Legislative drafting for democratic social change in South Africa

Seidman, Robert B.

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Boston University
Dear Prof Seidman & Seidman

I was requested by Prof Darcy du Toit to act as contact person for the legislative drafting programme and have willingly agreed to do so. I have sent a fax to Dr Motshekga with a few comments on the proposal. I include a copy of this fax. Please contact me with regard to any further queries you might have.

Yours sincerely

Jacques de Ville
November 4, 1996

Dear Dr. Motshekga:

We hope you have received draft proposal on legislative drafting for USAID along with all the materials we expressed to you. The Ford, proposal, of course, is even more of a mere draft than the AID one, because of the November deadline on the latter.

We would very much like to hear from you about:

a) What you think of the draft AID proposal, and any suggestions you may have for improving it. Also your thoughts on how to improve the Ford proposal before it goes to John Gerhard therein Joburg.

b) Whether you still think you will be able to serve as convenor for either or both proposals. We need to know as soon as possible about that, because if you cannot we would like to make arrangements with someone else, perhaps from one of the other countries.

Meanwhile, we hope all goes well with you.

Very sincerely,

Prof. Ann Seidman and Prof. Robert B. Seidman,
Co-Directors, Program for Legislative Drafting for Democratic Social Change
22 October 1996

Ann Seidman and Robert B. Seidman
Co. - Directors - Program for Legislative Drafting
School of Law
Boston University

Dear Madam and Sir

RE: PROGRAM FOR LEGISLATIVE DRAFTING FOR DEMOCRATIC SOCIAL CHANGE

We refer to the above matter and acknowledge contents of your letter dated the 4th instant. Unfortunately Dr Hlophe is no longer with us and has joined the bench. However, we would be glad to participate in the above program, as the importance of having such a program cannot be over-emphasized.

We thank you for showing interest in our University and we look forward to hearing from you.

Yours faithfully

[Signature]

PROF V. SINGH
DEAN: FACULTY OF LAW
October 6, 1996

Adv. K. R. Malatji
University of the North
Private Bag X1106
Sovenga, 0727
South Africa

FAX: 011-27-152-267-0142

Dear Mr. Malatji:

We trust that you received our e-mail in September. We look forward to your reply.

We have been giving further thought to possible sources of funds for assisting potential teachers of legislative drafters from South Africa to take part in BU's Program for Legislative Drafting for Democratic Social Change. The purpose, of course, remains to enable South and Southern African institutions to help to strengthen legislative drafters' and legislators' capacities to draft and assess legislation in an on-going process of drafting and enacting transformatory laws.

We understand that funding agencies, like Ford and USAID, would most likely respond to a request for assistance in financing such a program, especially if it involved institutions from more than one Southern African Country. Would the Law School of the University of the North be sufficiently interested in participating in such a program to join in a request for funding from both Ford and USAID, together with the law faculties of perhaps Mozambique's, Namibia's and Zimbabwe's universities law schools as well as UNISA's NIPAM?

Essentially, like the program we earlier sent you by e-mail, the proposed Program would involve:

(1) An introductory two to four week workshop for staff and advanced students of each participating law school, perhaps on a regional basis;

(2) a brief (one or two day) workshop in each participating country for senior law professors and senior law administrators and, if possible, provincial and local government leaders (senior civil servants and drafters from the Ministry of Justice, and other leading civil servants and
Ministers);

(3) sending two members of each of the participating law schools' teaching staffs to the University of Boston's School of Law's four month Program for Drafting for Democratic Social Change (this might be expanded to four to include drafters and lecturers in local Schools of Administration); and

(4) institutionalizing an on-going legislative drafting program in the participating law schools in cooperation with and to meet the needs of ministries and law-makers.

We will mail to you the draft proposal that the other institutions are considering. Once revised in light of their comments, those who agree to participate could then forward the proposal to the Southern African regional offices of Ford and USAID, and any other funding agency that they deem worthwhile.

We very much hope you will support and help to implement a proposal along these lines. We look forward to hearing from you.

Very sincerely,

Ann Seldman and Robert B. Seldman,
Co-Directors, Program for Legislative Drafting for Democratic Social Change

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1 See footnote XX above.
15 October 1996

Professors Ann and Bob Seidman
School of Law
Boston University
765 Commonwealth Avenue
Boston, Massachusetts 02215

Fax No: 617 353 3077

Dear Ann and Bob

It was good to hear from you after such a long time. You certainly have been, and are, doing some very exciting projects.

When I left University of Zimbabwe, I thought I would do the things I have always wanted to do but never had the time. I am afraid I am no nearer to that state of affairs. A colleague from the European Court of Justice and I have just been asked to look into the question of setting up a Tribunal for the SADC and draft a protocol.

I have been here since 1994 facing the new challenge of establishing and running a Faculty of Law. It has been very interesting.

We would be very interested in participating in your proposed project on legal drafting. I look forward to receiving the draft proposal and the articles.

May be on one of my trips I might have the opportunity to stray in your neck of the woods.

With all my best wishes.

Yours sincerely

Prof W J Kamba
Dean: Faculty of Law

Minister of Justice
Ngarikuru Tjirange