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Die Suid-Afrikaanse Baaietydskrif ■ The South African Bar Journal
Kgatisobaka ya boadfokata ya Africa-Borwa
Jenali ya magwetha ya vaavanyisi van Afrika-Dzonga**



FROM THE EDITOR



Some years ago I ended up, by a very lucky chance, sitting next to Denis Kuny SC at his 80th birthday party.

Of course I had heard about Denis Kuny but I had never met him before. We hit it off instantly, chatting away. But, as the speeches about him went on, I realised that I had no idea just how much of a colossus I was sitting next to (with him, all the while, murmuring to me “Arthur got the date wrong”, “no, that’s not right”).

I wondered why I knew so little of what I was hearing. It turned out that former Chief Justice Arthur Chaskalson, his life-long friend, had asked his ex-wife Hillary to make the party for him for precisely that reason. Denis, despite representing Bram Fischer, Steve Bantu Biko, Andimba Toivo ya Toivo, the Rivonia accused and many, many others, had not been celebrated in the same way as many of his peers.

That party was a very special one. Chaskalson was there. George Bizos, Pius Langa and Jules Browde were there. They have all left us now. After the speeches, more than one person said to me I should write about Denis. I completely agreed. I phoned him to ask for an interview. Okay, he said, and agreed to meet me for lunch.

I arrived with my dictaphone and my laptop, research done. He said, no, let’s just get to know each other first. Okay, I said (sighing internally about difficult elders and thinking about how I would break the news to my editors). We had lunch and ended up talking about everything except law. We talked about Yeoville, about jazz, about where and how we both grew up, about yoga and pilates (if I recall), about journalism, about people we knew in common. It was great fun.

We became friends. We went for lunch often – and carried on talking about everything.

During our lunches, we did talk about his career in law, which was truly remarkable. But I never took notes. I never did the interview properly. Last week, he died. And I had not seen him since before the lockdown.

I have, since hearing about his passing, found myself racking my brains trying to remember; and regretting not being able to remember enough. Remembering this history is important.

I have been reading past editions of *Advocate* and realising its importance in documenting the history of the advocates’ profession in South Africa – warts and all. In this edition, we focus on pupillage and the impact the new regime under the Legal Practice Council is having on the GCB’s pupillage programme.

I was never a pupil and know very little about it all. But what has struck me, reading the submissions on pupillage, is the passion and care the older generations of advocates have demonstrated as they seek to pass skills and knowledge onto younger generations – in service of the profession and of justice in South Africa. Change is always difficult. But what I’m reading in this edition is not a refusal to accept change but rather an honest grappling with how to embrace it in a way that best serves the courts and the country.

There is one thing I remember clearly that Denis said to me, because it moved me so much at the time. He told me the quite famous story about how he had, during the days when Nelson Mandela was the “black pimpemel”, helped Mandela evade police capture by pretending that Mandela was his chauffeur. He had been asked to do this by liberation hero Joe Slovo and they had borrowed Chaskalson’s car.

The part that really stayed with me was what followed. He said he was not politically motivated the way Slovo was. I asked him: “So why did you do it all then?” It was in fact very dangerous what he did, and for years his work involved much sacrifice. He said: “I just thought I should be a decent person.”

Go well Denis, rest well.

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.