

Letter to the editor

The right to reply

The following letter was addressed to the editor of *ADVOCATE* by Ishmael Semenya SC, chairman of the General Council of the Bar:

Article by C Marnewick SC published in the August 2013 issue of *Advocate*

The Convenor of the National Bar Examination Board, Findlay SC, conveyed to the GCB executive, at its meeting held on 16 November 2013, the Board's concern that Marnewick SC was allowed to criticise the Board through the GCB's official Bar journal [*Advocate*], which has a wide circulation not limited to members of the profession, without first alerting the Board and affording it an opportunity to consider its position.

I was mandated by Exco to address a letter to the editor informing him that if any attack on another organ of the Bar is carried out, that party should be given a right to reply and both articles should be published in the same edition of the *Advocate*.

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The editorial committee responded as follows:

Dear Ishmael

The notion that individual contributors to *Advocate* should not be 'allowed to criticise' organs or programmes of the Bar without first affording GCB representatives a right of reply is incommensurate with the editorial independence of *Advocate*, the spirit of the Bar and practical realities. Every edition carries a disclaimer making it clear that the views of individual contributors remain theirs. The editorial committee of *Advocate* does not believe it appropriate or practicable to vet all material for any possible or conceivable criticism of organs or programmes of the Bar, and then to decline to publish such material unless a response from the GCB were to be included with the piece. We have considered the piece the subject of the complaint and do not believe it can fairly be characterised as an 'attack' on any organ of the Bar.

If any material we consider for publication appears either to be offensive or gratuitously to attack persons or institutions, we tend to consider this a good reason not to publish such material. If we happen to consider a contribution as potentially calling for a response, we may ideally seek to obtain such a response to publish together with the contribution. Should any reader, including the GCB, consider any contribution to merit a response, we welcome such a response. We note that no response to the article was volunteered in the GCB complaint. This makes it difficult to assess the merits of the complaint, save as comprising objection in principle to criticism of Bar programmes. We cannot agree to decline to publish any material that in some way or another is critical of organs or programmes of the Bar unless and until we have a reply from someone interested in that organ or programme. It is correct that *Advocate* is the GCB's publication. It is for that reason that it ought to encourage constructive debate and criticism also of GCB organs and programmes. Sometimes such criticism will be misplaced. In such cases, a response from an interested person would be ideal, and always welcome. **A**

TALKING
Heads

LAW AND SOCIETY

The International Conference on Law and Society is the premier interdisciplinary forum for the presentation of new advances and research results in the fields of Law and Society. The conference will be held at Cape Town on 6 to 7 November 2014 and will bring together leading academic scientists, researchers and scholars in the domain of interest from around the world.

For more details see www.waset.org

PRIVATE LAW AND SOCIAL JUSTICE

The Nelson Mandela Metropolitan University is hosting its sixth annual private law and social justice conference which will take place on 18 and 19 August 2014, at the Conference Centre, Summerstrand North Campus.

The keynote address will be delivered on 18 August 2014 by retired Constitutional Court Judge Zac Yacoob.

For more details see www.nmmu.as.za

LAW AND RELIGION

The University of Stellenbosch will be hosting the second conference on Law and Religion in Africa from 26 to 28 May 2014. This joint conference of the faculty of Law and the faculty of Theology focuses on the theme "Law and Religion in Africa – The quest for the Common Good in Pluralistic Societies". The keynote speaker will be retired Constitutional Court judge, Justice Albie Sachs.

For more details see www.iclrs.org

INTERNATIONAL CONSUMER LAW

The Department of Mercantile Law at the University of Pretoria, will be hosting an international consumer law conference from 25 to 27 September 2014, that will focus on relevant developments internationally and nationally in the fields of consumer credit law and consumer protection law. Conference highlights include presentations by renowned international and national experts in consumer credit and consumer protection law. For more details see <http://web.up.ac.za>



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