

## HONORARY GRADUATE

### Arthur Chaskalson

The final-year Bachelor of Laws class of December 1953 was one of the most brilliant in the history of the Faculty of Law of the University of the Witwatersrand. Several of its members were to have distinguished careers in the legal profession, commerce and public service. One of them was Arthur Chaskalson.

Arthur Chaskalson was born in Johannesburg on 24 November 1931. He attended Pridwin Preparatory School, and thereafter Hilton College in Natal, where he obtained a first-class pass in the Joint Matriculation Board examination in December 1948. From there he proceeded to this university, where he read for the degree of Bachelor of Commerce, which he completed at the end of 1951. He then registered for the degree of Bachelor of Laws, passing the final-year examinations in December 1953. The degree was awarded to him with distinction.

Shortly after graduating Chaskalson was admitted as an advocate of the Supreme Court and became a member of the Johannesburg Bar. There his talents were soon recognized and in July 1971, at the early age of 39, he took silk, becoming senior counsel.

In professional activities Chaskalson played a notable role. From 1967 to 1971 and 1973 to 1984 he was a member of the Johannesburg Bar Council, being Chairman in 1976 and 1982. In addition he served as a member of the General Council of the Bar of South Africa, becoming Vice-chairman in 1985. Since 1979 he has been a member of the National Bar Examination Board. He has been Vice-chairman of the International Legal Aid Division of the International Bar Association since 1983. But his service has gone far beyond professional activities.

In late 1978 there came into being the Legal Resources Centre, a non-profit-making public-interest law firm. Its aim was and has remained the encouragement of belief in the administration of the law as an instrument of justice. It seeks to attain this aim by the provision of legal and educational services without charge to persons and communities requiring them but unable to afford them. Its limited resources dictate that it concern itself with major issues that affect groups of persons or a large number of individuals; but nevertheless it has achieved outstanding success in alleviating the lot of the indigent and oppressed.

The first office of the Legal Resources Centre was opened in Johannesburg in January 1979. Arthur Chaskalson became its Director, limiting his practice at the Johannesburg Bar at considerable financial sacrifice. There were two full-time qualified lawyers on the staff. Arthur Chaskalson extended his activities in the Centre, which grew considerably. Today it consists of a national office and six regional offices, with a full-time staff of 94, including 35 advocates and attorneys, and ten law graduates. The professional members of the staff are subject to the code of conduct of their profession. The trustees of the Law Resources Trust, which controls and funds the Centre, approved a budget of over five million rand for the past financial year, obtained from donations from private sources at home and abroad.

Arthur Chaskalson is the National Director of the Centre, whose reputation is high not only in South Africa but also overseas. Every year it affords help to thousands

of individuals. Leaders of standing in all branches of the legal profession serve as trustees, consultants and members of staff.

Under the inspiring leadership of Chaskalson the Legal Resources Centre has made a significant contribution to social justice and community development. He himself has argued some of the most important legal cases before the highest courts of the land. Signal success has attended his efforts. In the *Komani* case in 1980 the Centre secured a court decision invalidating a regulation that prevented black wives and children from living in 'white' urban areas with their husbands and fathers. Three years later in the *Rikhotso* case the Centre was victorious in litigation involving residence rights of migrant workers. The judgments in these cases altered the course of history by paving the way for the abolition of influx control. Subsequently the Centre fought for the legal rights of those affected by the creation of the independent states of Transkei, Bophuchatswana, Venda and Ciskei, with their separate citizenships. Among the many other areas in which the Centre has sought to aid depressed communities are the payment of unemployment insurance benefits, housing allocations, forced removals, employment disputes, and the misuse of power by public officials. For all the curtailment of the powers of the judiciary in the past few years in issues of civil rights, the Centre, carries on its dedicated work with determination and courage, seeking to ensure that legal rules are implemented by the administration of the law equitably, speedily and without consideration of race or colour.

His work in the Legal Resources Centre is not the only service to the community in which Chaskalson has been engaged. To take but one further illustration: last year he was a member of a committee of three (the other two being full-time professors of law) who were asked to prepare a draft Constitution for Namibia. They produced one avowedly based on principles of democracy, the rule of law, and social, economic and political justice.

Arthur Chaskalson is the most unassuming and modest of persons, never seeking public acknowledgement of his self-sacrificing labours in the interests of the poor who seek enforcement of their rights or protection against unlawful acts that cause them harm. But his self-effacement has not prevented his being rightly honoured at home and abroad. In 1982 he was appointed an honorary professor of law of the University in recognition of his services to the Faculty of Law, on the Board which he has sat since 1979, and to the Centre for Applied Legal Studies, of the Board of Control of which he has been a member since its inception. In 1984 he was the recipient of the Claude Harris Leon Foundation award, and also of the Wits Alumni Honours award, both for exceptional service to the community. The following year a signal honour came his way, which brought much credit to our country: his election as an honorary member of the Association of the Bar of the City of New York. Only men and women of the highest distinction have received honorary membership. The name of one other South African is found on the list: Jan Smuts.

In 1986 the University of Natal conferred on Arthur Chaskalson its degree of Doctor of Laws *honoris causa*. How fitting it is now for his Alma Mater, to which he has been so loyal a son and for which he has shown such affection, to show its appreciation of his services to his fellow beings: to honour this man of the deepest integrity, who is a byword in a profession that rightly prides itself on its integrity, this man of compassion who gives of his all in the eternal struggle for the attainment of justice in an imperfect world, with its sad lack of balance between merit and reward. And that it can do, and at the same time honour itself, by the signification of its recognition of public service of the highest order: the conferment of the degree of Doctor of Laws *honoris causa*.