

Chancellor, I have the distinctive honour and pleasure to present for the award of the degree of Doctor of Laws, *honoris causa*, Dikgang Ernest Moseneke.

Chancellor, the man who stands before you today is the Deputy Chief Justice of the Republic of South Africa and the Chancellor of our sister University of the Witwatersrand.

My first encounter with Dikgang was on Robben Island. He was one of a group of students from Pretoria who joined the liberation struggle after the Sharpeville massacre who were sentenced to long imprisonment. Dikgang himself had been sentenced to ten years. The seventeen-year-old Dikgang was the youngest inmate at the time. Like many of us he had to “*val in, stap uit, quarry toe*”. Warders could not pronounce his name; they pronounced it in Afrikaans as “*Dik gang* – a wide passage”.

When permission was granted to prisoners to study, Dikgang was one of the first students who enthusiastically declared that Robben Island Prison was now the “Makana University”. Pushing a wheelbarrow with steel bands full of sand and stone, he was often heard going through Latin declensions; “*mensa, mensa, mensam, mensae, mensae, mensa*”. A warder who did not understand what was going on remarked – “*hierdie kaffir raak mal*” – this *kaffir* is getting mad. Little knowing that Dikgang had taken the first steps to become a lawyer and later Deputy Chief Justice of South Africa.

His parents were teachers. And his progress in his studies was important to them. On his teacher mother’s first visit to him on the Island, having travelled by train third class from Pretoria she met her young son in the prison visiting room, her first question to him was not how he was managing on the Island, but was why his school marks were not as good as she expected!

He continued with his characteristic courage to work underground for the PAC during the 1980s, becoming its Deputy President in 1990. He served on the technical committee that drafted the interim constitution of 1993 and was Deputy Chairperson of the Independent Electoral Commission for South Africa’s 1994 democratic elections.

His career in law – and for a short time in the corporate world – is one of courage and achievement. After serving articles he practised in a law firm during which period he was a founder member of the Black Lawyers Association and NADEL, the National Association of Democratic Lawyers. He was admitted to the Pretoria Bar in 1983 (forcing that body to visit and change its rules of exclusion) and took silk ten years later. In 2001 he was appointed to the High Court in Pretoria, his hometown and a year later he was made a justice in the Constitutional Court. In June 2005, he became Deputy Chief Justice.

Dikgang Moseneke is a tower of strength on the Court. He has made some profound judgements. For instance he made two leading judgments on affirmative action, *Minister of Finance v Van Heerden* and *SAPS v Barnard*.

His judgment on the imposition of e-tolling in Gauteng was based on his view that the policy decisions belong in the sphere of the executive, and are not decisions for a court of law. His commitment to constitutional principle is to be seen in his being part of the majority in the Glenister case, which set aside the establishment of the Hawks as insufficiently independent.

On the bench, he is an eloquent and urbane participant in debates; his peers rate him highly – such that his mother would no longer complain about his marks.

It is thus with much pride and pleasure that, Chancellor, I invite you to confer the degree of Doctor of Laws, *honoris causa*, on Dikgang Ernest Moseneke.