



NORTH-WEST UNIVERSITY
YUNIBESITI YA BOKONE-BOPHIRIMA
NOORDWES-UNIVERSITEIT
POTCHEFSTROOM CAMPUS

DRAFT PROGRAMME

JOINT WORKSHOP

CUSTOM, ORAL HISTORY AND LAW: WRITING SOUTH AFRICAN LEGAL HISTORY

27 May 2016

Lemoenkloof Guest House and Conference Venue, Paarl

27 May 2016

Chair: Mr Philip Bothma (NWU)

08:30-09:00 Welcome and Aim of the Workshop ([Prof Willemien du Plessis](#) (NWU) and [Dr Paul du Plessis](#) (University of Edinburgh))

09:00-11:00 TOWARDS A COMMON METHODOLOGY

Chair: Prof Willemien du Plessis (NWU)

09:00-09:30: [Dr Paul du Plessis](#) (University of Edinburgh): "Constructing narratives - towards a new South African legal history"

09:30-10:00 [Prof Anne Griffiths](#) (University of Edinburgh): "Methodology"

10:00-10:20 Ikosi SE Mahlangu (Deputy Chairperson of the [National House of Traditional Leaders](#)): "A Traditional leader perspective"

10:20-11:00 Discussion

11:00-11:30 Tea

11:30-12:30 TEACHING LEGAL HISTORY: AFRICAN CUSTOMARY LAW CONTEXT

Chair: Dr Anél Gildenhuys (NWU)

11:30-12:00 [Prof Chuma Himonga](#) (UCT): "How to find and teach the "Living Customary law"

12:00-12:20 [Prof Tom Bennett](#) (UCT) and [Prof Christa Rautenbach](#) (NWU):
“Research methods and the writing of African customary law text books”

12:20-12:30 Discussion

12:30-13:30 RESEARCHING CUSTOMARY PRACTICES

Chair: Ms Mpho Tlale (NWU)

12:30-12:50 [Prof Elmien du Plessis](#) (NWU): “Oral histories and giving evidence in land restitution cases”

12:50-13:15 [Monica de Souza Louw](#) and [Thiyane Duda](#) (UCT): “Disputed legal standing and definitions of community”

13:15-13:30 Discussion

13:30-14:15 Lunch

14:15-15:30 LAND, TRADITIONAL LEADERS AND TRADITIONAL KNOWLEDGE SYSTEMS

Chair: Prof Christa Rautenbach (NWU)

14:15-14:35 [Refilwe Segokgo](#) (LLD student (US)): “Of Chiefs and Land Tenure in Botswana; the past, present and the future?”

14:35-15:10 [Prof Freddy Khunou](#) (NWU) and [Adv Omphemetse Chwaro](#) (Mahikeng): “Is the Institution of Headmanship Hereditary? Some Reflections on Customary Law of Succession of the Bafokeng Community of the North West Province, South Africa”

15:10-15:30 Discussion

15:30-15:45 Tea

15:45-16:30 ROUND TABLE: DEVELOPMENT OF A METHODOLOGY

Chair: Dr Paul du Plessis (University of Edinburgh)

Any opinion, findings and conclusions or recommendations expresses in this material are those of the authors and therefore the organisers and the NRF does not accept any liability in regard thereto.

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