

Editor

Franny Rabkin
franny.rabkin@gcbisa.co.za

Editorial committee

Frank Snyckers SC (chair)
Nathi Dwayi
Marilena Maddison
Sandhya Mahabeer SC
Loyiso Makapela
Jean Meiring
Lwandile Sisilana
Muhammad Zakaria Suleman
Myron Dewrance SC
(ex officio – GCB chair)

BAR REPRESENTATIVES

Cape: Gregory Solik
Free State: Inga Macakati
Grahamstown: Thomas Miller
Johannesburg: Quentin du Plessis
and Sibongile Mathe
KwaZulu-Natal: Lisa Olsen and
Nooreen Nursoo
Namibia: Elias Nekwaya
Northern Cape: Albert Eillert
North West: John Stander
Polokwane: Nathi Gaisa
Gqeberha: James Ramsay
Pretoria: Megan Moodley
Bhisho: Bayethe Maswazi

EDITORIAL INFORMATION

Advocate is the journal of the General Council of the Bar (GCB). Except in the case of official press releases or statements, published as such, the views expressed by individual contributors of articles and items in Advocate do not purport to be the views of the editorial committee of Advocate, or the official views of the GCB, but remain the views of the individual contributors.

This applies also to the views expressed by the editor in her contributions.

Correspondence and enquiries relating to contents, contributions and advertising:

The Editor, Advocate,
PO Box 786878,
Sandton 2146
082 927 5536

franny.rabkin@gcbisa.co.za

Street address: Grindrod Tower,
2nd Floor, 8A Protea Place,
Sandown,
Sandton 2146

Subscriptions

Annual subscriptions R450 (VAT incl.)
Advocate, PO Box 786878,
SANDTON 2146

Tel: +27 (011) 784 0175

E-mail: christine.baek@gcbisa.co.za

Website: <https://www.gcbisa.co.za>

Proofread by Theresa Mallinson

Design by Hond CC

Cover photograph by Nika Poznyak

Printed by Hansa Print

ISSN 1683-2566

© General Council of the Bar
of South Africa

Volume 36, number 2 ■ August 2023

advocate

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



FROM THE EDITOR

In this edition, we celebrate 100 years of women in the legal profession. Other than the contributions from members of the editorial team, I believe this is the first edition of *Advocate* that is almost entirely written by women – mostly black women.

I am extremely pleased that this has happened under my editorship, although let me say immediately I can take no credit for it. We put out the circular, as usual, asking for contributions and these were the ones that came. Knowing how much most women have on their plate, I want to thank each of them for their contributions.

This edition goes a little way in documenting where women have come from in seeking entry into the legal profession, where things stand at the moment, and just how much must yet be achieved before we can say sexism and patriarchy have been truly eliminated. In putting the edition together, I have been inspired and uplifted in moments, yet depressed in others.

You will read about Sonja Schlesin, whose name we all know from the famous court judgment and who was an extraordinary human being. You will read about Zainunnissa “Cissie” Gool – a long-time personal hero of mine – who became an advocate when she was a grandmother of five, and studied law even as she was in and out of detention.

You will read about Kgomotso Moroka SC, the first black woman to take silk in South Africa, who was asked by the only law firm willing to give her articles to take an IQ test. In my early days as a journalist, I covered the Judicial Service Commission, when Moroka was one of its commissioners. I can personally testify to her consistency in fighting for women on the bench.

A story that moved me is that of Mushaisano Makamu of the Limpopo Bar, whose move from nursing to law was motivated by a woman who had lost her baby during childbirth. Makamu had referred the woman from her own clinic, but she subsequently did not receive adequate care. “That was when I started thinking that maybe I should venture into law so that I can advocate for people on a larger scale,” Makamu said. Her story can be read in full in the Limpopo Bar news section.

You will read of the many pontifications from men in power as to why women should not be lawyers. Some of the language from the early part of the 20th century will strike you forcibly in its absurdity. But how much of the sentiment behind it still lingers unspoken in the attitudes of some men in the legal profession?

In putting this edition together, I was also struck by the gaps in the documentation of the history of women in the legal profession. I was astonished to discover, for example, that though the GCB gives an award in the name of Felicia Kentridge every year, this publication did not publish an obituary when Kentridge died in 2015.

But much of the work that was done in this edition required us to dig through archives and primary sources. Here, a very special thank you to the archivists, bar administrators and librarians who helped us – they are the keepers of our history. As the legal community we must also thank Michelle le Roux SC, Sesi Baioyi SC, Savannah Cozzi, Tracy Cohen and Muriel Tekele for the 100More Campaign which did so much to galvanise the commemoration of this milestone.

This work must continue. I want to read more about Leonora van den Heever, Victoria Mxenge, Desiree Finca, Suretta Snyders, Lucy Mailula and Navi Pillay. I love the first-hand accounts from justices Carole Lewis and Belinda van Heerden of what it was like when they first got to the Supreme Court of Appeal. You can read these in the speech from Justice Caroline Nicholls in our special section that documents some of the speeches made during the ceremonial court sittings, as a result of the 100More Campaign.

Those are some of the women whose names we know because of judgments and because they are renowned. But I also want to read stories of life at the Bar for women in general.

So, my appeal to women lawyers is: write your stories. We are sometimes told – by word or deed – not to put ourselves forward or to dare to think our stories matter. They do. Sometimes we face hurdles in bringing these stories to light. They might sit in darkness for a while – in an archive, a file, or an inbox. Still, they will be there. One thing this edition has shown me is that the battle against patriarchy is a long one. But as Solome Manganye said in her speech at the Johannesburg High Court “We do not quit.”

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.