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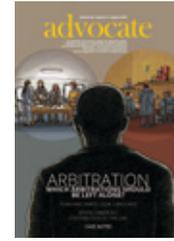
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# advocate

Iphaphabhuku labameli basemajajini baseNingizimu Afrika  
Dzhenala ya dzangano la vhaadivokati vha Afrika Tshipembe  
Die Suid-Afrikaanse Baltydskrif ■ The South African Bar Journal  
Kgatisobaka ya boadifokata ya Africa-Borwa  
Jenali ya magwetha ya vaavanyisi van Afrika-Dzonga



## FROM THE EDITOR

I am in London as I write and the BBC's Radio 4 is discussing – surprise, surprise – Brexit and who will be Britain's new prime minister. It seems Boris Johnson (I keep wanting to say Yeltsin) – the guy who called Commonwealth citizens "Piccaninnies" and said in 2002 that recolonising Africa would be the best fate for it – is the person most likely to be leading the United Kingdom out of the European Union.

Or not. No one knows. And the not knowing is making people insecure; a blanket of misery seems to have settled over this little island.

It feels a bit like the Bar back home right now. No one knows how the Legal Practice Act and the Legal Practice Council are going to affect the profession. Who is going to sort out pupillage? Will the 90-day rule be scrapped? How will advocates be paid? Has the Act ousted the Bar's ability to discipline its members? There is already litigation in the Western Cape Division over how the province's council is being constituted.

However, unlike the furious (endless, it feels) public discussion I see here in the UK about what's stressing them out, the Bar seems to have gone eerily silent. From where I stand – some distance away to be fair – it feels like instead of robust debate on these issues, advocates are burying their heads in the sand (or in their work), hoping it will all be sorted out when they emerge.

Indeed, if you were to read the pages of this edition of *Advocate*, you would think there wasn't much going on in the legal profession. We have an excellent piece by Frank Snyckers SC exploring how and when courts should intervene in arbitration processes. We have some interesting case notes and a beautiful tribute to the late judge Anton Steenkamp.

But of what is really concerning to advocates at this time, we have very little. This is troubling. It is troubling to me as editor because I am trying to build *Advocate* to be a space (in my dreams *the* space) for these discussions. But more importantly, it is troubling because – as GCB chairman Craig Watt-Pringle SC suggests in his contribution – it is only by getting involved that you can make things happen.

It is true that, despite the furious debate in the UK, the country is still likely to get a rabid racist and liar as its prime minister. But that is more to do with the peculiarities of party politics in the UK.

I venture that in our case, in the legal profession in South Africa, getting involved can make a difference. I can imagine that you are all a bit exhausted by it all. It's a lot. But this stuff is not just important to you. The law – its development, its enforcement and its application – matters to every South African. And you, the members of the profession, are in the unique and privileged position to be responsible for it. When people say that it was the courts – in part at least – that saved South Africa from the worst of state capture, they are talking about you.

**The editor contributes to *Advocate* as an autonomous author. The views she expresses are entirely her own, and do not purport to represent any view or position of *Advocate* or of the GCB.**