

A3404 Arthur Chaskalson Papers, 1954-2012

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COLLECTION

A PERSONAL PAPERS, 1956-2010

A1 Personal documents

A1.1 School certificates; admission as an advocate, 1956; admission to practice in Rhodesia; admission as a Senior Counsel (SC), 1971. Some oversize and fragile.

A2 Correspondence, 1979-1982

A3 Minister of Justice Kruger attacks Chaskalson, 1976-1977

Includes: excerpt from Hansard, statement by past and present Chairmen of the Johannesburg Bar Council, press cuttings 1976-77, letter of support from Justice Didcott, Supreme Court, Durban, 15 May 1976

A4 Chaskalson's 'fee book' for private legal cases, 1978-1994

A5 Security Evaluation: Residence of Judge Chaskalson, 118 Dumbarton Avenue, Athol, Rivonia, 2007

A6 Documents pertaining to Chaskalson obtained from the National Intelligence Agency (NIA) in response to a request under the PAIA Act, 2010, 2f

A7 Miscellaneous

Funeral oration for 'Alan'; funeral programme Ernie Wentzel; Thrupps shopping list; medical aid documents; power of attorney for Sydney Chaskalson

B PROFESSIONAL PAPERS, 1980s-2000s

B1 Awards & certificates

Includes: SA Jewish Board of Deputies Human Rights Award; General Council of the Bar of South Africa, 2nd Annual Sydney & Felicia Kentridge Award, 23 August 2001; Doctor of Laws, UNISA, 14 August 2004; Honorary Membership of the Johannesburg Bar, 27 July 2002; The Claude Harris Leon Foundation Community Service Award, 17 March 1984; ABSA Jewish Achiever Award; Association of the Bar of the City of New York, Honorary Membership, 19 March 1985; University of Amsterdam, honorary doctorate, 30 January 2002; University of Port Elizabeth, 20 April 2002; University of Witwatersrand, 1990, 2004; Constitution Hill Trust, Award for Democracy Human Rights and Constitutionalism, 26 June 2008; Pro Bono Certificate of Achievement, 10-11 May 2002; SA Human Rights Commission 'for your contribution to Human Rights in South Africa'; the Justice Prize of the Peter Gruber Foundation (Chaskalson and Deputy Chief Justice Pius Langa), 06 December 2004; BA & Doctoral Certificate (Wits) of Lorraine Chaskalson, 1966 & 1980; University of Natal, 1986; The Address delivered 'Ad Portas' to the Honourable Mr. Justice Arthur Chaskalson at Michaelhouse 22 August 2012; Order of the Baobab Gold, 10 December 2002. Some items are oversize.

B2 Correspondence, 1978-2006

B2.1 Correspondence, 1978-2006 and undated

Emails, letters, faxes: includes a letter from Priscilla Jana, 1985, raising issues of concern to Robben Island prisoners Mandela, Sisulu, Kathrada and Mlangeni; one from President Thabo Mbeki to the Judicial Services Commission, 2005, about retirement of Chaskalson as Chief Justice and an undated letter from someone's mother, Edith Leboko (sp?), whose son had been sentenced to 20 years in jail

- B2.2 Correspondence concerning allegations by the Sunday Times that Chaskalson was a member of the South African Communist Party (SACP) , 1992-1993
- B2.3 Letters of congratulation to Chaskalson (and his replies) after his appointment as the Resident of the new Constitutional Court, 1994-1995
- B3 Speeches, 1980s-2000s
- B3.1 Speeches, 1984-2005
- B3.1.1 Speeches, 2000s
Speech on retirement, 02 June 2005, given at the Constitutional Court; Comments made at the launch of 'The Search for a National Consensus' Entebbe, 05 February 2005; Comments at the Special Graduation Ceremony at UNISA 14 August 2004; Comments at the dinner of the Second World Bar Conference, Cape Town, 12 April 2004
- B3.1.2 Human Rights, 2000s
The South African Experience in the Post-Apartheid Era, June 2003; At the opening of the Judges Conference, July 2003, incl. notes & programme booklet
- B3.1.3 Speeches, 1990s
A Tribute to Felicia Kentridge (1999?); Judicial Review - the tensions between the Executive and the Judiciary, The Law Quarterly Review, Vol. 114 Oct. 1998; Opening the Conference on Legal Theory at Rand Afrikaans University on 01 September 1997; Address to the Transvaal Law Society, November 1997, shortened version published in The Star, 06 November 1997; Address to the International Association of Jewish Lawyers & Jurists, South African Chapter, upon presentation to the Constitutional Court of the record of the trial of Adolph Eichman, 26 November 1997, revised final copy, 01 December 1997; The impact of a new constitutional order on South African law: post-apartheid jurisprudence, October 1997; Legal Aid Forum, October 1997.
- B3.1.4 Speeches, 1980s-1990s
Conflict Resolution and the Constitution, August 1994; Why was there a deadlock at CODESA 2, May 1992; Graduation Address: University of the Witwatersrand, 24 April 1990; Law in a changing society - the past ten years: A balance sheet and some indicators for the future, reprinted in SA Journal on Human Rights, Vol. 5 Part 3, 1989.
- B3.1.5 Speeches, 1980s
Graduation address delivered at the Law Graduation at the University of the Witwatersrand, 09 April 1987; Speech at a meeting of Lawyers for Human Rights on Human Rights Day, 10 December 1986; Graduation address delivered at the University of Natal, Durban, 25 April 1986; Legal control of the administrative process, 12 March 1985, Law Students' Council University of the Witwatersrand, reprint, heavily annotated; The role of non-governmental legal aid institutions in providing legal aid - their efficiency and handicaps, September 1984.
- B3.2 Undated speeches
- B3.2.1 Speeches, undated
From Defence to Democracy: the Role of Equality under the Human Rights Act 1998; Equality & Dignity in South Africa; The negotiation of the South African constitution; The Transition to Democracy in South Africa: how successful has the process been (incl. draft); Speech made on acceptance of the award from the Foundation for Freedom and Human Rights, in Berne, Switzerland.
- B3.2.2 Speeches on Democracy and Law
Democracy and Law; A Bill of Rights for South Africa (draft); The Judicial Role in the Development of Human Rights: With Particular Reference to Judges Under the New South African Constitution; The Structure of Apartheid; The South African Courts and Legal Profession;
- B3.2.3 Untitled, undated, speeches, 2f
- B3.3 Notes for speeches, 4f
- B3.4 Oliver Schreiner Memorial Lecture
Material collected for drafting the Oliver Schreiner 8th Memorial Lecture 'Equality as a Founding Value of the South African Constitution', given by Chaskalson at the University of the Witwatersrand, 22 February 2001 NB: no text of the lecture itself
- B3.4.1 Notes from Meeting on Speech, 12 February 2001, 2p., Memo 'To: the Judge From: Sean Re: Equality Speech', 3p.
- B3.4.2 Numerous articles and papers on matters including equality, Oliver Schreiner, welfare, international law, public sector and gender, 7f

- B4 Conferences & symposia, 1990s-2000s
- B4.1 Conference on a Constitutional Court for South Africa, Magaliesberg, 1-3 February 1991
Includes: A Constitutional Court - Jurisdiction, Possible Models and Questions of Access, 14p. A. Chaskalson
- B4.2 Constitution Making in South Africa, conference papers, 24-26 March 1991
- B4.3 Workshop Proceedings, IMSSA National Conference 1993
- B4.4 Judges Conference on Landmark Cases, 2004, 7f
Includes: Unity Dow Case; Brown 1954 (?); Liversidge; New York Times; Pinochet; Eldridge
- B4.5 Visit to Ireland (and London): Justice Chaskalson gives lecture in Dublin on Socio-economic Rights, June 2005
- B4.6 Administrative emails and faxes, no lecture or lecture notes
Southern African Judges Commission Judges AGM, Windhoek, 11-14 August 2005, 2f
Includes: Report to the Board on Judicial Training Institutions; South African National Justice Training College Draft Bill, 2005; The Constitutional Court Trust Annual Financial Statements, year end 31 January 2005; Southern African Outreach Programme Project Proposal; A (draft) Summary of the Establishment and Operations of the Commission; European Charter on the Statute for Judges; Consultative Council of European Judges, Opinion No.3, On the Principles & Rules Governing Judges' Professional Conduct, in particular Ethics, Incompatible Behaviour & Impartiality;
- B4.7 6th International ECLN-Colloquium / IACL Roundtable: The Future of the European Judicial System, the Constitutional Role of European Courts, Berlin, 2-4 November 2005
- B4.8 Workshop for Judges and Lawyers on the Justiciability of Economic, Social and Cultural Rights in the Pacific, Fiji, 1-3 June 2006
Includes paper by Chaskalson: Judicial enforcement of socio-economic rights, the South African Experience
- B4.9 Miscellaneous: 1987-1989, 2005
- B5 Trials, 1960s-2000s
- B5.1 Rivonia Trial, 1963-1964
See also collection AD1844
- B5.1.1 Evidence of State witnesses
- B5.1.1.1 Evaluation of the evidence of certain State witnesses
Including note book & loose pages listing 'Points in Issue', criticisms of evidence, incl. Suliman, Davids, Mthembu
- B5.1.1.2 Notebook marked 'Weyers, 27 February 1964', but appears to contain notes about various witnesses
- B5.1.1.3 Original folder labelled 'Schedules, Summaries', contains accused's comments on evidence of State witnesses etc., 45 loose pages, fragile
- B5.1.1.4 Croxley Student's Note Book: handwritten transcript of proceedings by the defence (probably crossed out by typist after being typed up)
- B5.1.1.5 Evidence of State witnesses
Points of significance, facts put to witnesses, arguments, matters raised for first time etc., allegations against accused; 'Goldreich - what he did, according to Sisulu & Mbeki'; notes on guerrilla warfare, MK, ANC; positions on CP & MK etc., 17 documents; ts and ms
- B5.1.1.6 Responses to evidence of State witnesses, 12 documents
Includes 'Summary of Servants Evidence', points in issue, points of significance, criticisms of evidence.
- B5.1.1.7 State witness Buno Mtolo
- B5.1.1.7.1 Notes
Notes by Kathrada & Bernstein on Mtolo evidence; Sisulu on Suliman; other notes (no authors) on 'Bruno's diary', 'Nelson's case', 'Bruno's evidence', typescript and manuscript
- B5.1.1.7.2 Various
Linkup of SACTU & ANC; Bruno disillusionment; Mtolo background, personality; Mbeki, Goldberg, Mlangeni on Mtolo evidence; Joffe notes; sabotage actions
- B5.1.1.7.3 Notes and memo
McCord Hospital Incident, memo, notes and 37p. transcript of 1963 Durban court case State vs. Obed Gumede and Another, where Mtolo gave evidence
- B5.1.1.7.4 Notes in preparation for cross-examination, 2 notebooks
- B5.1.1.8 Cross examination of witnesses by Chaskalson, 207p.
Mostly Samson Radebe, but incl. Middleton, Wolpert, Beka, Viljoen, Nkabinde & others, transcript
- B5.1.2 Four 'Monitor' note books: 'VCB Book 1', 'Book 2', 'Book 3', last one unmarked

- Possibly Vernon Berrange's notes taken during the trial
- B5.1.3 Four 'Monitor' note books marked J.G.J. Record, notes taken in court, 1963
JGJ probably Joel Goodman Joffe
- B5.1.4 Original folder marked 'Notes on General Argument',
23 documents incl. allegations against the accused, list of acts of sabotage, notes for argument (various); Sisulu's personal position, attitude to loss of life, evidence about agents, very fragile.
- B5.1.5 Joel Joffe affidavit, 25 November 1963 and notes
- B5.1.6 Basis on which Accused No.2 pleads guilty; Det. Sgt. J. Du Preez -Point of Relevance
- B5.1.6 One Croxley Examination Book marked 'Mtambu' plus loose pages; a Monitor Examination Book with more notes
- B5.2 African Resistance Movement (ARM), 1964
Until 1964 it was the National Committee of Liberation, NCL. See also AD1901 Box 28
- B5.2.1 Trial in the Supreme Court, Transvaal Provincial Division, of B.M. Hirson, H.F. Lewin, F. Prager, R. Eisenstein & A.G. Cox
- B5.2.1.1 Indictment and Schedule of Charges, annotated, no date
- B5.2.1.2 Substitute Schedule of Charges, annotated, no date
- B5.2.1.3 Further Particulars (from State to Defence) which lists, amongst other things, 24 other 'conspirators'
- B5.2.1.4 Documents used in evidence by the State
- B5.2.1.5 State's Reply to the Request by Accused No. 3 (Frederick Prager) for Further Particulars, 30 October 1964
- B5.2.1.6 State's Reply to the Request by Accused No. 4 (Raymond Eisenstein) for Further Particulars, 30 October 1964
- B5.2.1.7 State's Reply to the Request by Accused No. 1 (Bertram Martin Hirson) and Accused No. 2 (Hugh Francis Lewin) for Further Particulars, 29 October 1964
- B5.2.1.8 Transcript of an address to the Court by Advocate Chaskalson, copy, pp.32 - 46
- B5.2.1.9 Draft statement to Court, Hirson, 13p.
- B5.2.1.10 Detailed statement by Hirson on his background, arrest and subsequent events, 21p.
- B5.2.1.11 Detailed statement by Lewin on his background, arrest and subsequent events, 38p.
- B5.2.1.12 Detailed statement by Eisenstein on his background, arrest and subsequent events, 31p., incomplete
- B5.2.1.13 Appears to be a continuation of B5.2.1.12 but pages are not numbered, 19p.
- B5.2.2 Trial in the Supreme Court, Cape of Good Hope Provincial Division, of E.J. Daniels, D.G. De Klerk, A.A. Trew, A. Brooks & S. Kemp
- B5.2.2.1 Lists B-F of items found at various addresses in Cape Town
- B5.2.2.1.1 Item List B 1: 'Suggested Present Project Procedures', 2p.
- B5.2.2.1.2 Item List C 10: 'Introduction by Che Guevara', 26p.
- B5.2.2.1.3 Item List C 57: 'Some Introductory Notes', 2 pages on the effects of isolation on detainees
- B5.2.2.2 Covering letter to Messers Hayman & Aronsohn from Frank, Bernadt & Joffe
Relating to documents itemised below, 23 October 1964; mentions A. Leftwich as State witness
- B5.2.2.3 Copy of Request for Further Particulars on Behalf of Accused No. 5
- B5.2.2.4 Further Particulars supplied in respect of Accused Nos. 4 & 5
- B5.2.2.5 Request for Further Particulars ... on behalf of Accused No. 3
- B5.2.2.6 Further Particulars supplied in respect of Accused No. 1
- B5.2.2.7 Further Particulars supplied in respect of Accused No. 2
Also including submission re basis on which Accused No. 2 pleaded guilty, typescript with handwritten notes.
- B5.2.3 Letters to Arthur and Lorraine Chaskalson from defendants Hugh Lewin, Raymond Eisenstein, Jill Wentzel, August-December 1964
- B5.3 State vs Johannes Andreas Theron, Case 345/65, 1965-1967
Conditions at the Cinderella Prison, Boksburg. See also collections A640 - A645
- B5.3.1 Appeal
- B5.3.1.1 Notice of Appeal, two typescripts (13p.) with different annotations
- B5.3.1.2 Appeal (probably a draft), 25 July 1967, 182p. NB: some fragile pages
- B5.3.2 Exhibits: 23 documents numbered 1, 11, 15, 26, 32-36, 41, 42, 47, 51, 66, 68-70, 72-74, 76, 79, 82, 84 NB: some fragile pages
- B5.3.3 Copy of index to case documents, including witnesses names, 10p.

- B5.3.4 Documents in file labelled J.T. Coaker, A - K
On the topics of: General Conditions, Reports Made to Senior Officers, Reactions of Officers & Warders, Disciplinary Action against Theron, Attempts to Procure Evidence Against Theron, Farm Labour System, Smuggling, the Hospital, Motsie Escape, Allegations against Van Der Merwe, Electric Shock Treatment.
- B5.3.5 Labelled notebooks NB: some have loose pages
- B5.3.5.1 Chronology
- B5.3.5.2 V.D. Merwe Notes
- B5.3.5.3 Van der Merwe
- B5.3.5.4 Reply: Rectal Exns(examinations) & VdM
- B5.3.5.5 Sundry Notes
- B5.3.5.6 Meals
- B5.3.5.7 Du Preez & Mhlongo
- B5.3.5.8 S v. Theron: Notes on - Dag Journal, Nag Journal, Natal
- B5.3.5.9 Hamilton Russell Papers
- B5.3.5.10 Notes: escapes; previous convictions; training; parole; prison offences
- B5.3.5.11 Notes on Book P.G. 12
- B5.3.5.12 References to Theron
- B5.3.5.13 Argument on Count 4
- B5.3.5.14 Reply on Count 4
- B5.3.5.15 1. Notes on Complaint Book; 2. Notes on Grand Book Hospital
- B5.3.5.16 Kol. Coetzee's Investigation, 13 February 1962
- B5.3.5.17 P.S.R. Ex. 97
- B5.3.5.18 Assaults
- B5.3.5.19 1. Facts to be agreed upon; 2. Passages for J.C.
- B5.3.5.20 1. The Money & The Revolver
- B5.3.5.21 Vol. 1: Allegations made by Defence Witnesses - Sepeng, Lencoe, Mpila, Mashigo
- B5.3.5.22 Points of corroboration; facts emerging from cross-examination OR put to witnesses & requiring rebuttal
- B5.3.5.23 Notes: Kol. Lamprecht, Alpheus Manyana, Brian Van Tonder
- B5.3.5.24 Brian Van Tonder; Piet Oliphant; Cassim de Lair; Malan; Dicks
- B5.3.5.25 Slabbert; Nel; Bottcher (sp?)
- B5.3.5.26 Bottcher (sp?)
- B5.3.5.27 The Evidence of Van der Merwe
- B5.3.6 8 unlabelled notebooks
- B5.3.7 Analysis of Witnesses (label on original folder)
- B5.3.7.1 S. v. Theron: The Claim of Privilege, 2 versions of same document
- B5.3.7.2 State vs. Theron: Argument for the Accused, First Draft, 8p.
- B5.3.7.3 The State v. Theron: Terms of Agreement, 2p.
- B5.3.7.4 The credibility of Erasmus, 8p., ms
- B5.3.7.5 Simon Kumalo, 4p., ms
- B5.3.7.6 First night in isolation, 2p., ms
- B5.3.7.7 Dr. Engelbrecht's evidence, ts and ms
- B5.3.7.8 Engelbrecht; Cassim; Malan; Erasmus; The Congress
- B5.3.8 Various defence documents in unlabelled folder
- B5.3.8.1 Illustrations of the conspiracy between State witnesses, 4p.
- B5.3.8.2 Set of documents numbered 1 to 7 (4 missing)
The Policy of the Prisons Dept., Van der Merwe's attitude to the accused; Van der Merwe's role in the investigation of the smuggling charges, 2 drafts; The conduct of Van der Merwe; Rectal examinations; Assaults at meals.
- B5.3.8.3 The credibility of Erasmus, 9p., ts
- B5.3.8.4 Mhlongo, 4p., ms
- B5.3.8.5 The statements made by Mashike and Mhlongo, 7p., annotated ts
- B5.3.8.6 Counts 7 to 12, ms
- B5.3.8.7 Notebook, appears to be an analysis of the State's case
- B5.3.8.8 Ubridge Songo, p.997-1014, ts, 4p.

- B5.3.9 Documents in folder labelled 'Notes for Argument to be prepared'
- B5.3.9.1 Notebook labelled 'Presents'
- B5.3.9.2 Memorandum about the evidence against Mr. Theron, ms, 3p.
- B5.3.9.3 Notes on witnesses, including Boltcher (sp?), Kol. Du Preez, Songo, Van der Merwe etc., ms, 16p.
- B5.3.9.4 Notes on Willie Sepeng and his evidence, ms, 11p.
- B5.3.9.5 Notes on the evidence of Lencoe, Mpila, Mashigo
- B5.3.9.6 Notes on Alex Lebobo and his evidence, ms, 9p.
- B5.3.9.7 Statements made by Mashike and Mhlongo, ms draft, ts final
- B5.3.9.8 Notes on Ahmed, Ismael (includes part of a notebook cover), ms, 4p.
- B5.3.9.9 Copies of statements by Mpilo Joga and Stephen Temba
- B5.3.9.10 Reply to Argument for the State - Theron First Day, ts, 14p.
- B5.3.9.11 Reply to Argument for the State - Theron Second Day, ts, 30p.
- B5.3.9.12 Extract from a judgment, mentions the aspect of reliability of witnesses
- B5.3.9.13 4 pages of loose notes

- B5.3.10 Assorted defence documents
- B5.3.10.1 The State versus Johannes Andrias (sic) Theron, extract from transcript of trial on 11 October 1966, 8p.

- B5.3.10.2 In the matter between Johannes Andreas Theron versus The State: Memorandum for Counsel by C.P. Briggs, 2p.

- B5.3.10.3 Copy of statements by Filisberto Nyabetse, copies of Sunday Times article attached
- B5.3.10.4 Copy of statement by Johannes Andrias Theron, 28 July 1965, 9p.
- B5.3.10.5 Die Staat teen Johannes Andrias Theron, Aanklag (charges) 1 - 6, incl. appendices and copy of article from Sunday Times
- B5.3.10.6 Copies of Sunday Times article by Brian Kennedy, published on 25 July 1965, annotated in places
- B5.3.10.7 Copy of statement by Gysbert Johan van Schalkwyk, 4p.
- B5.3.10.8 Notes on the matter of 'hurry and assaults in the morning and evening', ms, 4 complete pages and one partial page
- B5.3.10.9 Various copied items incl., a letter about Theron dated 17 April 1964, letter by Theron 24 May 1965, several lists, ms note about 'John'
- B5.3.10.10 Various
Questions of Fact; Aansoek on nadere besonderhede; notes re transcript of trial by page number; three annotated pages NB: all pages fragile

- B5.3.11 Bound volume, State's Concluding Address, Volume 7
Schedules in tabular form of the evidence of the 12 Bantu defence witnesses, annotated in places NB: oversize, some fragile pages

- B5.4 Samson Ratshivande Ndou and Twenty-One Others, 1969
Including Nomzamo Winnie Mandela, Joyce Nomafa Sikakane, Joseph (Snuki) Zikalala, Peter Magubane

- B5.4.1 Charges
- B5.4.1.1 Initial charges against the 22 accused, 1969
- B5.4.1.2 Detailed charges against Accused No.1 and Accused No.2
- B5.4.2 Further Particulars
- B5.4.2.1 Request (by the defence) for Further Particulars, 5 November 1969
- B5.4.2.2 Reply (by the State) to the Request for Further Particulars, 12 November 1969
- B5.4.3 Trial transcript, Vol.1 pages 1-33, 1 December 1969
- B5.4.4 The State's Exhibits
- B5.4.4.1 List of Documentary Exhibits
- B5.4.4.2 Exhibits "found in possession of Accused No.3" (Winnie Mandela) numbered NWM1 to NWM83, copies

- B5.4.4.3 Other documentary exhibits, variously numbered 'SRN', 'OD', 'W', 'G' etc.

- B5.5 Delmas Treason Trial, 1985-1989
Also known as the Vaal Triangle Treason Trial) See also AK2117 which has a comprehensive overview of the trial

- B5.5.1 Trial Judge, K. Van Dijkhorst, criticises the 'propriety' of the defence counsel, incl. Advocate Arthur Chaskalson, S.C.

- B5.5.1.1 Statement by the Johannesburg and Natal Bar Councils that Chaskalson's conduct was "wholly in accordance with the best tradition of the Bar"; covering letter
- B5.5.1.2 Letters from Chaskalson to M. Kuper SC (JHB Bar Council) and H. Viljoen SC (General Council of the Bar of SA), May 1987
- B5.5.1.3 Memo by A. Chaskalson SC Dealing With The Judgment of Van Dijkhorst J in S v Baleka & Others, Delivered on 10 April 1987, 50p.
- B5.5.1.4 Memorandum to the Bar Council Concerning Allegation of Unprofessional Conduct, GJ Marcus, 4 May 1987, 33p.

- B5.5.2 Dismissal by Van Dijkhorst of Assessor Prof. W. Joubert and defence application that the proceedings be quashed

- B5.5.2.1 Letters between Bell, Dewar & Hall and Bowman Gilfillan, March 1987
- B5.5.2.2 Report on Certain Events in the Trial Between The State & Patrick Baleka & 18 Others, by W.A. Joubert, 18 March 1987, 19p. plus addenda & covering letter
- B5.5.2.3 Supplementary Report Relating to Certain Events in the Trial between The State & Patrick Baleka & 18 Others, W.A. Joubert, 29 March 1987, 6p.
- B5.5.2.4 Justice Van Dijkhorst Statement concerning the statement made by Dr. W A Joubert in the matter of the State v P M Baleka & Others (annotated), 16p.
- B5.5.2.5 Heads of Argument: Application by the Defence that proceedings in the trial be quashed, by Chaskalson and Marcus, 35p.
- B5.5.2.6 State's response to application that proceedings be quashed (Afrikaans), 34p.
- B5.5.2.7 Other
 - Ruling by Van Dijkhorst, 02 April 1987; Themes Introduced or Suggestion Made, handwritten copy, possibly by G. Marcus SC, 19p.

- B5.5.3 Various statements & memoranda by Popo Molefe
- B5.5.3.1 On the African National Congress, 42p., annotated, 9 January 1986
- B5.5.3.2 Popo Molefe: General Attitudes, 28p.
- B5.5.3.3 Miscellaneous matters concerning the UDF, 15 pages, 21 May 1987
- B5.5.3.4 Political Education, 2p.
- B5.5.3.5 Popo Molefe: Allegations in respect of which no evidence was led and my response thereto, 144p.
- B5.5.3.6 Statement of Popo Simon Molefe (draft), annotated and corrected, 34p.
- B5.5.3.7 List of references to Popo Molefe, Accused 19, 5p.
- B5.5.3.8 List of joint references to Popo and Terror, Accused 19 and 20, 6p.

- B5.5.4 Various defence documents
- B5.5.4.1 Documents
 - The Koornhof Bills: documents to do with, commenting on or campaigning against the 'Koornhof Bills' (Black Local Authorities, Orderly Movement); index thereto; includes items by M. Swilling, Black Sash (incl. 'You & the New Pass Laws' booklet), the FCI and other bodies, 3f
- B5.5.4.2 State exhibits & defence comments thereon: UDF documents, speeches by Prof. I. Mohamed, comments by Popo Molefe,
- B5.5.4.3 Various documents
 - B5.5.4.3.1 Handwritten notes on Afroscope, videos / films and 'Pracassim' (NB: spelt Prakassim in AK2117)
 - B5.5.4.3.2 Index of List of Exhibits handed in by defence
 - B5.5.4.3.3 Index of references to Organisations in State documents, 23 pages
 - B5.5.4.3.4 Defence document on Separation of Trials by Gilbert Marcus SC
 - B5.5.4.3.5 What McCamel can say in relation to the Indictment & the Accused's' Statements together with the Accused's' response thereto, by Zac Yacoob, 25 February 1986
 - B5.5.4.3.6 Comments on Videos, 16p.
 - B5.5.4.3.7 The Vaal Investigation - Index of Information, 15p.
 - B5.5.4.3.8 1985 letter to Messr Mayet & Karolia, Attorneys, on Events in Vaal Triangle in 1984, from G. Van N Viljoen, Minister of Cooperation, Development & Education
 - B5.5.4.3.9 Minutes of 10th Ordinary Meeting of Town Council of Lekoa, 27 November 1984
 - B5.5.4.3.10 Index of Vaal Statements, 8p.
 - B5.5.4.3.11 Statements by various Vaal residents about events and meetings in 1984
 - B5.5.4.3.12 Memo on the Coding of defence documents & covering note 28 November 1985
- B5.5.4.4 Ms. notes by the defence re Appeal
- B5.5.4.5 Letters from George Bizos to Chaskalson, written in court while trial was proceeding, 25 January, 1 February, 17 February, 8 March 1988 (A - D)

- B5.5.5 Letters from defendants to Chaskalson, addressed to "Our dear Arthur & the defence team"1987
Including one letter from Canadian Ambassador about the those on trial, 1989
- B5.6 Documents pertaining to various other trials
- B5.6.1 Special Criminal Court: R.V. Bernstein and Others - Judgment by Mr. Justice Rumpff that 2 indictments should be quashed (1956-1961 Treason Trial?)
- B5.6.2 In matter between Ismail Essop & Regional Magistrate, W. Transvaal & AG of the Transvaal: Application for a mandamus... State to furnish certain particulars
- B5.6.3 State vs Benjamin Ramotse & Others
See also collection AD1901 Box 53
- B5.6.3.1 Abuse of Process, 8 pages
- B5.6.3.2 Memorandum: Autrefois Acquit - The Principle and Application of the Special Plea and Related Issues, 21p.
- B5.6.4 Sharpeville Six: Leave to Appeal to Supreme Court Appellate Division - Heads of Argument, 15 August 1988, 24p.
(See also AK2243)
- B5.6.5 Napoleon Letsoko and Four Others: In the Supreme Court of SA (Appellate Division)
Appeal, August 1964, 60p., annotated (See also AD1901 Boxes 7,8,9)
- B5.6.6 NUSAS Trial 1976, See also AD1718
PLEASE NOTE that these notebooks are only available in digital format on request.
- B5.6.6.1 Notes: Matters to be considered for the cross-examination of Professor Murray, Book 1;
- B5.6.6.2 Notes: Matters to be considered for the cross-examination of Professor Murray, Book 2;
- B5.6.6.3 Notes: Murray's Theory of Communism etc.,
- B5.6.6.4 Notes: Analysis of Professor Murray;
- B5.6.7 Pretoria 12 Trial: State v Mosima Gabriel Sexwale and Eleven Others (See also AD1901 Boxes 60 - 65)
- B5.6.7.1 Handwritten notes for address to the Court by (?) Chaskalson, 18p.
- B5.6.7.2 Statement - Mosima Sexwale, 8p.
- B5.7 Abram Fischer Trial and associated documents, 1964 - 1975, 2001
- B5.7.1 Statements (originally in a file marked 'GB', probably George Bizos)
- B5.7.1.1 Initial short statement in response to charges, See also AK2411/ A2
- B5.7.1.2 Fischer's final statement to the Court, draft, 56p., annotated, corrected by Fischer and someone else
- (not the same as the document to be found at AK2411/C2 dated 28 March 1966 which is from the trial record)
- B5.7.2 Memorandum re the Abram Fischer Trust
Concerning the draft Trust Deed and trustees, 22 December 1969, 3p.
- B5.7.3 Three letters to Chaskalson from Fischer in prison, 1965 and 1966
- B5.7.4 Silks (State Counsel) write to Minister of Justice asking for the dying Fischer to be released into the care of his family, 31 January, 4 February, 5 February 1975, copies
Signatories include Maisels, Zwarenstein, Kentridge, Schreiner, Browde, Mahomed
- B5.7.5 The Striking Off of Abram Fischer QC by Gilbert Marcus S.C. and Janet Kentridge
To Live Outside the Law you must be honest: Bram Fischer and the meaning of Integrity, Stephen Ellman, 2001
- B6 Commissions of Inquiry involving Arthur Chaskalson, 1980s-1990s
- B6.1 Commission of Enquiry into the events which occurred on the campus of the University of Cape Town on 7 and 8 October 1986
Popularly known as the Conor Cruise O'Brien Enquiry (See also A2692). The members of the Commission were Professor D J du Plessis, Advocate Arthur Chaskalson SC and Advocate Ismail Mahomed SC.
- B6.1.1 Report of the Commission of Enquiry, 88p., 18 December 1986
- B6.1.2 Transcript of the hearings (includes transcribers certificates), 7f.
- B6.1.2.1 Transcript, 1 December 1986 pp. 1-219
- B6.1.2.2 Transcript, 2 December 1986 pp. 220-423

- B6.1.2.3 Transcript, 3 December 1986 pp. 424-538
- B6.1.2.4 Transcript, 4 December 1986 (?) pp.539-578
- B6.1.3 Chaskalson's file of documents, 5f.
Includes: correspondence on administrative matters; copies of leaflets; evidence statements from witnesses - academics, staff, students, security personnel etc.; Chaskalson's notes; UCT memoranda; lists of persons wishing to give evidence; submissions from various parties; pamphlet: Academic Freedom - a service to the People, text of 28th T.B. Davie Memorial Lecture, Albert Nolan, at UCT, 31 July 1986; pamphlet: From ivory tower to a people's university, text of 27th T.B. Davie Memorial Lecture, H.M. Coovadia, at UCT, 25 September 1986; Report by DR. Robert Birley, April 1966, University College of Rhodesia, photocopy; SA Media Council Code of Conduct.
- B6.1.4 Bound volumes of newspaper clippings
- B6.1.4.1 Newspaper clippings, Volume 1
- B6.1.4.2 Newspaper clippings, Volume 2
- B6.1.5 Recent Incidents (bound volume of various documents)
- B6.1.6 UCT: Vice-Chancellor's Memorandum dated 30 October 1986 to the Commission of Inquiry into the events surrounding Dr. O'Brien's visit, bound volume
- B6.2 Goldstone Commission: Commission of Inquiry regarding the prevention of public violence and intimidation
- NB: The final report was issued in April 1994 but is not in this collection
- B6.2.1 Report to the International Investigating Team, 20p. + Annexures
- B6.2.2 Testimony of Multinational Panel regarding lawful control of demonstrations in the Republic of South Africa, Cape Town, Thursday July 9 1992, 79p.
- B6.2.3 Miscellaneous documents, incl. Chaskalson notes
- B6.2.3.1 Documents
Includes: Willie Nortje (Vlakplaas) heavily annotated account of his activities 5p.; Themba Khoza's Car and Prosecution, 4p.; Colonel Botha: ms statement (in Chaskalson's handwriting), 9p.; Gert Cornelius Hugo CV, 'The involvement of Military Intelligence members in clandestine activities, April 4 1994, 6.; Van Heerden, 2p.; Aspekte wat met getuies opgeklaar moet word, 4p.; Investigation Report: Alleged commercial related crimes perpetrated by former members of C10, Vlakplaas & involvement by other members of the South African police during the execution of their covert duties, Major A. Botha, 3p.; fax from LRC Durban to Chaskalson: Supplementary report of the Transitional Executive Council Investigation Task Group into the matter of hit squads in the Kwazulu police, 18 May 2994, 10p.
- B6.2.3.2 Includes: Willem Albertus Nortje statement (Afrikaans) heavily annotated by Chaskalson, 58p.
- B6.2.3.3 Executive Desk Pad - notes by Chaskalson; 37 pages of other notes by AC
- B6.2.3.4 Transcripts: Goldstonekommissie, Sandton, 17 March 1994, Getuienis van Andries Johannes van Heerden, 33p.; Goldtonekommissie, Sandton, 17 March 1994, Getuienis van Mnr. Q., 39p.; Mnr. Brood van Heerden, 19p.; AC notes
- B6.3 Enquiry into allegations of Racism and Sexism in the Judiciary
PLEASE NOTE: This section B6.3 is EMBARGOED and permission to access this section has to be obtained.
- B6.3.1 Submissions, pp. 0001 - 1045, 10f
- B6.3.1.1 Index, two slightly different versions, probably drafts
In both versions item A is listed as Report on Racism in the Cape Provincial Division (presumably the original report by Justice J. Hlophe) but this is not amongst the documents
- B6.3.1.2 Analysis of Judge John Hlophe's Report on Racism in the Cape Provincial Division, pp.i - vii
- B6.3.1.3 Submissions, pp. 0001 - 0173
Includes: J. Van Der Berg SC: Justice AP Blignault; Justice Selikowitz; Justice JHM Traverso; Cape Bar Council
- B6.3.1.4 Submissions, pp. 0175 - 0348
Cape Bar Council's response to Hlophe J-P's Report on Racism
PLEASE NOTE: This Report is private & confidential, and may not be published in any way except with prior written approval of the Cape Bar Council or with the permission of the Chief Justice pursuant to the statement by the Heads of Superior Courts dated 17 February 2005.
- B6.3.1.5 Submissions, pp. 0349 -0565
Includes: Justice LJ Bozalek; Justice J Thring; The Arbitration Foundation of SA; HCJ Fleming; G. Bizos SC; General Council of the Bar of SA; MI Madondo SC; North-West Bar Association

- B6.3.1.6 Submissions, pp. 0566 - 0820
Includes: Justice S Ebrahim; Judge HM Musi; MH Ramphai; C van Zyl; Free State Society of Advocates; Law Society of the Free State; Eastern Cape Bar Council; S Nkanunu; Justice Selikowitz; Johannesburg Bar Council
- B6.3.1.7 Submissions, pp. 0821 - 1045
Includes: NADEL; Office of the Judge President BM Ngoepe, Transvaal Provincial Division; VEM Tshabalala, KZN Judge President; Justice L Theron; Justice RMM Zondo; Adv. DC French
- B6.3.2 Correspondence 17 February 2005 - 6 June 2005 (some items with submissions attached) 2f
Includes: Adv. SJ Cowen (very personal - very personal); Judge Shamin Ebrahim; Judge President JP Malherbe re Judge Ebrahim; Supplementary Report to the main Report on Racism in the Judiciary by the Hon. Mr. Justice JM Hlophe; agenda and minutes Heads of Superior Courts; Justice FC Bam, Land Claims Court; 'Black Judges in Pretoria'; Justice N Willis to Justice BM Ngoepe; Justice Jerome Ngwenya; Norman Arendse SC: Justice NJ Yekiso; Owen Rogers; VEM Tshabalala
- B6.3.3 Undated items
Report to the Heads of Superior Courts on Racism and Sexism in the Judiciary by MTR Mogoeng, 25p.; Chaskalson notes; list 'Administrative Support to the Judiciary'
- B6.4 International Commission of Jurists (ICJ)
Chaskalson was President of the ICJ from about 2001
- B6.4.1 Eminent Jurists Panel on Terrorism, Counter-terrorism and Human Rights, 2006-2009, 5 boxes
Chaskalson was the Chairperson of the Panel and their final report was published in July 2009 but is not included here
- B6.4.1.1 Documentation from the London Hearings of the Panel, 24-25 April 2006
Summary Note on the London hearings, Box 1
- B6.4.1.2 Documentation from the London Hearings of the Panel, 24-25 April 2006, Box 2
- B6.4.1.3 Documentation from the London Hearings of the Panel, 24-25 April 2006, Box 3
- B6.4.1.4 Documentation from the London Hearings of the Panel, 24-25 April 2006, Box 4
- B6.4.1.5 Hearing on Counter-Terrorism and Human Rights East Africa Region, 26 February 2006-02 March 2006: Tanzania & Kenya, 2f
Supporting documentation such as relevant Tanzanian and Kenyan legislation, briefing papers on situation in Kenya, Uganda and Tanzania
- B6.4.1.6 USA hearings, 2f
Includes: Chaskalson's notes; briefing papers and notes on topics such as USA Patriot Act, SA Security legislation, Detention and trial of 'enemy combatants', Rendition and secret detentions; Reports on Terrorism and the Law of War, Terrorism Surveillance in the US; Amnesty International: Justice at last or more of the same? Detentions and Trials after Hamdan v. Rumsfeld, 78p.; Military Commissions Act.
- B6.4.1.7 General documentation to do with the work of the Eminent Jurists Panel
- B6.4.1.7.1 Correspondence, travel arrangements
- B6.4.1.7.2 Minutes of meetings, 'ordre de Mission', list of hearings
- B6.4.1.7.3 Publications
Including ICJ e-Bulletin on Counter-terrorism and Human Rights, ICJ Press Releases, Issue 1 of Security & Terrorism Gulf WMD Free Zone Research Bulletin and printed press articles
- B6.4.1.7.4 Background documents
Opinion - Extraordinary rendition of terrorist suspects through the United Kingdom for the All Party Parliamentary Group on Extraordinary Rendition, 09 December 2005; Background to UK Counter-terrorism laws and policies; submission by the Government of the United Kingdom, April 2006; International Project on Terrorism, Globalism and the Rule of Law
- B6.4.2 General ICJ correspondence and documentation 2003-2006 and undated, 2f
Includes: Emails and letters to and from Chaskalson, including one concerning the arrest of a magistrate, H. van der Walt, in Groblersdal in November 2003; conference and meeting agendas; The Berlin Declaration on Upholding Human Rights and the Rule of Law in Combating Terrorism, 28 August 2004; documentation on Colombia and Guatemala; paperwork concerning ICJ finances; EXCO papers; and some undated material which includes detailed AC notes on non-performance of senior ICJ personnel.
- B7 CODESA multi-party negotiations, 1993

Chaskalson was a consultant to the African National Congress during the constitutional negotiations, and a member of the Multiparty Negotiating Forum's Technical Committee on Constitutional Issues. In that capacity he participated in drafting an interim Constitution.

- B7.1 Reports of the Technical Committee on Constitutional Issues to the Negotiating Council, June to November 1993, some annotated by Chaskalson
 - B7.1.1 Reports, 23rd, 30th June, 26 July 1993
Including 6th Report and 2nd, 3rd & 4th Supplementary Reports
 - B7.1.2 Reports, 10th August 1993: incl. 9th Report
 - B7.1.3 Reports, 20th August 1993: 10th & 11th Reports
 - B7.1.4 Reports, 2nd, 16th September 1993: 12th & 13th Reports
 - B7.1.5 Reports, 29th September, 12th, 13th October 1993: 14th, 15th, 16th Reports
 - B7.1.6 Reports, 1st, 3rd, 4th, 8th November 1993: 18th to 22nd Reports
 - B7.1.7 Reports, 11th November 1993: Working Draft Exclusively for the use of members of the Negotiating Council

 - B7.1.8 Reports, 12th, 15th November 1993: 23rd (2 copies), 24th & 25th Reports
 - B7.1.9 Minutes of the Meeting of the Technical Committee on Constitutional Issues, 10 May 1993
Including 2 documents on Constitutional Principles

- B7.2 Draft Bill of Rights (3 documents)
- B7.3 Drafts of Constitution, 4f
Including a document in Afrikaans by the Conservative Party and Chapters 1 - 4 of a discussion document What is a Constitution? (2 annotated copies)
- B7.4 Report on CODESA agreements for Multi-Party Planning Conference (bad photocopy)
- B7.5 Working Groups 1-5: terms of reference & reports to CODESA 2

- B7.6 Working Group 3: transitional arrangements / interim government / transitional authority
 - B7.6.1 Includes draft Agendas, Minutes and memoranda, terms of reference, February - March 1992
 - B7.6.2 Includes working papers, resolutions, summary report, proposals, submission & some notes by Chaskalson

 - B7.6.3 Submissions from political parties to Working Group 3

- B7.7 Regions, Provinces, TBVC States 1992-1994, 3f
Includes: unmandated reports from Commission on Regions, proposals for Provincial Legislative Authority, Report of the Commission on the Demarcation / Delimitation of SPRs 31 July 1993, Report of the sub-committee on the future of the TBVC States to Plenary 25 January 1993, memo submitted by the DP, ANC Discussion Document: Local Government & Civic Issues 29 September 1990

- B7.8 Submissions by interested parties to the Technical Committee on Constitutional Issues, June-September 1993, 8f

Includes ANC, Government, IFP, Konserwatiewe Party, UFP, Bophuthatswana & one from R.C. Douglas the Secretary to Parliament, 17 September 1993
- B7.9 Independent Electoral Commission
Includes Memo on the objects of the IEC Amendment Bill 1993, draft Electoral Bill from Dennis Davis to Zola Skweyiya 19 January 1993, 2nd & 3rd drafts of the IEC Act 14 July 1993
- B7.10 Transition to Democracy Act: incl. memoranda and drafts by the ANC Constitutional Committee, 1992

- B7.11 Labour Rights & the Constitution, Affirmative Action, Trade 2f
Includes: Consultative document on a proposed Labour Code Namibian Ministry of Labour; Memo on labour rights and the constitution for the Legal & Constitutional Committee of the ANC by Fink Haysom, Halton Cheadle & Louis Skweyiya; SACP Draft Workers' Charter; American Concepts of Affirmative Action in the South African Setting by the Blumrosens; Gay J. McDougall, Southern Africa Project, testimony to the US House of Representatives 1991; Sanctions Bulletin; Mineral Rights in the New SA by Michael Kahn.

- B7.12 General Documentation on Constitutions (title of original file) 2f

Includes: Minorities & the Law, sent to AC by JD Pope, Legal Division of the Commonwealth Secretariat; exchange of correspondence between AC at Legal Resources Centre and Alec Pienaar of Standard Bank on constitutional models & economic policy; Joint Committee Amendments & Rejected Amendment to the Constitution of the Republic of South Africa Bill, B 212 - 93 (GA), 1993; part of speech in Parliament by R.P. Meyer during 2nd reading debate on Bill 212B, 17 December 1993; Suggestions for the incorporation of some international law-related provisions into a new SA constitution, by DJ Devine UCT; Namibian Constitution by Arthur Chaskalson;

B7.13 CODESA documents, 3f

B7.13.1 Documents

Transitional Executive Council (Draft) Bill, Final, as adopted by the Negotiating Council and subsequently amended 09 September 1993; Supporting documentation for the meeting of the Multi-Party Negotiating Forum to be held at the World Trade Centre at 10h00 on Friday 2 July 1993.

B7.13.2 Administrative documents

Administrative documents (mainly) including: Delegate Factsheet No. 1, 17 February revised 24 February; Communication to Working Group Steering Committees (WGSCs) from the Daily Management Committee; Standing Rules of Procedure for Plenary Sessions; Terms of Reference for Working Groups; letter from Transkei government re SECOSAF 09 March 1992; Report of the Gender Advisory Committee to the Management Committee of CODESA, 7 May.

B7.14 African National Congress (ANC) Constitutional Committee See also AK2915 / A2

Arthur Chaskalson advised the ANC during the multi-party and bilateral negotiations process and was a member of the ANC Constitutional Committee, as well as advising the organisation on 'Constitutional Principles' and other matters during CODESA I and CODESA II. The documents in this section seem to emanate mainly from the work of this Committee.

B7.14.1 Committee documents, proposals, memos, correspondence, 1991-1993

Includes: faxed documents from Dullah Omar at UWC; Report on Consultative Meeting held on 21 May & An Evaluation of the Working Group Agreements, written by AC; National Negotiations Consultative Forum 07 March 1992; copy of fax from Fanie vd Merwe listing powers of the State President, 04 February 1993; discussion papers on regional government; Gay McDougal, director Southern Africa Project, Washington DC, proposals, 1990; Analysis of the Property Clause (28), Geoff Budlender to Zola Skweyiya, Oct. 1993; Commentary of the Structure of a Constitution for a New Republic of South Africa, prepared by the Constitutional Committee ANC, 24p.; Minutes of Meeting of the ANC Constitutional Committee held on 07 August 1992; administrative faxes / letters from Skweyiya 1992-93; fax to AC saying "please be advised that the NWC has chosen you as part of the ANC team of support staff (Runner) to CODESA", 13 May 1992.

Also: The National Party's (constitutional) Proposals, 10p.; Do we need an interim Bill of Rights, ANC, 23 March 1992; Draft Bill to Create Conditions for Peaceful Political Activity; various documents on Indemnity Bill; report back on a visit to the USA by ANC Constitutional Committee, 06 August 1992; Commentary on De Klerk's Constitutional Plans, 6p.; fax from Halton Cheadle to Cyril Ramaphosa expressing concerns about the work of the (CODESA) Technical Committee of Fundamental Rights during the Transition, 14 June 1993; Albie Sachs to the ANC Secretary General "Some thoughts on how to approach the Bilateral: Towards a soft landing for democracy", 12 November 1992; A Platform for the Politics of Meaning, article published by Tikkun; Local Government, the Constitution and Negotiations, Kadar Asmal, August 1991; to ANC Committee from Fink Haysom, Memo on the profile of Peace Accord, 22 August 1991; All Party Conference (APC), 34p.; a list of statements on Constitutional Reform made by the Government, 1989-1990, Albie Sachs, 34p.; Principles of the Independent Electoral Commission; DAC guidelines for negotiations; A Bi-cameral Parliament, 6p., Sept. 1991; Issues in the Constitutional Debate, 6p.; ANC Draft Constitutional Proposal: Public Service; Government of National Unity, 21 September 1993.

B7.14.2 Bilateral meetings between the ANC and the-then Government, October 1992 - November 1993

Includes: lists of items discussed at the meetings of 30 May 1993, 25 April 1993, January 1993; 19 pages of ms. notes by AC, some pages seem to be informal minutes noting contributions by 'JZ', 'CR', 'Meyer', 'TM' etc., Negotiation - Strategic Perspective, Oct. 1992; Cryptic Report on the talks of the Joint Task Group on 14 January 1993 at Westbrooke, 4p., Report of meeting of sub-committee on election related matters held at Pretoria on 20 January 1993; Negotiations Commission, Bilateral with Regime 25th - 27th October 1993, incl. various agendas & lists of participants, discussion documents - some annotated by AC; Local Government - Report to Plenary 27 October 1993; L.H. Evans to RP Meyer on legislation for the reincorporation of the TBVC states, 14 October 1993; Constitutional Principles regarding Public Service, 08 November 1993, draft document from a bilateral meeting, heavily annotated by AC;

- B7.14.3 Conference documents, 2f
ANC Policy Guidelines for a Democratic South Africa 28 - 31 May 1992, incl. items on social welfare, economic policy, land, education
- B7.14.4 Negotiations
What room for compromise? by Joe Slovo, African Communist, 3rd Quarter 1992, responses by Blade Nzimande, Pallo Jordan, Jeremy Cronin, Harry Gwala and Raymond Suttner
- B7.14.5 Assorted notes by Chaskalson
- B7.14.6 ANC publications & press releases, 2f
Incl. ANC Regional Policy Draft Discussion Document, Oct. 1992; ANC Draft Bill of Rights, preliminary revised version 1.1 produced by ANC Constitutional Committee; Ten Proposed Regions for a United SA, discussion document prepared by the ANC Constitutional Committee, Feb. 1992 (2 copies); ANC Negotiations Bulletin, 19 February 1993 & 11 March 1993; Negotiations - A Strategic Perspective (as adopted by the NEC of the ANC 25 November 1992); Intervention of the President of the ANC, Nelson Mandela, at the Second Session of the Convention for a Democratic South Africa (CODESA), Johannesburg, 16 May 1992;
- B7.14.7 Miscellaneous, 3f
Proposed amendment to Section 29 of the Draft Constitution, Stephen Berrisford, CCC Town Planning; correspondence with Douglas Wimble, Moodie & Robertson re environmental issues, 1992; Prof. Stephen J. Ellis, New York Law School faxed letter on aspects of possible constitution, Oct. 1992; ANC Women's League National Policy Workshop, 8 - 10 May 1992; press cuttings in Afrikaans; Analysis of the Property Clause, 10th progress report of the Technical Committee on Fundamental Rights; article from the New Zealand Law Journal, May 1988, Fundamentals by Sir Robin Cooke; Norway's National Scheme for the Advancement of Women, Beatrice Halsaa; Restoration of Land Rights, unmandated draft for discussion purposes, 14 October 1993
- B7.15 Miscellaneous documents 4f
Includes: Themba Khoza's Car and Prosecution, 4p.; The Constitutional Transition of South Africa, unmandated report of a Technical Committee 26 April 1993; Negotiations - a political overview, 9p. 27 August 1993; Issues on which decisions have to be taken: 7 November 1993; Draft Resolution submitted to Negotiating Council 06 1993; Accountability & Control of the Police: the separation of powers in the exercise of the police function, 25p. ; Decision Making in a Government of National Unity; Explorative Proposals; Afrikaner Broederbond Work Document: Basic political values for the survival of the Afrikaner; Thirty Ways to Steal an Election by Craig Charney, Wits Sociology Dept., SACP memo on policing, 13 August 1993; Constitutional Principles; The Constitution-Making Body: some preliminary notes; faxes from the ANC to Chaskalson in the aftermath of the Boipatong Massacre and the suspension of negotiations, June-July 1992.
- B7.16 Publications, assorted
Includes: South Africa Constitution Watch Commission, Report No. 1 (2nd Draft), Centre for Human Rights & Constitutional Law, Los Angeles, Sept. 1990; Multi-tier Fiscal Relations: Financing Regions in South Africa - Phase Two of the Report, Consultative Business Movement. Sept. 1993; Internal Security Activities in the New South Africa, Philip B. Heymann; Development & Democracy, October 1992; Intergovernmental Relations: Guidelines for South Africa, Bertus De Villiers, Konrad Adenauer Stiftung, Sept. 1993; Visit to the Constitutional Courts of Germany & Hungary..., Albie Sachs, revised edition, May 1994, UWC.
- B7.17 Chaskalson Notes 2 f.
- B8 Constitutional Court, 1990s-2000s
- B8.1 Chaskalson's notes on Concourt cases 1995 - 2005 (some water damage)

PLEASE NOTE: This section B6.3 is EMBARGOED and permission to access this section has to be obtained.

- B8.1.1 Notes, February 1995 - February 1997 (cover loose)
- B8.1.2 Notes, November 1996 - November 1998 (some loose pages)
- B8.1.3 Notes, February 1999 - May 1999
- B8.1.4 Notes, March 2000 - May 2001 (cover loose)
- B8.1.5 Notes, February 2002 - August 2003 (and one case from 2001) (cover loose)
- B8.1.6 Notes, June 1996; August 1999 - February 2000; March - May 2004 (cover loose)
- B8.1.7 Notes, August 2001 - March 2004
- B8.1.8 Notes, July 2004 - March 2005

- B8.2 Internal memos, minutes, emails, letters etc.,1999-2005
PLEASE NOTE: This section B6.3 is EMBARGOED and permission to access this section has to be obtained.

- B8.2.1 Emails, mainly internal, 1999-2000
- B8.2.2 Letters to and from Court President Chaskalson, November 1999-March 2000, 09 May 2005
- B8.2.3 Memos 1999-July 2000, March, July 2004, March 2005
Mainly documents for circulation or discussion at meetings, includes some 'opinions' from clerks and a 'note on workload of the Constitutional Court' by Justice Kriegler
- B8.2.4 Agendas for meetings of the Justices of the Constitutional Court 1999-2000, some annotated by AC, decisions taken
- B8.2.5 Miscellaneous

- B8.3 Published papers on aspects of the law
- B8.3.1 Socio-economic rights
- B8.3.1.1 Lecture, speech, memo
Draft paper by Arthur Chaskalson 'Judicial Enforcement of Socio-economic Rights - the South African Experience, 36p., 2005; The Judicial Enforcement of Socio-economic Rights: the Grootboom Case, Albie Sachs, lecture transcript, 2003, 22p.; memo to Chaskalson from Kate Hofmeyr for a speech on socio-economic rights, 14 August 2003
- B8.3.1.2 Publications
Includes: Review of Constitutional Rights Vol.6 No.2 2002; Public Scrutiny July 1999; ESR Review Vol. 4 No. 3 Sept. 2003
- B8.3.1.3 Various papers, articles, chapters from books, 5 f.
Includes: items concerning children's rights; Venezuela court ruling on HIV 1999; El Salvador HIV treatment; Sandra Liebenberg on South Africa's evolving Jurisprudence on Socio-economic rights, 2002; 'Negative' Rights vs. 'Positive' Entitlements by Ran Hirschl; Understanding Grootboom, a response to Cass R. Sunstein, Theunis Roux; The Right to Education under the South African Constitution, Eric Berger, Columbia Law Review, April 2003; items from the SA Journal on Human Rights;

- B8.4 Administrative Law
- B8.4.1 Papers presented at the Comparative Administrative Justice Conference, Cape Town, 20-22 March 2005, 3f.

Includes papers by Johannes Chan, Robin Creyke, A.P. Datar, C. Forsyth, J. Klaaren, C. Okpaluba, Cora Hoexter
- B8.4.2 Miscellaneous

- B8.5 Certification of the Constitution; the Court, it's symbols and judges
Schedule and directives of certification of the SA Constitution, July 1996; features of the Court logo; brief CV of each judge; pamphlet; travel arrangements for parliamentary farewell to the Chaskalsons, 2005

- B8.6 Miscellaneous
In Chambers: 10 Years of The Chaskalson Chambers, an appreciation put together by clerks at the Constitutional Court on his retirement; Programme for retirement ceremony and hand-over to new Chief Justice, Parliament, 10 June 2005 and AC's notes for address to the Parliament; invitation to the Inauguration of the Constitutional Court, 14 February 1995; letter of appreciation by Sean M. Flynn concerning his time working at the Constitutional Court, 16 May 2005.

- B9 New York University School of Law & Columbia University, 3f.

- Chaskalson taught some courses / seminars at NYU in 1990s and at Columbia in the 2000s
- B9.1 New York University School of Law: Global Law Programme
- B9.1.1 Correspondence 1995-2003: faxes and emails, 2f.
- B9.1.2 Other NYU-related material
- B9.2 Columbia University, Correspondence
- B10 Press Cuttings, 2 folders - one is oversize
- B11 Publications & articles
- B11.1 Publications
Includes: A Delicate Balance - Proceedings of the symposium to mark the retirement of Arthur Chaskalson, former Chief Justice of the Republic of South Africa; The Advocate, Dec. 2008; De Rebus, March 2002: Chief Justice Arthur Chaskalson talks to De Rebus; Walk the Last Mile with us: Mandela's Speeches in Ireland; 'A Small Miracle' continues: South Africa 1994-1999, Thomas G. Karis, signed to Arthur and Lorraine;
- B11.2 Publications
From wickedness to equality: The moral transformation of South African law, Arthur Chaskalson, reprint from I.Con, Vol. 1, Number 4, 2003; Brown v. Board of Education: Fifty Years Later, Chief Justice Arthur Chaskalson, draft, 21 April 2004; Discussion document on the establishment of a Judicial Education Institute, draft, no date no author; Constitutions are shaped by history: An account of the making of South Africa's new constitution, 09 September 1994, 33p. no author; The House of Lords and Women's Rights or Am I really a Law Lord? by Baroness Hale of Richmond, paper delivered at a conference in 2004.
- B12 Legal Resources Centre (LRC)
- B12.1 Correspondence 1978-1986 2f
Includes: Black Sash, New York Bar Association, Rockefeller Foundation, Jack Greenberg at the Legal Defence Fund New York, School of Law Columbia University, Justice John Didcott, several University law societies
- B12.2 Award by the Foundation for Freedom & Human Rights, Switzerland
Includes: travel arrangements, information about the LRC etc.
- B12.3 Miscellaneous
Founding agreement of the Legal Resources Centre, 22 November 1978, copy, signed by Chaskalson, Felicia Kentridge and (illegible), 13p.; AC notes; phone contact list
- B13 Miscellaneous
- B13.1 Chaskalson notes, various
- B13.2 Ceremonies and events
Includes: Programme for Presidential Inauguration, 1999; invitations; The NAACP Legal Defence & Educational Fund's Commemoration of the 25th Anniversary of the US Supreme Court Decision on the Desegregation of Schools, 17 May 1979, includes Commemorative Booklet '25 Years Since Brown'; Order of Service for the Enthronement of Desmond Tutu as Bishop of Johannesburg, 1985;
- B13.3 Other
Includes: Ishmael Mkhabela banning orders, 1978, copy (FRAGILE); hand drawn maps; comment on Rex v. Heyne and Others; Society of Advocates Agenda, 09 August 1979, AC notes on the reverse; Juta on environmental law printout; Schedule 4 of the 1993 SA Constitution, highlighted; article by Albie Sachs 'A Judocentric View of the Law, 15p., April 2005; The Preservation of Civil Liberties in South Africa, address to Law Students Annual Dinner by Mangosuthu G. Buthelezi, 27 September 1976; Judgment delivered in the Israeli Supreme Court Sitting as the High Court of Justice, 2005 (?), 64p., concerns the residents of several Palestinian villages cut-off from Judea and Samaria by a 'separation fence'; copy of Mandela's statement during Rivonia Trial, 20 April 1964; Government Gazette No. 27959, 24 August 2005, dealing with remuneration of Judges amongst other things; ANC NEC election ballot result; letter from Elinor Sisulu to George Bizos concerning a section of her biography of Walter & Albert Sisulu, draft chapter attached; Scroll version of the SA Bill of Rights (oversize, in tube);
- C PHOTOGRAPHS

- C1 Group photo: International Commission of Jurists, Triennial Meeting and Conference, October 1985, Bangalore, India
- C2.1-4 The 'Delmas Five' released from Robben Island, 15 December 1989: Patrick 'Terror' Lekota speaking after their release, photos ©Ellen Elmendorp, formerly of Afrapix
- C3.1-3 Arthur Chaskalson and George Bizos at FNB Stadium Soweto, 13 February 1990, photos ©Ellen Elmendorp
- C4.1 Arthur & Lorraine Chaskalson with George Bizos
- C4.2 Arthur & Lorraine Chaskalson with Tom (Thomas) Karis
- C5 Constitutional Court opened by President Nelson Mandela, 14 February 1995
Dullah Omar, President Mandela, Arthur Chaskalson, photo © Robert Botha (and / or Times Media Group)
- C6.1-3 Portraits of Arthur Chaskalson at FCA lunch, February 1995, photos ©Ellen Elmendorp
- C7.1 Arthur Chaskalson receives Order of the Baobab in Gold from President Mbeki, 10 December 2002: Chaskalson, Mbeki, Frank Chikane (read from scroll)
- C7.2 Arthur Chaskalson receives Order of the Baobab in Gold from President Mbeki, 10 December 2002: Mbeki places the medal around neck of recipient
- C7.3 Arthur Chaskalson receives Order of the Baobab in Gold from President Mbeki, 10 December 2002: Mbeki congratulates Chaskalson
- C7.4 Arthur Chaskalson receives Order of the Baobab in Gold from President Mbeki, 10 December 2002: Group photo (including Nelson Mandela) of all recipients
- C7.5 Arthur Chaskalson receives Order of the Baobab in Gold from President Mbeki, 10 December 2002: Group photo of all recipients
- C8 New Constitutional Court's first sitting, 24 February 2004
Full Bench of the Court, led by Chief Justice Chaskalson... in new building photo © Robert Botha (and / or Times Media Group)
- C9.1-4 Opening of the new Constitutional Court building, dignitaries, 21 March 2004
Including President Mbeki, Deputy Justice Minister Cheryl Gillwald, Aaron Motsoaledi, Frene Ginwala and Chaskalson family
- C10 Chaskalson speaking to Queen Elizabeth II at a banquet (probably in South Africa) no date
- C11 Inspector Sam Nwamufi & Chief Justice Chaskalson
- C12 Group photo, no date
Chaskalson in academic robes, his wife Dr. Louise Chaskalson, one of his sons and a daughter-in-law, Nadine Gordimer & several unidentified people
- C13 Chaskalson speaking at a podium, no date
- C14 Group photo of all the Justices of the Constitutional Court, 22 February 1995
- C15 Chief Justice Chaskalson with two young, robed, men - probably his (Constitutional Court) clerks
- C16 Chaskalson speaking at a microphone, no date
- C17 Chaskalson, Louise Chaskalson - holding flowers - and Geoff Budlender, no date
- C18 Chaskalson at a podium holding posters, unidentified woman, no date
- C19 Chaskalson and Nelson Mandela, both smiling, no date
- C20 Chaskalson at South African Breweries (SAB) award event , no date
With Louise Chaskalson, Cyril Ramaphosa, George Bizos, Mamphela Ramphele, Anne Bernstein, Peter O'Sullivan
- C21 Chaskalson with wife Louise and daughter-in-law at an event, no date
- C22 Chaskalson with Margie Marshall at Boston Bar Association reception, no date
- C23 Chaskalson at a dinner event with unidentified man, no date
- C24 Airforce fly-past, probably at a presidential inauguration, no date
- C25 Joe Slovo at podium, no date
- C26 Photocopy of the University of the Witwatersrand Soccer Club 1st Team 1950, including Arthur Chaskalson, oversize (A3)
- C27 CD: University of the Western Cape Chaskalson Honorary Degree ceremony photos, March 2007
- C28 Group photo (laminated): Justices of the Constitutional Court and their Clerks, December 2002, oversize
- C29 Group photo, Justices of the Constitutional Court and their Clerks, 2001, oversize
- D MEMORABILIA
- D1 Corporate Associate award to Arthur Chaskalson for his role in Constitutionalism, Human Rights, Democracy, by the Constitution Hill Trust, 26 June 2008

- large medal on wooden stand
- D2 Large medal inscribed
World Conference on Constitutional Justice 2009, Republic of SA, Venice Commission of the Council of Europe;
Justice A Chaskalson 1995-2005
- D3 Wooden Shield inscribed: Ministry of Interior, presented by Secretary Interior, Govt. of Pakistan
- D4 Medal inscribed: University of Pretoria, Arthur Chaskalson LL.D (Honoris Causa) 2007-04-13
- D5 Large medal inscribed: A. Chaskalson Pro Merito, Venice Commission Council of Europe, Res Publica IVS
- D6 Small medal inscribed: Freeman Walter Sisulu, 90th Birthday 18 May 2002, City of Johannesburg, engraved image
of Sisulu