

Johannesburg Bar

Contributed by Quentin du Plessis

IN MEMORIAM FANIE VAN NIEKERK

by Tony Mundell SC and Fritz Geyer

Stefanus Johannes (Fanie) van Niekerk passed away on 6 April 2022. Fanie had been a member of the Johannesburg Society of Advocates for 38 years. In this time he contributed widely and meaningfully to the Society and to the legal profession as a whole, not only in the context of the jurisprudence he established in the many judgments in which he was reported, but through his authoritative contributions to a variety of publications, including *Summary Judgment – A Practical Guide* (a definitive work which Fanie took great care and pride in updating on an annual basis), *Privileges in die Bewysreg* (with S E van der Merwe and A J van Wyk) and *Three Books on Interest-Bearing Loans and Interest (foenus et usurae)* by Gerard Noodt (with D M Kriel, J T Pretorius and D H van Zyl).

Although he was quietly spoken, one was immediately struck upon meeting Fanie by the intensity with which he approached not only the



legal profession but life in general. Fanie was driven by an insatiable quest for knowledge, acquiring master's degrees in topics as diverse as the law of evidence, banking and stock exchange law (*cum laude*) and philosophy. Fanie's Master's degree in philosophy was also awarded to him *cum laude*, with his mini dissertation in the field titled "*Rehabilitating Rationality in Contemporary Philosophy of Science*". Fanie was a true polymath.

Fanie was one of the most approachable members of the

profession. He was always available to share his expertise with any member who sought his advice, inclusive of silks, often accompanying that advice with the applicable authorities to support it. It is not too much to say that Fanie's breadth and depth of knowledge of virtually every branch of the law was quite unique.

Fanie's academic acumen was recognised by Prof Schmidt of *Bewysreg* fame who tried to lure him into the academic world by offering him a co-professorship in his department. Thankfully for the many colleagues who benefitted from Fanie's extensive knowledge, he declined the invitation.

Fanie loved classical music and, as was his nature, did not limit himself to enjoyment only but made a detailed study of the genre. Fanie was also an ardent gardener who took pride in his vegetable patch.

The legal profession in general and the JSA, in particular, are poorer for having lost Fanie. Our condolences go to his life-partner Margaret and his son Stefan. We will all miss him. **A**

