On behalf of the Editors of the *SAPL,* may I take this opportunity to welcome on board members of the newly constituted Editorial Board whose names appear in the opening page of this issue of the Journal and who, on all accounts, represent all stakeholder-interests and a thorough blend of well-established as well as younger scholars of excellence in the field of public law. It is our hope, that together with these eminent legal academics and a member of the South African Judiciary, we can take the new-look *SAPL* to greater heights.

Permit me also to whole-heartedly acknowledge the immense contributions which our outgoing Editor, Professor Margaret Beukes, made to the *SAPL* from the time it was *South African Public Law/Publiekreg* to the time it had become *Southern African Public Law*. While we wish her well in her new endeavours, we promise her and all those who had, in the past, contributed to the establishment and nurturing of the *Journal* that we will do everything in our power to maintain the good work and, if possible, improve upon her and their tremendous exemplary contributions.

Part of our programme of action is that we will, sooner than later, produce Special Issues based on current developments in the field of public law in South Africa, Southern Africa and Africa in general. Of course, contributors will be informed in good time so that they know well in advance, the theme of the Special Issue, the timing of the submissions and probably the volume in which the Special Issue would be published after the contributions would have, in the tradition of the *Journal* been subjected to double blind peer review process in readiness for publication. So, please, watch this space. We count on your cooperation and support to enable us achieve the Journal's optimum in presenting you with rigorous research and debates on the development of public law across the African continent.

Meanwhile, we must mention that we encourage book reviews, and in this issue, Lee Stone has graciously gotten the ball rolling in her review of Cristiano d'Orsi's book on: *Asylum-seekers and Refugee Protection in Sub-Saharan Africa: The Peregrination of a Persecuted Human Being in Search of a Safe Haven.*

It is also important that we remind ourselves of the importance of case law in the daily life of the lawyer. For it is through Case notes, Comments and Analysis, that academic lawyers draw the attention of practicing lawyers, Judges, colleagues in the academic fraternity and students of the law to the current developments in the area of the law from where the judgment comes. We, therefore, encourage contributors not only to develop articles around cases, but also to engage in shorter case analyses and comments in future issues of the Journal. Please, find below, a summary of the contributions in this volume.

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In a contribution dealing with 'When the State fails: The Role of the Khulumani Support Group in Obtaining Reparations for Victims of Apartheid', Swart ventured into an area not often traversed by academics. She investigates the roles played by victim organisations with particular reference to the Khulumani Support Group's litigation in the United States to recover reparations which was one of the failings of the truth and reconciliation-type of transitional arrangement or settlement. Although the Khulumani Support Group's case failed because the US Supreme Court had, in another case, rejected a claim under the Alien Torts Claim Act 1789 by victims to obtain relief for acts committed outside the United States, which means that victims of apartheid would not recover reparations for offences committed in South Africa against them. The article no doubt shows that the Khulumani litigation is an excellent example of power and importance of victim organisations in the field of reparations.

In the present issue in which we have mainly articles, we have contributions not only concentrating on the developments of aspects of public law in South Africa but also Nigeria and Uganda. In their article on 'Reconciling Banking Regulation and 'Systematically Important Banks' Syndrome: Deconstructing the Legal Constraints from a Nigerian Perspective', Ojukwu-Ogba and Osode, have examined the problem of regulating banks in that country, and the problem posed by the approach of the policy makers that some banks are too big to fail which makes regulators tilt towards bailing out these large insolvent banks. After critically evaluating these problems, the authors posit that the 'systematically important banks' syndrome 'may not be the most effective means of driving banking regulation because of the question of moral hazard involved' and proceeded to proffer alternative measures for achieving the desired outcome of effective banking regulation.

Uganda is one of the countries in Africa that has not known peace and tranquility before and after independence from her colonial masters. With presently one of the longest serving head of state in the African continent, after the recent resignations of the presidents for life of Angola and Zimbabwe, human rights records of the Ugandan leaders have always raised international eyebrows. In his contribution on 'Why Establishing a Credible and Legitimate Transitional Justice Model in Conjunction with Democratic Reforms is Necessary for Long-term Peace and Stability in Uganda', Sarkin considers, inter alia, 'why dealing with the past in Uganda, combined with democratic transformation, is a necessity, and why Uganda, at least in theory, has been embarking on a process [to do so]'. The author recommends several reforms aimed at addressing existing political deficiencies that have engendered the feeling of alienation among several groups from the political system including new law and transformed institutions, a truth and reconciliation commission with limited political interference, bearing in mind at all times, that 'transitional justice issues can have very positive political effects on a polity, but politics can severely undermine a transitional justice process.'

The Constitutional Court of South Africa recognized recently that a victim's right to participate in relation to the plea-and-sentence agreement had to be read together

with section 105A of the Criminal Procedure Act 51 of 1977. This is the subject of the discussion in Mujuzi's article on: 'Victim Participation in Plea and Sentence Agreements in South Africa as a "Right": Analysing *Wickham v Magistrate, Stellenbosch*'. After critically examining at length the provisions of the CPA in issue, Mujuzi who welcomed the new right of the victim to participate in this aspect of the criminal justice system, however, bemoaned the fact that the Constitutional Court should 'have explained in detail why it held that the victim had a right to make such representations, given that section 105A does not expressly confer such a right on the victim.'

Lastly, but by no means, the least, is the contribution of Pienaar, du Plessis and Olivier, who as in the past, provides us with a comprehensive but critical review of 'Land Matters and Rural Development' of the second part of 2016. Their contribution engages in the analysis of the 'most important measures and court decisions pertaining to [land] restitution, land redistribution, land reform, unlawful occupation, housing, land-use planning, deeds, surveying, rural development and agriculture'. One of the leading cases dealt with by the authors is the Constitutional Court judgment in *Land Access Movement of South Africa v Chairperson, NCOP* 2016 (5) SA 635 (CC) where the Restitution of Land Rights Amendment Act 15 of 2014 was held to be unconstitutional on account of Parliament's failure to meet its constitutional obligation to facilitate public involvement by not affording interested parties a meaningful opportunity to have their say on the effects upon their interests of the proposed Amendment. We sincerely recommend to any lawyer seeking to engage in research on land matters to read the contributions of these three eminent scholars in the columns of the *SAPL*, past, present and future.

Chuks Okpaluba