A proposal to institutionalize a legislative drafting programme jointly managed by University of Witwatersrand Schools of Law and Public and Development Management

http://hdl.handle.net/2144/19018

Boston University
Dr. Gavin Cawthra  
Acting Director  
Faculty of Management, P&DM  
University of Witswatersrand  
Johannesburg  
FAX: 011-27-11-484-1755

Dear Gavin:

We enclose a letter we received from Michael Savage of the Open Society Foundation, and our response. We hope that, although it has proven impossible to set up the Centre in 1999 as originally hoped, the possibility still exists if funding proves forthcoming.

We note that Michael mentions past links with P&DM, and hope that those may work to help get financial backing for a Centre at Wits in 2000.

We have not heard from you for a long time, and assume that probably the elections have proven an all-time consuming project; but could you please send us a line or two to indicate whether P&DM still has an interest in helping to establish the proposed Centre in 2000? If not, we need to know, for we would then proceed to look for other venues.

Hope all goes well.

Sincerely,

[Signature]

Ann and Bob
December 5, 1998

Dr. Michael Savage
Executive Director
Open Society Foundation for South Africa
Colinton House, Norwich Oval
1 Oakdale Road, Newlands, 7700
South Africa

FAX: 011-27-21-683-3550

Dear Michael:

It was good to get your letter. It would be nice to get together on one or the other continent. It looks likely, though, that we will not be coming to SA in early 1999 as we had hoped. If you happen to come to the States in the next few months, however, do call us (H: 617-266-9303; O: 617-353-3140) and come canoing in Maine (before April 1) or for a sail (after April 1) -- or at least for dinner in Boston.

We remain most interested, if possible, in getting a South-South legislative drafting centre established in South Africa. To ensure legitimate action by officials and citizens everywhere in the South, government policy must ultimately find its way into a law, broadly conceived -- a statute, regulation, subsidiary legislation, administrative rule, and so forth. Translating policy into law constitutes the daily task of legislative drafters and line department officials concerned with legislation.

We have received a large number of queries, not only from African countries (South Africa, Tanzania, Mozambique, Zimbabwe, Namibia, and Zambia), but also from other southern regions (including Lao PDR, Sri Lanka, China, Indonesia and Bhutan, and elsewhere), about how to improve their capacity to draft effectively implementable legislation. Given its central location, its history, and the interest its faculty members have expressed, South Africa seems an ideal place for establishing a Legislative Drafting Centre. That would both provide a convenient South-South venue for enabling not only legally trained but other concerned government officials from South Africa and other countries to learn the legislative theory and techniques needed to conceptualize and draft the kinds of bills needed to translate policies into effectively implementable legislative. It could also create a South-South Centre for stimulating needed research on the use of law for good governance and social change. Indeed, such a Centre might coordinate with, and make an important
contribution to, the on-going, expanding efforts to formulate and implement improved legislation elsewhere in the world, including the countries in transition in the former 'second' world. As we understand it, these constitute the reasons for Mr. Kushen's suggestion that we send the proposal to you.

We look forward to hearing how things turn out at your February meeting, and especially to seeing you if you happen to come this way in the next few months.

Sincerely,

Ann and Bob Seidman
CONFIRMATION REPORT

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