

EDITORIAL NOTE¹

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On 10 December 1996 South Africa's first democratically elected President, Nelson Mandela, signed the Constitution of the Republic of South Africa, 1996 into law. In recognition of past oppression and inequities the ceremony took place at Sharpeville, the site of the infamous 1960 massacre of sixty-nine South Africans. In looking back at one of South Africa's darkest days, the momentous occasion of the adoption of this Constitution (also referred to as the Final Constitution) offered great hope to all South Africans in both thinking and moving forward towards a truly democratic state. Indeed, in the eyes of many, South Africa's future as a democratic, free, fair, and open society was cemented by this Constitution. The Constitution was duly promulgated and came into force on 4 February 1997.

As we stand on the brink of celebrating twenty years of the 1996 Constitution in South Africa, it behoves us to look back and to take stock of the challenges that have threatened our efforts to become a genuinely democratic, free, fair and open society. It is also an appropriate point at which to 'think forward' – to contemplate and address new ways of addressing our current situation and examine the real and anticipated challenges that persist.

The Centre for Public Law Studies, in collaboration with the Centre for Indigenous Law, both housed within the Department of Public, Constitutional and International Law in the College of Law at the University of South Africa, therefore embarked on planning and hosting this conference entitled 'Twenty Years of the Constitution of the Republic of South Africa, 1996: Looking back, thinking forward'.

At the Conference held from 14 to 16 March 2016 in the Kgorong Hall at Unisa, papers were delivered under a number of sub-themes dealing with issues of contemporary relevance to South African society, but all engaged, in one way or another, with the theme of 'looking back, and thinking forward'. In total seven sub-themes were identified:

- Constitutional litigation and the Bill of Rights;

1 'Twenty Years of the Constitution of the Republic of South Africa, 1996: Looking back, thinking forward' (Conference at the Centre for Public Law Studies, Department of Public, Constitutional and International Law, Unisa, Pretoria, 14–16 March 2016).

- Principles of government and principles of governance;
- The rule of law;
- The development and role of customary law;
- Structures of government and constitutionally-mandated institutions (including Chapter 9 institutions);
- Constitutional imperatives and criminal justice; and
- International and comparative perspectives.

Two of these contributions appear in this edition of *Southern African Public Law (SAPL)*. The first, entitled ‘Towards a right to democratic governance in international law’ – is a snug fit under the sub-theme ‘International and comparative perspectives. The second contribution, ‘The articulation of an African philosophy of equality as legacy of the South African Constitution’ involves both ‘looking back and thinking forward’ under the rubric of the Bill of Rights, on the one hand, but also gives the nod to the international (or more accurately, the regional) perspective.

With this edition of *SAPL* the journal enters a new era with a brand-new editorial board, broadly representative of gender, race, and regional (Southern African) academic efforts. We welcome two new editors – Professor Emeritus Chuks Okpaluba (okpaluba@mweb.co.za) as editor, and Associate Professor Babátundé Fágàyíbò (fagbabo@unisa.ac.za) as deputy editor. With their hands on the tiller may the journal flourish and may ever more contributions from SADC countries, and Africa as a whole, be found acceptable and appear in its pages.