

T S Eliot in part *VP of Burnt Norton*,³ in the first of the four quartets:

"Words strain,
Crack and sometimes break, under the burden,
Under the tension, slip, slide, perish,
Decay with imprecision, will not stay in place,
Will not stay still."

The Gospel of St John: "In the beginning was the word."

In this sense, the book is not only – or indeed ultimately – about "methodological principles" that we have inherited over time in South Africa. It is also about the *nature* of interpreting statutes and the Constitution in a transforming society. For Professor Devenish, there is no pure "logical precision" but a much

broader endeavour aimed at "moral or ethical interpretation and at the constant valuation and implementation of tradition and community".⁴ Statutory interpretation is therefore essentially concerned with judgments as to what is right and wrong within the context of South Africa's wide and multi-cultural community. The encyclopaedic book on interpretation is essential reading for all legal practitioners and law students.

Notes

- 1 *Per Donaldson J in Corocraft Ltd v Pan-American Airways Inc* [1969] 1 QB 616 at 368.
- 2 H Bloom *Law Commission – Interpretation of Statutes* (1970) 33 *MLR* 197 at 199.
- 3 Quoted by R A Posner *Law and Literature* (1988) 215.
- 4 P Goodrich *Reading the Law: A Critical Introduction to Legal Method and Techniques* (1986) 155.



Labour Court Manual
by Connie Prinsloo and
André van Niekerk
Juta 2024 (190 pages)
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This book, at long last, is to Labour Court and Labour Appeal Court practitioners like *Erasmus* or *Herbstein & Van Winsen* or *Harms* for Superior Court practice and like the *Jones & Buckle* is to civil magistrates' courts practice — an indispensable resource and daily companion to seasoned partitioner and neophyte alike. No wonder, the book is co-authored by relatively senior judges of these specialist courts, Judge Prinsloo of the Labour Court and Judge van Niekerk of the Labour Appeal Court. Between them, the authors have more than 20 years' experience on the bench of these specialist courts.

A user friendly guide, the book is intended not only for attorneys and advocates, but also for trade union and employers' organisation representatives, being the broader representatives enjoying rights of audience in the Labour Court and Labour Appeal Court.

Practitioners can expect from this practice tome, guidance on matters of procedure and invaluable insights drawn no doubt from seasoned judges who sit in these specialised courts. For instance, in the first chapter the book recounts the history, status and jurisdiction of the Labour Court. In the penultimate chapter, the book gives a brief exposition of the treatment of evidence in the Labour Court context. In the final chapter, it gives edifying insights to practitioners on rights of appearance and the conduct expected of representatives. It offers practical guidance on what is expected of representatives before they

get to court, upon their arrival at court, when in court and after the matter is concluded. The book is concluded with handy appendices of the most useful provisions of the Rules Regulating the Conduct of the Proceedings in the Labour Court and the most relevant forms.

The book has chapters on motion proceedings which include urgent applications and reviews amongst the types of motions entertained by the Labour Court and it has a chapter dealing with labour trial proceedings covering pleadings, pre-trial procedures, enrolment for trial, case management and evidence. Further chapters deal sequentially with appeals to the Labour Appeal Court which include applications for leave to appeal. Before the chapter on evidence, a chapter covering "common topics" covers subjects ranging from service and filing to heads of argument and costs – all of which give an exposition of the nuances of these aspects in these specialist courts. Most usefully, in each chapter, references are made to dicta of the Labour, Labour Appeal Court and Constitutional Court as are the citations of the referenced decisions in footnotes.

There is no doubt a need for a resource of its kind given the development, for a quarter of a century of the existence of the Labour Court, a distinct jurisprudence on its application of rules of evidence and of its interpretation of labour legislation, its rules and its adopted practice manuals and directives issued by the successive judges president of the Labour Court over the years.

In its first edition, hopefully of many more yet to come, although the book does not profess to offer a detailed rule-by-rule exposition of the rules of the Labour Court and Labour Appeal Court, its self-descriptive title somewhat understates the true value of this book to practitioners and representatives. It deserves a place on the shelves of representatives and practitioners of the Labour and Labour Appeal Court. **A**