

BY LAURENCE BROSTER SC, ANDREAS COUTSOUDIS, AND KERUSHA PILLAY

In memoriam Msimang JP, Mkhize SC and Pistorius

It is with great sadness that we note the untimely passing of the Judge President of our division, Justice Herbert Q Msimang (59).

Deputy Judge President Patel gave this touching and fitting tribute at a memorial service held in honour of Judge President Msimang:

It was with a deep sense of grief and disappointment that I learned on Thursday evening of the death of our Judge President, Mr Justice Herbert Qedusizi Msimang. I say disappointment because I was by his bedside at midday and said a silent prayer asking God to heal him. Perhaps God has his own way of healing his children. It is difficult to say adieu to a person who was not only our leader on the Bench in KZN but also my friend. The JP was born on 28 of November 1951. He was thus called to rest at a relatively young age and just less than a year after he was appointed to lead us. In that short time he worked tirelessly to ensure that justice was delivered efficiently and expeditiously. He led by example and expected as much of himself as he expected from his colleagues. So much has already been said about his contribution to the political, legal, social and cultural life of our society that I do not wish to dwell on that but merely to associate myself with all that has been said by speakers this afternoon and

I shall confine myself to some comments on the JP as a judge and jurist.

The JP was a respected lawyer and jurist, fiercely independent and spoke his mind even if at times it caused umbrage to his colleagues or practitioners. However he was quick to apologise if upon reflection he thought he had been too hard. He was, as I said earlier, fiercely independent. Together with this quality came the qualities of impartiality, fairness, integrity and an abiding commitment to constitutional values. As a Judge he was further fearless in his zeal to dispense justice without fear, favour or prejudice.

Of the JP's many attributes I need to single out one and that is tenacity of purpose. He was not given to idle chatter or gossip. He had a serious disposition but with his inner circle he had moments of abandoned laughter. To the JP's wife and children and to the members of his extended family, I extend not only my personal condolences but the condolences of all the members of the Bench.

Finally how does one pay tribute to a lawyer and judge whose very existence was a tribute to law in particular and life in general? All of us who loved and knew him and those whose lives he touched will remember him with great warmth. He had an abiding sense of fairness and compassion for his fellow men. One could at all times turn to him for sage and frank advice. He has enriched my life as he has done of those around him.

To the members of the family I say may his fond memories nourish you and give you the strength to understand and bear his loss and may you bask in the precious memories of Judge President Msimang.

May your soul enjoy eternal peace.'

We also note the tragic passing of two of our members, Lester Pistorius (37) and Muzi Mkhize SC (58). Each in his own way made an invaluable contribution to the practice of law in our country and has served the legal profession with dignity and honour.


New silk

André de Wet SC



André de Wet SC, of the PMB Bar, received his letters patent together with Anna Annandale SC and Andrea Gabriel SC at the end of last year. He is congratulated on his

achievement. Since we were not in a position to publish his biography in the last issue, we do so here.

André de Wet matriculated in Aliwal North in 1975. He graduated with a BCom LLB degree from the University of Stellenbosch in 1980. He completed his military service in 1982 and was the legal officer stationed in Oshakati. He was employed as a prosecutor in Queenstown during 1983 and joined the staff of the former Attorney-General in Pietermaritzburg from 1984 to 1992. He joined the Pietermaritzburg Bar in 1992. He is married to Cecile and they have two boys aged 19 and 13. André prefers the outdoors and is a keen roadrunner, hiker and camper. 

INVITATION TO WRITE

Prospective authors can contact the editor at 082 961 7696; or write to him at hfmellet@telkomsa.net.

Our house style and guidelines for authors are available on request.

Letters or articles may be shortened or edited for clarity, style or language. See also page 6 of this issue.

Deadlines for contributions: December issue: 31 August 2011; April 2012 issue: 31 January 2012



At the funeral of Msimang JP