This year we have produced three College newsletters instead of the usual two. The first issue focused on the achievements and events in the College towards the end of 2014 and the beginning of 2015. The second issue highlighted teaching and learning innovations, research activities, staff and student achievements and graduation stories. This third and final College Newsletter for 2015 contains a wide range of stories on teaching and learning, research, partnerships and collaborations, and opinion pieces from academics and students. Also included are stories of staff and student attendance and presentations at prestigious international conferences and workshops.

There is no denying that this year has been particularly challenging, not only for the College of Law and Management Studies and UKZN but also for the whole higher education sector. The recent #feesmustfall campaign and student protests across the country are testimony to that. Underlying these campaigns and protests are issues such as the slow pace of transformation of higher education and the socio-economic realities of our society.

It is in that context that the lead story in this Newsletter highlights an initiative by the College to develop strategies for transforming the accounting profession. The story about Law students marching against corruption must also be seen in that context.

As we come to the end of the academic year, we all need to reflect on the challenges we have faced and continue to face and the achievements we have made. We need to ask what we can do for the University and the nation, not what the University and the nation can do for us. We need to recommit ourselves to the University Transformation Charter and the principles of REACH. Most importantly, we need to contribute to the process of developing a new Strategic Plan that will enable us to be the best University in the country and on the continent.

Let me take this opportunity to thank all members of the College for their tireless efforts and contributions to the academic enterprise throughout the year. I wish our students success in their end-of-year examinations. I also wish everyone a peaceful and enjoyable upcoming festive season. Enjoy reading our Newsletter.

John C Mubangizi
Achieving Transformation in the Accounting Profession takes priority in the College

What strategies can the Accounting Profession, Government, Industry and Academia implement to transform the accounting profession? This was the question up for debate at the critical engagement which transpired at the business breakfast meeting hosted by the College of Law and Management Studies on October 20.

The breakfast was attended by members of the accounting profession, academics from the School of Accounting, Economics and Finance, accountancy body, South African Institute of Chartered Accountants (SAICA) and accounting students who shared their views on the theme: Strategies for transforming the accounting profession.

The panel sharing insights on this matter comprised of the CEO of SAICA, Dr Terence Nombembe; the KZN Auditor-General, Mrs Vanuja Maharaj; Chairman of ZICO Limited, Mr Sandile Zungu; and the Executive Director of UKZN Foundation, Professor Jane Meyerowitz.

During his welcome address, the College’s Deputy Vice-Chancellor and Head, Professor John Mubangizi said this is an opportune time to hold an event of this nature as this year, the spotlight has focused more sharply than ever before on transformation in the higher education sector.

‘When we talk about strategies to transform the accounting profession, we are talking about profound and radical changes in the profession. As a College in which the Accounting discipline is housed, we are concerned about the shortage of Black CAs in our country. We are concerned about our own inability to significantly ameliorate that situation.’

‘It is out of that concern that we decided to hold this gathering with the sole purpose of starting a conversation aimed at exploring strategies and initiatives through which we can address the problem. A conversation aimed at sharing thoughts and experiences that will enable us to define and understand our common purpose,’ he said.

Mubangizi added that the College has been contributing to UKZN’s strategic goal of transformation through the recruitment of 40 developmental lectures with a view to transforming the equity profile of our academic staff and offering bilingual tutorials in some courses in order to enable students to grasp complex concepts in their mother tongue.

Business, Government and Higher Education working together was the title of Nombembe’s talk which highlighted the crucial role that SAICA plays in transforming the accounting profession. He called on members of the profession and academia to join them in this nation building effort by being active in their spaces and making a conscious effort in eliminating poverty and reducing inequality.

For her presentation, Maharaj focused on how, as the supreme audit institution of South Africa, they are doing their part to address challenges to transformation which she defined as the visibility of the accounting profession, limited supply of qualifying matriculants passing pure maths and government
funding. She called on strategies that empower maths teachers as they play a critical role in accounting value chain and to get parents involved as they provide guidance to their children. Maharaj also called on the academic sector to indulge in research, enhancing social, English, reading and writing skills to ensure that students are adequately prepared for the accounting profession.

Speaking from a business perspective, Zungu highlighted issues of collaboration, race and inequality as the main contributors to the slow pace of transformation in the accountancy profession.

‘What kind of society are we building if those who are helped to progress out of poverty are not empowering others? We need to look at issues of open access, better resources and collaboration across various sectors. Transformation is not a linear equation, everyone has a part to play,’ he said.

Meyerowitz spoke on the importance of student retention and how funding plays a huge role in ensuring student success plays.

‘Transformation is not only about transforming the profession but it’s also about transforming institutional culture. We need to figure out how to retain black accountants in academia. Lecturers need to find innovative ways to make lectures inspiring to students. When funding is available and applied in a holistic way it is invaluable to a student’s future, so we need every one to play a role in making transformation happen,’ she said.

The meeting was concluded with a questions and answer session where the audience were raising questions to the panel based on their presentation and also sharing challenges and suggesting solutions on how transformation in the accounting profession can be achieved.

Thandiwe Jumo

Quality Research Vital in Career of Academics

The College Research office successfully delivered on its goal of building a research ethos in the College through hosting a successful Research Day in August from 27 to 28.

The two day event themed: “Research in Action” saw 77 research papers being presented by the Colleges academics and postgraduate students on broad topics and keynote addresses delivered by CAPRISA Director, Professor Abdool Karim; College Dean of Research, Professor Marita Carnelley; Dean and Head of the Law School, Professor Managay Reddi; and UKZN’s Pro Vice-Chancellor: Innovation, Commercialization and Entrepreneurship, Professor Deresh Ramjugernath.

Karim’s address titled: “Research Productivity Rewards: Thoughts on the Journal Article Criterion”, examined the positives and shortfalls of UKZN’s productivity system. He said the system was never designed as a...
human resources tool and questioned if research contribution could really be measured.

‘You might find yourself having to pay back the money!’ was the stern warning from Carnelley during her keynote address titled: “Identifying Predatory Open-Access Academic Journal Publishers in Light of the SA Department of Higher Education and Training’s Decision to Retrospectively De-accredit Certain Journals”. The talk addressed the issue and consequences of academics publishing in journals on the Beall’s lists.

Reddi highlighted research that showed that where groups were diverse in race and gender, it increased the level of the performance of the group. It spontaneously brought more experience and a wider knowledge-base to the table that impacted positively to the decisions made. Adding to the gender diversity of the bench in South Africa could therefore only better the judiciary and thus justice for all.

Ramjugernath focused on the urgent need for research to make a difference in the country and meet the needs of the developing world. He challenged academics to be innovative and to look to future trends and to ask themselves whether they are doing research into what matters? He referred to Dion Chang’s top 10 predictions of the future: disorder – the way of the new world order; delayed parenting; generation Z; wearable tech; digital healthcare; drones; online shopping; maturing of social media laws and e-sport.

Reseach Day Winning Presentations

As the aim of the annual research day is to create a supportive environment where researchers, through sharing their research, can benefit from feedback and guidelines from their peers, presentations were divided into nine streams over the two days. The judges, Professor Yogi Penceliah, Professor Brian McArthur, Dr Mabutho Sibanda, Dr Shaun Rugganan, Professor Shannon Hoctor, Dr Mihalis Chasomeris, and Dr Muhammad Hoque had the hard task of selecting the top three presenters per stream.

For stream A, the third prize went to School of Accounting, Economics and Finance academic, Ms Shelley Donelley who delivered a presentation titled: “Understanding Undergraduate Absenteeism at a Premier SA University”, second prize was awarded to School of Law academic, Professor Tanya Woker who presented on “Preparing Young Women for the Working World” and the first prize went to School of Accounting, Economics and Finance academic Ms Jessica Goebel for her presentation titled: “Crossing Conceptual Thresholds in Intermediate Micro Economics.”

For stream B, the third prize went to Master of Commerce student Ms Lorraine Rupande for her presentation titled: “Feedback Trading on the JSE”, second prize went to Master of Commerce students Mr Simiso Msomi and Mr Ntokozo Nzimande for their presentation titled: “Oil Price Shocks and Economic Activity: The Asymmetric Cointegration Approach in SA” and first prize went to Finance Academic Development Officer and Masters students, Mr Kudzanai Tsunga and School of Accounting Economics and Finance academics Mr Barry Strydom and Ms Kerry McCullough for their paper titled: “Is There a Liquidity Risk Premium in South African Bond Returns?”

For stream C, the third prize went to Graduate School of Business and Leadership’s Developmental Lecturer, Ms Nomkhosi Luthuli for her paper titled: “Special Economic Zones In Development: An Exploration of Dube Tradeport KZN, In Relation to Its Local Stakeholders”, while Graduate School of Business and Leadership’s Masters student, Mr Issac Khambule’s presentation titled: “Local Economic Development as a Social Dialogue: A Case of Enterprise iLembe” came second and School of Management, Information Technology and Governance academic, Ms Ntokozo Makoba’s presentation titled: “Management of Change in Government Departments: A Necessary Evil” claimed the first prize.

For Stream D, Graduate School of Business and Leadership’s Developmental Lecturer Ms Vuyokazi Mtembali’s presentation titled: “South Africa’s Socio-Economic Status on Green Economy and Green Growth Indicators” came third, School of Management, Information Technology and Governance academic, Ms Andrisha Beharry and PhD student,
Mr John Amolo’s presentation titled: “Emerging Entrepreneurs and the Creative Merchantry with reference to iheart market in Durban SA” came second and first place went to MBA student, Ms Mbalenhle Bhengu’s presentation titled: “Assessing the Service Quality Perceptions of MBA Students: A Case Study on South Africa Retail Banks.”


For stream F, Graduate School of Business and Leadership’s Developmental Lecturer Ms Xoli Majola’s presentation titled: “The role of ICT in SMME’s Development in iLembe District KZN” came third, HEARD academic, Mr Sean Beckett’s presentation titled: “Factors Associated with the Uptake of Voluntary Medical Male Circumcision among a Cohort of Adolescents in Vulindlela, KZN” came second and Dr Natalie Glaudert’s presentation titled: “Markedness Theory and Linguistic Complexity” claimed first prize.

For stream G, School of Management, Information Technology academic, Dr Sybert Mutereko’s presentation titled: “Markedness Theory and Linguistic Complexity” came in third place, School of Accounting, Economics and Finance academic, Ms Patricia Shewell’s presentation titled: “Developing a Performance Metric for the Finance Function of Companies in the South African Freight Forwarding Industry” took second place and School of Accounting, Economics and Finance academics, Mr Alastair Marais’ presentation titled “CEOs Cash Remuneration and Remuneration Committee Independence: An Exploratory study of the SA Consumer Goods Sector” came first.

For stream H, the third place went to School of Management, Information Technology and Governance academic, Dr David Mwesigwa for his presentation titled: “Contestations over Credibility of the Electoral Process and Elections in the Great Lakes Region: Implications for Policy and Practice”. Second place went to Graduate School of Business and Leadership’s Development Lecturer, Mr Mbuyiseni Ntuli for his presentation titled: “An Analysis of Systemic Thinking in Decision Making Process in Municipalities within the Province of KZN” and first place was awarded to School of Accounting, Economics and Finance academic Professor Darma Mahadea and Mr Martin Kabange for their paper titled: “Declining Labour Share in the Distribution of Income in South Africa”.

For stream I, Graduate School of Business and Leadership Masters graduate Mr Sagaran Govender’s presentation titled: “Developing a Leadership and Governance Model in Regional Hospitals” won third place, Ms Xolile Mpumela came second and MBA student, Mr Itai Mpofu won first place for his presentation titled: “ERPs in Contracting and Construction Industry: A study of KSF in KZN, SA”.

Thandiwe Jumo
UKZN Students for Law and Social Justice Unite Against Corruption

The UKZN branch of Students for Law and Social Justice (SLSJ) took to the streets of Durban on the 30th of September in support of a nation-wide effort to fight against corruption in South Africa.

The social movement which has spread throughout the country was spearheaded by the Unite Against Corruption, a broad consortium of organisations and individuals from academia, civil society, faith-based organisations, the private sector and trade unions. The aim of this movement is to fight the scourge of corruption in both the public and private sectors.

SLSJ Chairperson, Ms Lorraine Mutebuka said this advocacy campaign was worthy of their support because as a national student based organisation, they are dedicated to promoting human rights, preventing unfair discrimination and promoting social justice and the rule of law.

‘It is on the pretext of these values that we aim to transform legal education such that the legal education is implemented in a manner which facilitates the realisation of the Bill of Rights which is linked to their overall aim of advancing access to justice,’ explained Mutebuka.

She added that the SLSJ notes that corruption affects everyone on various levels and the interests of students directly. ‘The right to education is increasingly becoming difficult to realise due to the corruption involved in Institutions of Higher Learning and the National Student Financial Aid Scheme. Our participation in the march was therefore to call for accountability particularly to the students as we are the beneficiaries of these institutions,’ she said.

The national anti-corruption march was supported by thousands of demonstrators throughout the country and it involved participants from a number of NGOs and social movements including Section 27, the South Durban Community Environmental Alliance and the recently formed United Front and ordinary members of the public.

Street Law veteran Professor David McQuoid-Mason from the UKZN Centre for Socio-Legal Studies joined his students and lent a helping hand and assisted in negotiating with the Metro Police and briefing the marshals.

The march ended at the City Hall where organisers then handed over a petition to a representative of the City and a number of organisations including the SLSJ addressed the marchers and the public about how the social movement will be rolled out in other cities until its vision of putting an immediate end to corruption is achieved.

Hazel Langa and Lorraine Mutebuka
The 9th Annual African American European (AAE) Summer School was hosted in September by the Chemnitz University of Technology (TUC) in Chemnitz, Germany and was attended by six UKZN Masters students.

The School of Management, Information Technology and Governance (MIG) invited full-time research Masters students from within the School to make a presentation to a panel and the top six were chosen to represent the School in Chemnitz. The successful students were: Ruvania Govender (Marketing), Neeshal Gurahoo (Supply Chain Management), Kenneth Ngwenya (Supply Chain Management), Chenai Muhwati (Supply Chain Management), Sindi Ngwenya (Public Governance) and Jennifer Nxumalo (Public Governance). The students were accompanied by Professor Henry Wissink (Dean and Head of the School of MIG), Dr Indira Padayachee (Academic Leader of Teaching and Learning) and Mr Taahir Vajeth (UKZN AAE Summer School Coordinator).

The theme for the Summer School was “Innovation and Intercultural Management for Sustainable Development” and was hosted by the Chair of Innovation Research and Technology Management, Professor Dr Stefan Husig.

At this year’s Summer School new participants were welcomed from ICN Business School (France), HTW Chur (Switzerland), Xiamen University (China), University of Colorado Boulder (Colorado, USA) and Drake University.

Academics from these institutions, as well as from UKZN and TUC, presented on related aspects of the theme during the first week of the Summer School. The students from both UKZN and TUC engaged enthusiastically in all of the sessions and made valuable contributions.

The second week of the Summer School culminated in the Chemnitz East Forum, which is a regular international conference. Students and staff from both universities were invited to participate and present their research. This was an invaluable experience for them as it represented the first time they had presented at an international conference. They also received valuable feedback and suggestions from the audience.

Some of the comments from the students are set out below:

Chenai Muhwati – ‘The AAE Summer School was a well-designed and very interactive programme that enabled academics and students to network while also learning valuable information about sustainability and sustainable business practices … This experience (East Forum) was not only beneficial [in allowing] students to experience attending academic conferences, but it was also very useful for students to understand what is required from an academic paper and implement these methods in their own studies.’

Neeshal Gurahoo – ‘This (Summer School as well as the East Forum) was certainly an enlightening academic experience that I thoroughly enjoyed.’

Ruvania Govender – ‘The knowledge I have gained from each and every aspect has been a real eye-opener for me … I received valuable and critical ideas, which enable me to think and act responsibly. The sustainability efforts really stood out for me and I envisage implementation on my own soil.’

Sindi Ngwenya – ‘As a Masters student, such interdisciplinary and intercultural programmes are helpful so as to understand how other researchers and academics from international countries think and how they do their
Jennifer Nxumalo – ‘It was interesting to know that our School is [part of a] process of infusing the principles of responsible management education in the syllabus. This will help spread the word and ensure that our future entrepreneurs have the best strategies in place to engage in sustainable practices. All in all, it was among the greatest moments of my life and I have learnt so much around the theme of the Summer School, and I have also learned a lot about myself as well. It was indeed an eye-opening experience.’

Kenneth Ngwenya – ‘The high point of the Summer School was when we presented our working papers to the East Forum. We found this of great benefit as we received insights from different academics regarding our studies and I am proud to say this is when the UKZN students stood up to the challenge and did South Africa proud. As a member of the UKZN team I believe that the academics who accompanied us also made this trip a success as they were also involved in conducting lectures and workshops.’

Taahir Vajeth – ‘It was indeed a privilege and a pleasure to have been part of an extraordinary group of students accompanied by our Dean, Professor Henry Wissink, and the Academic Leader of Teaching and Learning, Dr Indira Padayachee. The students did the School and UKZN proud as they conducted themselves with dedication and professionalism. The programme was well-structured and the inclusion of the East Forum provided students with invaluable experience. Looking forward to hosting in 2016!’

Dean Wissink commented as follows: ‘The AAE Summer School has now become one of the annual highlights of the School of Management, IT and Governance, empowering our students to become future leaders of sustainable and responsible management practices. At the same time they are gaining valuable experience in presenting their papers at international fora – and hopefully also contributing to growing our own timber…’

The AAE has recently gained momentum in attracting new international partners from France (ICN Business School in Nancy), and the USA (University of Colorado and Drake University). The intention is to host the next AAE meeting at UKZN next year, in France in 2017 and the new USA university partners will co-host in 2018.

Henry Wissink

**Public Governance Students to Benefit from Partnership with SALGA**

A partnership between the Discipline of Public Governance and the South African Local Government Association (SALGA) will see students benefit from theoretical and practical experience.

The partnership, which is championed by Dr Fayth Ruffin and SALGA Provincial Executive Mr Sabelo Gwala, will see SALGA representatives deliver guest lectures in response to the local government focus of many public governance modules with the help of local government expert, Professor Purshottama Reddy. The representatives will also assist in establishing internship or service learning opportunities for students.

According to Ruffin, both parties are to jointly arrange seminars and workshops related to local government and collaborate on research projects. These will be held on UKZN campuses or at venues in the community.

‘We look forward to working with SALGA in a spirit of collegiality and appreciate that Mr Gwala reached out to us. We are certain this partnership will assist our students, open collaborative research opportunities, and allow public governance academics to continue community engagement in the UKZN spirit,’ said Ruffin.

Thandiwe Jumo
The College hosted its first Teaching and Learning Day which attracted 13 lecturers from the four schools within the College who shared and showcased their teaching and learning practice.

The event, conceptualised by the College’s Dean of Teaching and Learning, Professor Kriben Pillay, aimed to highlight excellence in teaching and learning across the College’s various disciplines with the academics each delivering a 20-minute presentation for a chance to win a share of R40 000 in research prizes.

Pillay, who said he was pleased that the presentations focused on various aspects of teaching and learning, hopes to make the event bigger and better in 2016.

The College’s Deputy Vice-Chancellor, Professor John Mubangizi, applauded the initiative and emphasised that creating knowledge through research and teaching was right in line with UKZN’s strategic plan.

**Presenter:** Mr Vishal Surbun (School of Law)
**Topic:** Developing the art of drafting policy through class exercises in the Environmental Law module.

The presentation highlighted that the current LLB curriculum and syllabi, and subsequent professional legal training offered little emphasis in the training students to draft policy and legislation. Training is offered to students using the FIRAC model which develops critical interpretation of law and not the formulation of law. Surbun’s presentation highlighted his innovative class exercises which seeks to develop basic skills in policy and statute formulation.

**Presenter’s experience:** ‘I am always in pursuit of innovative methods of developing vital practical skills through the medium of class exercises. I was particularly interested in how critical analytical skills were taught in other disciplines and this conference provided an opportunity. I am very keen to experiment with such approaches in my own discipline.”

**Presenter:** Ms Suhayfa Bhamjee (School of Law)
**Topic:** Death and Dying in a Constitutional Democracy- ASSISTED DYING.

The presentation considers legal and ethical arguments in relation to ‘euthanasia’. Looks at what the global legislative trends are in affording legal recognition of an individual’s right to choose the time and manner of ones passing. The Stransham-Ford case is examined in relation to these global trends and the SA Constitution. We also look at drafting legislation for law reform of the issue.
Presenter’s experience: ‘It was a great way to spend a morning flexing my academic muscles! Can’t wait for the next one!’

Presenter: Mr Maropeng Mpya (School of Law)
Topic: The Humanist Teacher.

Presenter’s experience: ‘As a young academic I have learned the do’s and don’ts of lecturing. I learned about various methods of teaching that includes effective use of technology. Finally the event has made me a better lecturer and enriched my knowledge of teaching and learning.’

Presenter: Ms Kerry McCullough (School of Accounting, Economics and Finance)
Topic: Active Teaching. Active Learning.

Activity in teaching in this context specifically refers to encouraging academics to get engaged with action research whereby their teaching and learning practices are interrogated through self-guided research aimed at improving teaching and learning practices. Within a classroom and learning context, active learning techniques has been shown to have several benefits to the student body. This presentation spoke to the relationship between these two, with a focus on action research on active teaching: hence the title: “Active Teaching. Active Learning.”

Presenter’s experience: ‘The teaching and learning day was a lovely opportunity to spend the day with like-minded colleagues, seeing how other staff members conduct their classrooms, and to hear their views on teaching and learning matters. It was especially interesting to realise that, although we may have presented different issues and different approaches, we all clearly had a lot of common opinions and methods on what ‘best practices’ entails.’

Presenter: Ms Patricia Shewell (School of Accounting, Economics and Finance)
Topic: Financial Statement Analysis: Revealing the story behind the numbers.

Presenter’s experience: This was a very valuable experience, both because we got an opportunity to share our own approaches to addressing particular teaching conundrums, but also because we got to learn from the experiences of others.

Presenter: Dr Fayth Ruffin (School of Management, Information and Technology and Governance)
Topic: Student engagement in curriculum delivery: A view from Public Governance curriculum design.

This exploratory case study is about how a research and writing intensive undergraduate Public Governance module engaged students in curriculum delivery through curriculum design. The deficit thinking model in higher education is questioned and the student-as-co-producer of the university learning experience highlighted. The curriculum was co-produced through blended learning; data were drawn from a Moodle forum post which queried students on “how does it feel to be a researcher and writer?” Through content analysis, findings reveal that the level of academic challenge, active learning and staff-student interaction help facilitate student self-efficacy and agency in a way that student identities as academic researchers and writers emerged.

Presenter’s experience: Teaching and Learning Day was an intellectually stimulating and highly engaging experience. Teaching practices were shared through wide and varied lenses. Unfortunately, the great many of our colleagues who would have benefitted from fresh ideas and new perspectives were unavailable. Only SMIG filled the six slots allotted each school. Hopefully this will change in future so our CLMS reaches even greater heights when it comes to teaching and learning.

Presenter: Dr Upasana Singh (School of Management, Information Technology and Governance)
Topic: Fitness Bands & Quizzes…what’s the link?

Formative assessment, much like the fitness band, has the potential to facilitate amazing results. This presentation focused on how to use the Moodle Quizzes tool for Formative Assessment.

Presenter’s experience: It was a brilliant event that facilitated the sharing of teaching practices across disciplines. I have learnt new techniques that I would like to implement in my teaching, to add variety to my teaching methods. It was also interesting to see how some of the common teaching practices are implemented innovatively in other disciplines. Thank you to Prof Pillay.
In a drive to improve assessment practices, a team from the Discipline of Information Systems and Technology (IS&T), in partnership with UKZN’s Information & Communication Services (ICS), has successfully implemented the first summative electronic assessment in IS&T with a group of 256 first-year IS&T students on the Westville and Pietermaritzburg campuses.

The team, headed by Dr Upasana Singh in Westville and Mr Rushil Raghavjee in Pietermaritzburg, started last semester to explore Moodle’s quiz capabilities with formative and summative e-assessments, and decided to expand the project during the second semester. Before this assessment, a joint project by Singh and IsiZulu lecturer from the College of Humanities, Ms Roshni Gokool had adopted the Moodle quizzes tool for summative assessment in isiZulu to 57 first-year Bachelor of Medicine and Bachelor of Surgery (MBChB) students – a first for isiZulu at UKZN.

Raghavjee said the benefits of delivering tests through an online platform are that students not only get feedback on their progress but can send queries to lecturers. The queries and responses are not shared amongst the students. Another advantage of the system is that students can compare their answers more readily with the actual answers, whereas the written assessment requires them to continuously refer to their multiple choice (MCQ) answer sheet and the question paper – a highly laborious process which students seldom undertake.

Raghavjee said: ‘It was an interesting day of sharing. I learnt a lot from the engagement and from the other presenters. Academics across the College would have benefited from this initiative.’

Thandiwe Jumo

At the Forefront of Digital Transformation

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Thandiwe Jumo
Highlighting the important role of Indigenous Knowledge Systems (IKS) in knowledge production that redresses imbalances and injustices of the past is a passion for School of Management, Information Technology and Governance academic, Dr Fayth Ruffin.

To this end, Ruffin led the preparation of the IKS academic programme and core module templates for all four UKZN colleges as part of the IKS teaching and learning working group at the DST-NRF Centre in Indigenous Knowledge Systems (CIKS) based at UKZN.

Ruffin also presented a paper at the international conference on Indigenous Knowledge Systems and Environmental Ethics recently hosted by the CIKS, together with the United Nations University of Peace (based in Ethiopia) and the University of Rwanda at the Graduate School of Business and Leadership which took place from 28 to 30 April.

The conference was attended by a wide range of delegates from global North and South countries, and saw governmental and civil society practitioners present papers and chair sessions.

Apart from delivering a paper entitled, "Sacred space of African Forces of Nature: Environmental Ethics for the African Diaspora", Ruffin also served as rapporteur for a parallel session on "Rural Development, Sustainable Livelihood and Gender: Implications for IKS and Environmental Ethics."

According to Ruffin, spirituality is an integral component of African indigenous knowledge systems. 'My paper explored the Yoruba IKS of Orisa, a collective of deities seen as forces of nature associated with areas of the natural environment and who assist with accomplishing one’s destiny. Despite the horrific debacle of the transatlantic slave trade, this AIKS was sustained within enslaved Africans and mobilised in the African diaspora – largely by African women. Arguing for a non-anthropocentric view of environmental ethics it is contended in the paper that: (1) environmental policies and natural resource management strategies should take into account the autonomy of the Orisa as forces of nature; and (2) gender in IKS, as demonstrated by the Orisa system, offers much for contemporary environmental ethics and other governance issue areas,' explained Ruffin.

Speaking on the value of IKS in teaching and learning, Ruffin said IKS has become a key component of UKZN's academic focus and research.

‘IKS programmes in the College of Humanities for uptake in various schools have already been approved by Senate. Incorporating IKS curricula throughout the colleges and supervising IKS postgraduate research projects that engage local communities will help us realise our vision of being the premier university of African scholarship. Unfortunately, many of us do not yet know about IKS epistemologies, ontologies and methodologies, and the role of IKS in knowledge production, but this can change,’ said Ruffin.

Thandiwe Jumo
Law Academics co-author long awaited editions of Street Law Books

In July this year at the Society of Teachers of Law of Southern Africa Conference in Durban Juta & Co Ltd launched the long awaited third editions of the Street Law books *Street Law – Practical Law for South Africans* – the 687 page Learner’s and 359 page Educator’s Manuals.

The chapters in each of the books cover the following:

- Introduction to South African law and the legal system written by Professor David McQuoid-Mason, of UKZN's Centre for Socio-Legal Studies who also edited both books.
- Criminal law and juvenile justice co-authored by law academic, Mr Lloyd Lotz and McQuoid-Mason.
- Consumer law authored by the National Street Law Coordinator Ms Lindi Coetzee who is based at the Nelson Mandela Metropolitan University.
- Family law written by Dr Malebakeng Forere, a former academic of the Law School who is now at the University of the Witwatersrand.
- Employment law written by law academic, Ms Rowena Bernard.

The Learner’s Manual provides information about the law, gives practical advice, and uses problems, case studies, mock trials and other interactive methods to encourage learner participation. The Educator’s Manual explains how to conduct the exercises in the Learner’s Manual and provides solutions to the problems in the text.

The exercises in the chapters can also be used in the tutorial classes of the equivalent LLB courses.

Apart from their use by law students, high school learners and prisoners, previous editions of the books have been used by school educators, police officers, correctional services officers, security officers, trade unions, workers, women’s organizations, children’s organizations, youth groups, NGOs, CBOs and people involved in training such persons and organizations.

The South African Street Law programme originated at UKZN (then University of Natal, Durban) in 1986 and went on to help establish such programmes in over 45 countries around the world. The UKZN Street Law LLB course trains final year law student to teach about the law, human rights and democracy, to high school learners and prisoners using interactive learning methods.

In 2016 the UKZN Law School will host the Ed O’Brien Street Law International Best Practices Conference from 1-3 April 2015 to honour the late Ed O’Brien one of the founders of the US Street Law programme who helped to establish Street Law at UKZN in 1986.

David McQuoid-Mason
The recent conviction and sentencing to 12 years’ imprisonment of King Buyelekhaya Dalindyebo of the AbaThembu Traditional Authority in the Eastern Cape by the Supreme Court of Appeal (SCA) in Bloemfontein has generated extensive debate on the judicial application of customary law. The debates emerged after the King lost an appeal to the SCA, having been found guilty by the Mthatha High Court on various counts of arson, kidnapping, assault with intent to do grievous bodily harm, and defeating the ends of justice. The King and his legal team are now expected to approach the Constitutional Court on appeal and to challenge the application of Roman-Dutch law at the expense of Customary Law, in line with the values and principles of the new constitutional dispensation.

Up until this point, the case has been decided largely on the basis of Roman-Dutch law with cases predating the constitutional dispensation. This line of adjudication is manifestly problematic because customary law and the last 21 years of constitutional jurisprudence have not been rationally applied.

It is worth noting that the system of Customary Law is recovering from a history in which it was never allowed to develop alongside other legal systems – Roman-Dutch law (common law) in particular. The pre-democratic dispensation was characterised by the manipulation of traditional leaders in order for them to become stooges of the colonial and apartheid governments. This led to limitations in the authority attached to their traditional roles. This history resulted in the undermining of African culture and its values.

Since 1994, customary law has been placed on an equal footing with other legal systems as a primary and legitimate system of law that is able to determine its own values and principles within its own context, subject to the broader framework of the Constitution of the Republic of South Africa 1996 (Constitution). This constitutes affirmation for the application of customary law in the new democracy.

However, in practice, customary law is still marginalised, especially in relation to its judicial application. For example, matters arising out of customary law are remedied by the importation of common law principles as evidenced by the jurisprudence that emanates from the courts (Bhe, Shilubana). Customary law is relegated to the sphere of national irrelevance when disputes are classified as arguments between customary law and human rights (Lehnert: 2005). This creates the impression that customary law is a legal system that has to be resolved and not the particular conduct authorized by it that has to be aligned with the general framework of the law. These concerns were recently demonstrated by the judgment of the SCA in the matter involving the King of AbaThembu when, as indicated earlier, the court applied the principles of Roman-Dutch law above those of customary law in determining the King’s fate.

In the light of this judgment, the intention of this anecdotal piece is not to focus on the merits of the case, but rather the judicial subjugation of customary law in favour of the importation of Roman-Dutch legal principles, as was the case before the new dawn of democracy. This importation is further entrenched by the reliance on jurisprudence which is traceable back to 1906 when the principles which failed to recognise customary law as a legal system were affirmed. The core argument of this piece is that the judicial application of Roman-Dutch law to determine the guilt of the King was inappropriate, irrational and invalid, and, as such, lacked the credibility offered by the infusion of mixed legal systems, as envisaged in the Constitution.
The argument thus raises questions about whether:

- the development of our jurisprudence should be limited to judges who possess the necessary skills and qualities that enable them to diversify the jurisprudence that emanate from the courts? This is considered against the background of the Constitution itself which limits the application of customary law to the people who are subject to it; and
- judges who are not privy to customary law principles should sit with assessors in adjudicating any customary law-related matters?

These questions are considered through an assessment of section 211(3) of the Constitution which requires the courts to apply customary law as a legitimate and primary source of law. This means that customary law must be ‘prioritised in order to give direction to state institutions in their quest to mainstream their worldview in legal interpretation and reasoning’ (Ndima: 2014).

It is evident from the judgment that the legal foundations for the determination of the King's guilt and the loss of his appeal were derived from Roman-Dutch law. This law was developed in the Netherlands and transmitted to South Africa in the 16th and 17th centuries after Britain occupied the Cape in 1806 (Du Toit: 2014). Roman-Dutch law is the legal system that was used to entrench the historic subjugation of customary law and which resulted in the loss of legitimacy of the institution of traditional leadership in the eyes of the general public. This legal system lost further credibility in the eyes of the majority of the Republic, not only because it reinforced the divide-and-rule principle but it dehumanised, defused and compromised the essence of African values and principles. While the history is all too vivid in South African minds, this work will not dwell on this historical issue, suffice to point out that customary law was never legitimate in the eyes of the colonial and apartheid masters.

In this instance, it is irrational that in a democracy which prescribes to the foundational values that seek the healing of past divisions, as enshrined in the Preamble of the Constitution, the King was treated as a common criminal and not in his capacity as a constitutional institution. Instead, the importation of Roman-Dutch legal principles and jurisprudence dating back to 1906 represented a missed opportunity to enable the assessment and evaluation of the application of customary law against the spirit and purport of the Constitution as the supreme law of the Republic (section 2).

Furthermore, the court lent authenticity to the relegation of customary law to the status of an 'illegitimate child' irrationally related to the constitutional, legal and moral authority of the country. In essence, the court has judicialised, and given weight to, the overarching role of Roman-Dutch law as it has in the past: by systematically entrenching the ideology of white supremacy in judicial reasoning.

It is saddening that the guilt of the King could be decided upon solely on the application of Roman-Dutch law. This paper does not attempt to opine on the guilt or innocence of the King because customarily he is classified as the unifier of his subjects with a responsibility to ensure their security, the maintenance of law, and the promotion of the dignity of his people in line with the values of customary law (Ntlama: 2014). Under these circumstances, it is difficult to understand how the judiciary – responsible for maintaining a proper balance in the application of the various laws that come before it – limited its reasoning to Roman-Dutch law in its determination of the King's bid to challenge his guilt.

It is clear that the snake is still alive and it was just a matter of time before it was going to strike. In line with the proverb above, it is a dishonor to customary law when we celebrate democracy and, especially the constitutional imperative requiring the courts to apply it [s211(3)], but in reality it becomes clear that the colonial and apartheid snake of oppression and subordination continue to manifest.

The time has come to ensure that judges, scholars and everyone else who has an interest in the evolution of customary law take responsibility for its meaningful application and interpretation, thereby ensuring the protection of its values. The neglect of customary law will result in the loss of the principles and jurisprudential ethos legitimised through our hard-fought and earned democracy. In turn, this will give the supposedly dead snake an unfettered discretion to undertake a hostile take-over of customary law, undermining the very same Constitution that is designed to 'bring an end to the marginal development of customary law principles' (Mokgoro: 1998).

By: Professor Nomthandazo Ntlama
Associate Professor of Public Law
School of Law
Mass Action: A solution to lack of service delivery or a heavy blow for SA’s economy?

The question of mass stay aways by the National Union of Metalworkers of South Africa (NUMSA), is a sensitive one. Unions, strikes and mass actions are part of the democratic institutions in SA. Strikes are becoming almost a daily feature of the industrial and institutional arena. Citizens protest against corruption and service delivery failures, unions protest against perceived unfair employment practices and wages. Students protest against fee increases and insufficient funding. If NUMSA is calling for a mass stay way, there may be reasons for it to do so. Their motivations may sound good, though the outcomes may not turn out to be all positive, especially when mass actions are accompanied by violence and asset destruction.

A mass stay away and prolonged disruption to production by labour can have a negative impact on productivity and the performance of the economy. The gold mining sector is not a major employer as before, nor is it one of the current most significant contributors to the country’s GDP. South Africa has a high rate of unemployment; its youth unemployment rate is almost 50% and the country is experiencing low economic growth, with a sliding currency and a rising public debt trajectory. As the NDP states, the country needs to grow at an annual rate of 6% per annum for it to reduce unemployment, poverty and inequality. Productivity growth, with a high rate of investment across all sectors, is a major means of achieving high economic growth, upon which depends rising prosperity and more job creation. No sector can prosper in the long run when there is constant labour unrest and mistrust between employer and employees or between labour and enterprise leaders.

SA depends heavily on local entrepreneurship development and attracting foreign investors for employment and GDP growth. The country’s early stage level of entrepreneurship, according to the latest GEM report, declined from 10.6% in 2013 to 7% in 2014. However, this can be turned around as we have a new ministry of small business, spearheading entrepreneurship at all levels. Entrepreneurship brings labour and capital together in generating output and employment and for this to flourish, a peaceful and supportive environment is critical.

Labour and businesses need to coexist and display cooperative behaviour on issues of employment and common interest. There needs to be effective social dialogues in solving labour-business issues rather than a confrontational approach. A polarised labour market is not good for investment and wealth creation or redistribution. South Africa depends partly on foreign investors to bridge the gap between what it earns and it spends and for its current account deficits. Such frequent labour unrests can be harmful to productivity and may scare away both local and foreign investors and make us vulnerable to investors’ sentiments and credit ratings.

One can still remember the five-month strike in the mining industry and the seven-week strike in the motor industry in the recent past that impacted adversely on labour and other industries with forward and backward linkages. It caused firms to revise their production plans of new models to other destinations, resulting in a huge loss to the country’s high-tech investment, exports and jobs. Workers lost almost half of their annual wages, amounting to an estimated R10 billion in wages foregone, with disastrous consequences to their quality of life during the 2014 platinum strike.

Committed to delivering a better life for all, South Africa needs a pro-growth, pro-labour and pro-business relationship with industrial and social peace, and this requires co-operation rather than tensions between business and labour as well as policy-makers.

By: Professor Darma Mahadea
Associate Professor of Economics
School of Accounting, Economics and Finance
South Africa became a democratic state on 1 April 1994. Local government has been constitutionalised which implies that we have opted for strong local government which cannot be abolished. “Tiers” of government have been replaced by spheres with the understanding that all three levels of government are independent, interdependent and interrelated. The expectation is that the three spheres of government will work harmoniously with and complement each other in the broader context of a developmental state which South Africa has proclaimed itself to be. Given the developmental role of local government espoused in the Constitution, a suite of legislation was introduced in the first decade of local democracy and still is a major constraining factor. This has also been compounded by other serious challenges such as inter alia, corruption, nepotism, poor service delivery, “cadre deployment” and political infighting, economic viability and financial management (unfunded mandates from national and provincial government, poor revenue collection, non-payment for services and illegal connections of electricity and water and qualified/unqualified audits) and general noncompliance with legislation and policy. The breakdown in societal values and conspicuous public consumption has meant that additional funds are needed for a higher lifestyle and this has resulted in an increase in corruption, unethical behaviour and non-payment for services.

In terms of legislative and policy compliance, it would appear that we seem to have “first world standards and third world resources” which seem to account for the gap. The enforcement of legislation, more specifically bylaws has proved to be a major challenge leading to citizens’ negative perceptions of the dysfunctionality of the third sphere of government. Attention by way of example is invited to eThekwini Municipality where in response to the urban decay, the City introduced bylaws regulating the built environment and behaviour in public which will shortly become law. More specifically, the fine for “bad buildings” is R 400 000 and “urinating in public” is R 40 000. It has been reported that staff are currently being trained to implement the bylaws. The proposed fines being imposed are ridiculous and implementation is certainly going to be a challenge. Perhaps this has just been done to appease the public and assure them that the matter of urban decay is being addressed. This begs the question, is the Council really serious about bringing “delinquent landlords” and members of the public who commit public offences to book?

The provision of even basic services (water and sanitation, electricity, roads and housing) in some of the municipalities has become a challenge and has in turn fuelled local communities’ perceptions about the failure of local government in South Africa. The large number of service delivery protests which has exceeded over a thousand in the last decade bears ample testimony to the frustration and anger by local communities in this regard. Many of the public protests have been quite violent resulting in destruction of public property and in some isolated cases, loss of lives.
The Government whilst highlighting the fact that considerable progress has been made especially in the provision of basic services, points out there are still major constraints impacting negatively on the system. This was acknowledged in the 2009 "State of Local Government" Report which also incorporated the provincial assessments of the state of local government. The 2009 Report highlighted the fact that "overall the system of local government was working, but it is in distress. A bold decisive intervention is needed to turn the tide in local government".

It has been pointed out by none other than Government itself that "if local government fails, South Africa fails". Over the years, a series of government interventions, notably Project Consolidate (2004 - 2006), Strategic Agenda for Local Government (2006 -2011), Local Government Turnaround Strategy (2009) and more recently the Back to Basics Programme in Local Government (2014) were introduced to address the challenges plaguing local government. All the above – mentioned strategic interventions have addressed some of the challenges highlighted above, but not the root causes of the problems. This tends to run much deeper and necessitates strong political and management will, which is core to local governance and can only be mainstreamed and entrenched by the ruling political party at the local level. Strong municipal leadership, both political and managerial as highlighted in the White Paper on Local Government (1998) and the Local Government Turnaround Strategy (2009), if it is taken more seriously can indeed be a panacea for some of the critical challenges currently being faced in local government.

The post 1994 democratic state was born out of a struggle democracy, which has resulted in a great deal of political posturing over the past twenty one years. There are several ways in which this has manifested itself, one being “cadre deployment” and another being a somewhat lax attitude to the “rule of law” which is one of the key components of good governance. This has in turn impacted negatively on respect for law and order and the resultant lack of compliance by municipal functionaries and local communities with limited or no public accountability in this regard. Public confidence in the local government system by the local citizenry and communities has been eroded. On a global level, victorious political parties appoint so called “loyalists” to executive and senior positions in government and South Africa is no different. However, the municipal functionaries deployed should have the required qualifications and expertise and more importantly, the commitment and passion to make a difference in localities in terms of improved basic municipal service delivery and an enhanced quality of life for the local communities. The latter is particularly important given South Africa’s apartheid history and the development backlogs that have accumulated over the years. The current electoral system (fifty percent proportional representation) has also meant that municipal functionaries “deployed” believe that they are accountable to the party rather than to local communities and this is problematic.

As the country moves into the third decade of local democracy, it is imperative that some political maturity would win through among the dominant political parties in moving the local sphere of government forward. Deployees of political parties in power should be adequately qualified and have strong political and management will to address the challenges impacting negatively on local government. Critical to the process is discharging the development mandate enshrined in the Constitution (1996), and in the final analysis improving the quality of lives of the local communities and local citizenry.

The 2009 Local Government Turnaround Strategy also emphasised the need for good citizenship in South Africa which necessitates a common set of values, ethical behaviour, the spirit of volunteerism and community service, prioritising the indigent and vulnerable and rights and responsibilities. It is a given that the local communities are an integral part of that process and have to discharge their civic mandate and go beyond in that regard, to bring it to fruition. President Zuma in the 2014 State of the Nation Address pointed out that “Government would like people’s experience of local government to be a pleasant one…” so that we “have a good story to tell” about local government presently and in the future.

By: Professor Purshottama Reddy
Senior Professor of Public Governance
School of Management, Information Technology and Governance
MIG Academics share expertise at Uganda Management Institute

Professors Betty Mubangizi and Purshottama Reddy of the School of Management, IT and Governance (MIG) attended the International Conference on Governance and Service Delivery in Developing Economies held in Kampala, Uganda from 24 to 28 August 2015.

Moving from policy-making to policy execution and providing quality public goods and services is based on an intricate relationship between service delivery and governance. It is around this paradigm that the conference theme was conceptualised.

A good mix of scholars, students and practitioners from diverse disciplines of public management and from far-flung corners of the continent – and beyond – collectively explored managerial solutions to governance challenges in Africa. In particular, participants were challenged to move from theoretical frameworks to managerialism versus traditional public administration, particularly within decentralised governance systems.

Against this backdrop a range of papers reflected on the Millennium Development Goals, set to expire at the end of 2015, and the new Sustainable Development Goals which were adopted in the UN Sustainable Development Summit in New York from 25 to 27 September 2015.

The Uganda Management Institute (UMI) was the host of this multi-funded conference and, on the sidelines, requested scholars to share some words of wisdom with their students. A government-owned national centre for training, research, and consultancy in the field of management and administration in Uganda, the UMI is one of nine public universities and degree-awarding institutions in the country.

The institute recently launched a PhD programme which received a good response, with over 20 students currently at various stages of their studies. Since capacity to supervise PhDs is low, UMI draws on support from adjunct and honorary professors from established tertiary institutions around the world – including South Africa. It is in this regard that UMI seized the opportunity of having eminent scholars in the country to attend the conference. Mubangizi and Reddy from UKZN, together with Professor P Jackson (University of Birmingham) and Professor M S de Vries (Radboud University of Nijmegen in the Netherlands) shared a range of ideas and led a discussion on conducting PhD research and supervision.

Against the backdrop of municipal service delivery as a major challenge in South Africa, Reddy presented a paper entitled, “The Politics of Service Delivery in South Africa: The Local Government Sphere in Context” in which he critiqued the impact of politics on service delivery, emphasising the fact that we ‘need to move away from political patronage and cadre deployment as it negates the key components of good governance’.

Mubangizi, who was one of four scientific committee members of the conference, was also Chair of the sub-theme of Public Sector Reform. Together with her recently graduated student, Dr Samuel Mutukaa, she presented a paper titled, “Project Implementation in a Decentralised State: Lessons from the Constituency Development Funded Food Security Projects in Kenya.”

Betty Mubangizi
Graduate School of Business and Leadership postdoctoral fellow, Dr Adeyeye Olufemi, presented a paper titled, "Does Supply-leading Hypothesis hold in a Developing Economy? A Nigerian Focus", at the 4th Economics and Finance Conference held in London in August.

The annual conference creates a platform for researchers to present on topics of microeconomics and macroeconomics, labour economics, international economics and finance and banking.

Olufemi’s paper explores whether the supply-leading hypothesis can be upheld in a developing economy, with particular reference to the Nigerian economic growth between 1981 and 2013.

‘Using the Granger Pairwise causality test, the study reveals that there is weak evidence in support of the supply-leading hypothesis; rather, the demand-following hypothesis is dominant in the economy. However, it suggests that there is bi-directional causality between financial development variables and indices of economic growth which thus confirms the existence of their interdependence in the Nigerian context,’ explained Olufemi.

Olufemi said the experience had empowered him with valuable insights and he is grateful to the College for supporting his academic endeavours.

‘I wish to acknowledge the contribution of the management of the College to the success of the research work. I have always been, and will continue to be, proud to be part of a system where the learning environment is made conducive, scholarship is promoted, productivity is rewarded and excellence is celebrated,’ he said.

Thandiwe Jumo

School of Accounting, Economics and Finance academic, Mr Sanele Gumede, presented a paper titled, “South Africa’s Port Pricing Methodology and Financing Investments”, at a Conference of the Economic Society of South Africa held at the University of Cape Town from 2 to 4 September.

The biennial conference creates a discussion forum for economists in academia, government and business across all fields of economics.

The paper, which Gumede co-authored with his PhD supervisor, Dr Mihalis Chasomeris, critiques the methodology used by ports to accumulate revenue in order to finance their infrastructural investments, and then provides recommendations as to which methods should be considered.

‘This paper uses content analysis of the stakeholder submissions on port pricing submitted from 2009 to 2014. A price capping model has the potential to encourage Transnet National Ports Authority (TNPA) to reduce costs and improve productivity. TNPA can continue to use the capital asset pricing method to measure the return on equity. However, a slightly lower asset beta should be used and debt beta should be considered,’ said Gumede.

Gumede, who is doing his PhD in Maritime Studies, said the conference was a worthwhile learning experience. ‘It is an invaluable experience to be able to present your work to an audience of well-known economists who critique your work and give you valuable insights into your research as it assists you in enhancing your contribution to the body of knowledge. I have already published two papers and I’m hoping to publish this one and two more before I submit my PhD,’ he said.

Thandiwe Jumo
School of Management, Information Technology and Governance (MIG) academic, Dr Thokozani Nzimakwe, attended a public finance governance course on Enhancing Public Financial Governance and Management in Africa, held in Gaborone from 11 to 13 August.

The course, hosted by the African Association for Public Administration and Management (AAPAM) and the Centre of Specialisation in Public Administration and Management (CESPAM) of the University of Botswana, sought to build leadership competencies by establishing a culture of stewardship for managing public funds and examining strategies for financial administration and accountability in Africa. The programme was designed to develop confident leadership and management as the policies and strategies rest on the shoulders of academics and practitioners entrusted with turning them into reality.

The focus groups for the executive course included high-level and middle-level public servants, executives and middle managers in the public and private sectors, researchers and academics. Some of the topics that were engaged included: governance, ethics and accountability; principles of financial accountability; leading risk assessment, management and mitigation; and evaluating corporate governance strategies, among others.

Nzimakwe benefitted substantially from the course in terms of networking, public finance curricula development, and the establishment of linkages and partnerships with academics from the continent.

Case studies from the continent were discussed and the intention is to apply them in teaching and research. Support from the School of MIG’s Management Committee made it possible for Nzimakwe to attend the course.

Thokozani Nzimakwe
Ms Ntokozo Makoba from the School of Management, Information Technology and Governance (MIG) represented the Discipline of Public Governance at the South African Local Government Association (SALGA) Heritage Seminar held in September in Durban.

The theme of the seminar was, "Language is a social construct with which perceived reality is constructed – The role of social constructs in municipal spaces". It was attended by SALGA members, and representatives of the Pan South African Language Board (PanSALB) and eThekwini Municipality.

The aim of the seminar – the first of its kind – was to begin to create a knowledge base for the region and to create a platform for professionals to benefit from interactions with stakeholders on issues of common interest.

Makoba’s role as part of the panel, together with PanSALB and eThekwini Municipality (also part of the panel), was to provide input and engage in a conversation centred on a presentation by SALGA Provincial Executive Officer Mr Sabelo Gwala on language and the creation of reality in communities.

‘The seminar gave me an opportunity to share a bit on the findings of my research pertaining to languages. The research is on indigenous value systems in traditional leadership and seeks to look at these in relation to constitutional imperatives. Although I am still in the process of analysing data, preliminary findings have been quite interesting, said Makoba.

‘These [findings] include perceptions of communities on the Constitution of South Africa and how it has eroded indigenous values. This is viewed to have a negative effect on the upbringing of children, and on instilling traditional values, which are held in high regard within the communities. These values also include language, which is used not only to communicate within the communities, but with the ancestors, and used as a show of respect – ukuhlonipha – where certain words are not used or where elders are addressed in a specific manner.’

The seminar also created an opportunity for participants to learn about each other’s heritage as everyone was required to dress in their traditional attire and share a bit about their heritage. ‘Ultimately, those who attended were appreciative of the engagement and felt that the session made them more aware of their role in creating reality within their communities,’ said Makoba.

‘As a scholar one learns a lot from such engagements. You are exposed to the perspective of professionals in the field and to the real issues that they are facing. Social constructs are a reality that municipalities and all government departments have to deal with in their endeavour to deliver meaningful services. For them to understand these social constructs, they need to appreciate the language which forms them. This endeavour by SALGA is perceived as a step in the right direction, especially in light of Heritage Month that was being celebrated nationally, since language, over and above being part of our heritage, is also a crucial tool to influence and to ensure its continuity,’ said Makoba.

Thandiwe Jumo
Law Academic presents at International Environmental Law Conference

Professor Mike Kidd of the School of Law presented a paper on “Plantations and the Law” at the International Union for Conservation of Nature (IUCN) Academy of Environmental Law 13th Annual Colloquium held at Jakarta, Indonesia in early September.

The colloquium doubled up as a launch for a book entitled, *Water and the Law: Towards Sustainability*, for which Kidd was lead editor. The book consists of papers delivered at the 9th colloquium in 2011 hosted by various South African institutions, including UKZN. The book highlights the critical relationship between the law and the management of water resources in the context of environmental sustainability.

Under the theme “Forest and Marine Biodiversity”, the colloquium saw about 150 plenary and panel presentations examining the legal dimensions of forest and marine biodiversity and conservation.

Attending the conference also provided an opportunity for Kidd to meet the Honourable Justice Hilario Davide, the youngest member of the Philippines Supreme Court bench that in 1993 decided the groundbreaking international environmental law case, commonly known as Minors Oposa, and who subsequently became that country’s chief justice.

*Thandiwe Jumo*
Journal Article explores South Africa’s Internal Security Laws

The development of the crime of public violence (in light of section 39(2) of the Constitution) is the focus of an article by law academic, Mr Khulekani Khumalo, which is to be published in the upcoming third volume of Obiter.

The article – ‘Developing the crime of public violence as a remedy to the violation of the rights of non-protesters during violent protests and strikes’ – explores the role of section 39(2) of the Constitution in developing the crime of public violence as a remedy to the rampant violation of the rights of other people during violent protests and strikes.

‘In the article, the essence of my argument is that as things stand, charging violent protesters with other crimes such as treason, sedition and terrorism is, perhaps, harsh, but at least if we develop the crime of public violence and toughen the punishment imposed for it, then that is more appropriate,’ explained Khumalo.

Internal security is a research area that Khumalo has a keen interest in as the issue of violent protests and strikes (which is part of the exercise of the right to freedom of assembly) versus the various civil liberties of non-protesting citizens (such as the right to life, human dignity, equality, and freedom and security of the person) was the research topic of his Master’s dissertation. It has been confirmed that the Master’s degree will be awarded cum laude to Khumalo at the 2016 graduation ceremony.

Khumalo intends to further this research topic through his PhD studies.

‘I intend taking the topic on internal security further, focusing on the consolidation of all South African internal security laws. I am putting together a research intent as we speak. I have also written an article based on charging violent protesters with terrorism which I will be submitting to the South African Law Reform Commission’s Ismail Mahommed Essay Writing Competition, he said.

Law Academic presents Two Papers in China

Professor Nomthandazo Ntlama from the School of Law visited China in September and presented papers at two conferences. The first one was held on 14-15 September and was organized by the Institute for Human Rights, China University of Political Science and Law, and the Netherlands School of Human Rights Research in Beijing. “Highlighting Chinese and African human rights ideas and concepts” was the theme of the conference where she presented a paper entitled: ‘Reclaiming the African identity in the indigenization of human rights’.

According to Ntlama her study found that the infusion of the system of indigenization into the rights framework is important because it sensitises African governments to the pluralistic character of their diversity in order to localise the general system of human rights.

The second conference themed “Peace and development: Victory of world’s anti-fascist war and human rights advancement” held on the 16-17 September and organized by the Beijing Forum on Human Rights. At this conference Ntlama presented a paper entitled: “The foundations of ‘peace’ as a value for the promotion of human rights in Africa”.

The paper established that the entrenchment of ‘peace’ in various instruments in Africa is very rigid and legalistic because it is indirectly applied in ensuring the value-based approach to the advancement of human rights.

Ntlama was overwhelmed by the attention she received in both conferences on the quality of the papers she presented. ‘The engagement with senior scholars, from various regions, countries, members of government, different organizations fighting for the cause for the promotion of human rights in the world was amazing,’ said Ntlama.

‘I am short of words to express my humble appreciation of my privilege on having played a major and significant role in asserting the quest for the promotion of human rights in the academia and the international fora,’ she added.

Thandiwe Jumo

Hazel Langa
GSB&L Academic’s International Debut

Presenting her academic work for the first time at an international conference was a great learning curve for Graduate School of Business and Leadership’s Developmental Lecturer, Ms Nomfundo Kakaza.

Kakaza presented a paper titled: “Cost, causes and reduction of banana rotting for street vendors in the Onderberg district, Mpumalanga South Africa” at the 9th International Business Conference held in Zambia in September.

According to Kakaza, the paper created a great deal of discussion and received a lot of complements from conference participants.

‘After the presentation, I was approached by a senior lecturer from the Nelson Mandela Metropolitan University to collaborate on a paper on supply chains that we are planning co-present at the Supply Chain conference to be held at Sun City in 2016 which is a great outcome,’ said Kakaza.

Kakaza learned a lot from one of the sessions titled: “A teaching strategy for developing business management student’s employability skills: A higher education case study”. She also utilised this learning and networking opportunity to her full advantage by engaging and fostering collaborations with fellow presenters that will be beneficial in the enhancing of her teaching and learning practices.

Kakaza is currently working on a PhD study titled: “Inclusive Banana Market Supply Value Chain” – which is also a key performance area for all Developmental Lecturers in the College.

Hazel Langa

Law Academic presents at Inaugural Disability Research Indaba

“Accessibility gains in the Equality Courts: Obligations of Educational Institutions” was the title of a research paper presented by Law academic Mrs Willene Holness at the Inaugural Disability Research Indaba hosted by the UKZN Disability Support Unit in October.

Under the theme: Challenges, Opportunities, Observations and Transformation: Placing Disability on the Research and Innovation Agenda in Higher Education, the Research Indaba aimed to introduce the phenomenon of ‘Research’ into the area of Disability Support in Higher Education.

Holness’ paper considers gains made in South African Equality Courts in promoting accessibility for students at educational institutions in line with state obligations under the Convention on the Rights of Persons with Disabilities (CRPD). The paper states that accessibility to public and private spaces, in terms of the CRPD is to be facilitated by identifying and eliminating barriers to the transportation, environment, public services, information and communication of persons with disabilities.

It is envisaged that through such informative and stimulating presentations, UKZN’s research culture in Disability in Higher Education will be strengthened.

Thandiwe Jumo
The College of Law and Management celebrates the following Top Achievers for their outstanding student achievements

**Ntokozo Qwabe**

Mr Ntokozo Qwabe’s hunger for education saw him overcome socio-economic challenges to graduate in August 2015 with a Bachelor of Civil Law, popularly known as the world’s toughest law degree, from the University of Oxford, England. Qwabe’s ability to rise above adversity saw him return to his studies at UKZN with a bang in 2011 after dropping out in 2007 to work as a cashier to raise funds for his tuition. He received a total of 29 distinctions, 20 Certificates of Merit, six Dean’s Commendations and various other awards. He graduated *summa cum laude*, being awarded the Mandela-Rhodes Scholarship and UKZN’s Distinguished Students’ Award. Qwabe is currently studying towards a Master’s in Public Policy at the Blavatnik School of Government at Oxford.

**Musa Kika**

Not many people can say that their academic abilities have given them the opportunity to render legal services to the Chief Justice of Namibia – except Mr Musa Kika. Apart from serving as a judicial researcher to Chief Justice Peter Shivute, Kika’s long list of accomplishments include graduating *summa cum laude* with an LLB, receiving the Mandela-Rhodes Scholarship and being named a UKZN Distinguished Student for 2014 – the highest honour a student can attain at UKZN and presented for academic excellence, university service and extensive community engagement. He also competed in the 2014 Ellie Newman Memorial Moot Court, won the 2014 Ismail Mahomed Law Reform Essay Competition and was one of the students selected to serve in a clerkship programme facilitated by Judge Malcom Wallis at UKZN’s School of Law. Kika previously worked as an assistant researcher at the Democratic Governance and Rights Unit (DGRU) in the Public Law Department at the University of Cape Town (UCT) where he is also studying towards an LLM in Public Law.

**Jyoti Maharaj**

In 2013 Ms Jyoti Maharaj was awarded the College Deputy Vice-Chancellor’s scholarship for making the top 10 list of women entrants at UKZN. It was an indication that great things lay ahead for the Bachelor of Commerce in Accounting student.

Fast-forward to 2015 and, sure enough, Maharaj is still a top achiever. In addition to the College Deputy Vice-Chancellor’s Scholarship, she also won the UKZN 100th Anniversary Scholarship and was named the top overall second-year student at the UKZN-SAICA awards ceremony hosted by the School of Accounting, Economics and Finance in partnership with the South African Institute of Chartered Accountants (SAICA).

The road to an accounting qualification is challenging but Maharaj is motivated by a desire to make a valuable contribution to the finance sector. The fact that her father and older brothers are also involved in the accounting profession inspires her even further.

**Rugby Stars: Siphathisene Dube and Mzamo Majola**

The achievements of Mr Siphathisene Dube and Mr Mzamo Majola on and off the rugby field earned them UKZN’s Prestige Scholarships at the 2015 Scholarship Awards ceremony.

Dube plans to combine his sporting experience and business knowledge and one day open his own sports academy for underprivileged children.

Law student Majola, who was awarded a bursary to the Sharks academy last year, played for the Sharks U19 side and his list of accolades keeps growing. In March, he left Durban for the U20 junior Springbok trials and training camps. He spent three months there before touring in Argentina and Italy. He is currently playing for the Sharks U21 team.

**Thandiwe Jumo**
Law Graduate jets off to study at World Maritime University

UKZN Law graduate, Mr Wandile Zondo’s passion for maritime law has seen him cross boarders in a quest to fulfill his dream of becoming a specialist in the maritime sector. This dream became a reality after Zondo securing a prestigious full scholarship to pursue postgraduate studies at the World Maritime University (WMU) in Malmö, Sweden.

Zondo is one of 10 South African students who have been awarded this prestigious scholarship funded by the Transport Education and Training Authority (TETA), which is a Sector Education and Training Authority within the transport sector under the Department of Higher Education and Training.

This scholarship enables Zondo to pursue a Master of Science (MSc) in Maritime Affairs with Maritime Law & Policy at WMU which is a specialised agency of the United Nations and global center of excellence for maritime and ocean postgraduate education and research.

Zondo has achieved a lot in a short space of time including graduating with an LLB in 2012, completing articles in 2014 and being admitted as an attorney in the High Court of SA early in 2015. He acknowledges that his success would not have been possible if it wasn’t for the support from various people in his life.

‘My time at UKZN laid a solid foundation for everything I’ve done and I will always acknowledge that. My mother has always supported me 100% in whatever I do even when I was unsure of taking up this opportunity as I had to leave my employment,’ he said.

He admits that success does not come easily unless one focuses on his goal and encourages current students to remain committed. ‘Always set goals for yourself and despite all the distractions that may arise, never forget what you actually came to university for…a degree,’ he said.

Zondo is using this opportunity to also build networks with a diverse group of classmates from 47 different countries who are all interested in the maritime sector. ‘Malmö is a really lovely city, it is really clean. It’s pretty cold though and it’s not even winter yet, we’ve been getting sub 10degree temperatures a lot lately,’ he said.

When not studying, Zondo and his new friends explore the city, visiting places like Copenhagen in Denmark.

Hazel Langa
Human Resources Student poised to Build Maritime Sector Career

As a Training and Skills Development Trainee at the EThekwini Maritime Cluster (EMC), human resources Masters student Ms Silindile Mgaga has a perfect opportunity to combine her passion for academia and maritime work.

‘I am hoping that this internship will give me an opportunity to master my craft and gain valuable work experience in all HR functions. I am hoping to become head-hunted in the maritime sector after this internship and to create a networking platform with other HR professionals to build my career in the maritime sector,’ said Mgaga.

Mgaga’s duties as a trainee include reporting and assisting with human resources administration, conducting industry interviews for graduate/learnership programmes, distributing EMC booklets to high schools that teach maritime economics in KwaZulu-Natal and assisting with the conceptualisation of projects – just to mention a few.

Having parents involved in the education sector has fuelled Mgaga’s passion for learning. This passion has seen her complete a Bachelor degree in Industrial Organisational Labour Studies, and a BCom Honours in the Discipline of Human Resource Management and Industrial Relations. She is currently pursuing her Masters in the same field.

Mgaga’s academic excellence recently resulted in her being awarded a National Research Foundation (NRF) scholarship, which provides R40 000, and also secured her an invitation to present her research at a conference.

Although combining work and studying is a tough balancing act, Mgaga is looking forward to the challenge as her future plans include pursuing an MBA, or a doctorate in the field of HR management.

‘I plan to become permanently involved in the maritime human resources sector and be part of corporate social outreach programmes that help young kids choose careers in the maritime industry. After three years of work experience, I hope to pursue an MBA or PhD internationally or locally.

‘As a young African women who is very passionate about academia, exploring and sharing new knowledge and ideas, I aspire to assist in the development of interventions to attract more women into maritime-related careers,’ she said.

The College Management Welcomes the following New Staff Members

Mrs Mischelline Doorasamy
Lecturer, School of Accounting, Economics and Finance, Westville Campus

Mr Philani Mbambo
Developmental Lecturer, School of Law, Howard College Campus

Ms Ayanda Meyiwa
Developmental Lecturer, School of Accounting, Economics and Finance, Westville Campus

Ms Rethabile Nhlapho
Developmental Lecturer, School of Accounting, Economics and Finance, Westville Campus

Mr Nkosikhona Zulu
Senior Admin Assistant, School of Management, Information Technology and Governance Westville Campus
TO DIARISE

Inaugural Lecture

Inaugurand: Professor Manoj Maharaj
Date: Thursday, 19 November 2015
Time: 17h30
Venue: Senate Chambers, Westville Campus
Topic: Connected: The Promise (and Perils) of ICT

Parents’ Day 2016

Date: Saturday, 20 February 2016
Time: 09h00 until 12h00
Venues: T1, T Block, Westville Campus
Howard College Theatre, Howard College Campus
C12, Commerce Building

1st Year Student Orientation 2016

Date: Friday, 26 February 2016
Time: 08h00 until 15h00
Venues: T1, T Block, Westville Campus
Howard College Theatre, Howard College Campus
C12, Commerce Building