and fought for their emancipation and freedom . It is, the peaks of that same mountain that inspired brave fighters of freedom who were relegated and banished along 7 kilometres of treacherous waters in Table Bay to the barren wasteland of Robben Island. Brave fighters from as early as the 17th century were imprisoned on that island by the Dutch, many whose graves remain their only legacy, one of which is that of the early Indonesian warrior, Prince Sayed Abdurahman Moturu, an Imam exiled to the island ,the legendary Autshumato who in 1740 became its first prisoner , the daring yet fatal escape by the

indominatable Makanda Nxele, a Xhosa warrior who drowned while attempting an escape from the island, In years later the mountain was to remain the daily beacon of freedom for those incarcerated by the apartheid regime, with the likes of Robert Sobukwe, Malatji, Faku, Mandela, Sisulu, Kathrada, Mbeki, Lekota, Mxenge, Chiba, Alexander, Toiva ja Toiva the Namibian leader and many, many others including our recently retired Deputy Chief Justice Dikgang Moseneke.

President, the mountain is not just a symbol of beauty of this country but indeed for all of Southern Africa. It is also the sanctuary and greenhouse of our indigenous flora, such as the famous fynbos with its colourful and spectacular Protea flower.

President as you ascend to its highest peaks on a clear and sunny day you will be overwhelmed by the beauty of the southern ocean as its waves lap against the shores on the rocky edges of our coastline. From its cliffs you will see the unending rows of vineyards and faraway farmsteads. On a clear day you will also

have a clear view of what we call the wind swept Cape Flats portrayed on a canvass of densely occupied houses and shacks clustered into townships, ravaged by poverty , crime and desperation, the blight of a many headed legacy of a recent past that continues to loom too large and live amidst us. From this same vista, President you will see the breath taking opulence and luxury that the other half of Cape Town lives in , with manicured lawns and gardens while protected behind high security fences and armed guards.

President as you gaze upon this vast contrast of humanity, pause a while, savour the beauty of this little part of Africa while you contemplate the challenges ,the contradictions and legacies of this Continent. But, may you too enjoy this city, its people, its sites, its different cultures, languages and voices of all of those who have sought refuge from the conflicts and excesses of the north. You too will hear the dialects of Somalia, Zimbabwe, the DRC,North and South Sudan, Nigeria, Malawi, Rwanda,

**Mozambique and many other countries in Africa in a cacophony of
refuge and sounds. You will dance to its music, it's African jazz,
its choral sounds, its distinctive goema rhythms, kwaito, langarm
and more especially you will share the laughter to its special
blend of humour. You will I hope be enthralled by the great
sense of hope in the future that all its people cherish.**

**President and fellow colleagues, amidst your serious
deliberations over the next few days may you too, be impelled and
attracted to return this city some day as a guest, with family and
friends to enjoy and experience at leisure, the contrasting beauty
of South Africa.**

**I thank you and wish all of you well in your conference and
deliberations.**

Welcome to Cape Town and to South Africa!

Vincent Saldanha J.

Past-President. SADC LA