

HONORARY GRADUATE

Richard Joseph Goldstone

Richard Joseph Goldstone was born in Boksburg on 26 October 1938. He attended King Edward VII School in Johannesburg, where he matriculated. From there he proceeded to the University of the Witwatersrand, where he read for the degree of Bachelor of Arts, which was conferred on him in 1959, and then the degree of Bachelor of Laws, which was conferred on him with distinction in 1962. He was the joint winner of the Society of Advocates' Prize awarded to the most outstanding law graduate. In 1960 he was elected President of the Students' Representative Council.

In April 1983 Richard Goldstone was admitted as an advocate of the Supreme Court and became a member of the Johannesburg Bar. There he built up a leading practice, becoming a Senior Counsel in May 1977 at the age of 39. A year later he was appointed an acting judge of the Transvaal Bench. After two further acting appointments in 1979 and early 1980, he was elevated to a permanent position on that Bench.

It was largely Richard Goldstone's considerable reputation as an advocate in the commercial courts that led to his appointment as a judge at the early age of 41. It was not surprising, therefore, that from the outset of his judicial career he was highly regarded as a judge in commercial matters, a reputation that he maintains to this day. But Mr Justice Goldstone soon started to take an active interest in matters of greater sensitivity and public importance. The welfare of the least protected members of our society - prisoners - became his particular concern. Both as a judge and as the National Chairman of the National Institute for Crime Prevention and Rehabilitation of Offenders (NICRO) he sought to improve the lot of prisoners by promoting an improvement in sentencing policy among judicial officers and a stricter observance on the part of prison staff of the regulations designed to protect prisoners. Later, when a state of emergency was declared, he became responsible for visiting political detainees in the Transvaal. This role was not widely publicized, but hundreds of detainees whom he visited in large prisons and remote country police cells have acknowledged the compassionate manner in which he ensured that their limited rights were observed and respected by the detaining authorities.

Mr Justice Goldstone was seen as one of South Africa's leading 'liberal' judges; one who could be trusted to advance equality and individual liberty despite the laws of apartheid. He was responsible for one of the most significant judgments in the field of human rights in the 1980s. In *State v Govender* (1982) he in effect put an end to the implementation of the Group Areas Act by holding that no person might be evicted following conviction under the statute for occupying premises in the 'wrong' racial zone unless the State could prove that accommodation was available in the convicted person's 'own' group area. As the State authorities were unable to do this, because of the acute housing shortages in the black group areas, the prosecuting authorities were compelled to abandon prosecutions under the Group Areas Act. This was a decision that an over-cautious and conservative judiciary had failed to take in the previous thirty-year life of the Group Areas Act.

During 1990 Mr Justice Goldstone became an acting judge in the Appellate Division and his permanent appointment became effective from 1 October 1990. In the following year, as violence swept the country, he was appointed Chairman of the Commission of Inquiry into the Prevention of Public Violence and Intimidation.

The 'Goldstone Commission', as it has come to be known, occupies an important role in our public life. It has investigated and reported on, inter alia, the massacre at Boipotong, taxi wars, conflict between rival political groups in Natal and Transvaal, and the misconduct of the security forces. The Commission has sought to reveal the truth about the forces of evil in our society in a fair and dispassionate manner and, in so doing, it has undoubtedly restored confidence in the process of the law. While the Commission has not

brought peace to our troubled land, on occasion it has succeeded in resolving particular conflicts and in reducing levels of violence. Today it is widely regarded, both at home and abroad, as the most legitimate and credible institution in South Africa. When Mr Cyrus Vance visited South Africa in August 1992 as special representative of the Secretary-General of the United Nations he found the Goldstone Commission and the National Peace Secretariat to be the institutions that offered most hope for the resolution of conflict in South Africa.

Mr Justice Goldstone is presently National President of NICRO. He is an Honorary Life President of ORT (Organization for Rehabilitation Through Training), a Governor of the Hebrew University of Jerusalem and Chairman of the Bradlow Foundation. In 1989 he spent four months at Harvard University as a Fellow of the Center for International Affairs.

Richard Goldstone has maintained his close association with his Alma Mater. He has been an active member of the Board of the Faculty of Law since 1981 and has a deep interest in legal education. He has lectured to law students on many occasions and participated in many events of the Faculty of Law. In May 1990 he was appointed a member of the Council of this university.

Richard Goldstone is one of this university's most distinguished graduates. He has made a major contribution to the maintenance of peace in our society and seems destined to play an important role in the building of a new South Africa. Recently the University of Cape Town paid tribute to him by the award of the honorary degree of LL.D. The University of the Witwatersrand is proud to be able to express its appreciation of the services of a man of such quality by conferring on him the highest honour at its disposal, the degree of Doctor of Laws, *honoris causa*.