



Vice-Chancellor and Principal

Speech

Date: Friday 16 April 2021

Time: 11am start

Venue: UP Law Faculty Foyer

What is Prof Kupe's role in the event: To deliver the eulogy at Prof Christof Heyns memorial service.

Speech topic: Eulogy for Professor Christof Heyns

Time of speech: 12:40pm

Time allocation: 10 minutes

Speech in Ms Word format ready to read (word for word).

Good afternoon again to all joining us today.

Ever since we heard the shocking news of Professor Christof Heyns' untimely passing, tributes have poured in from every corner of the globe; heartfelt eulogies from people whose lives were profoundly touched by what can only be accurately described as this giant of a man. He was greatly admired and respected, both for his contributions to the advancements of human rights around the world, as well as for his personal characteristics – a man of wisdom and humility, great warmth and generosity and humour, with a complete zest for life. He was a colleague, teacher, mentor and friend to so many at UP, and we will all miss him terribly. Our deepest condolences go out to his wife Fearika, children Renée, Willemien and Adam, and other family members.

When reflecting on Christof's extraordinary accomplishments and character – I will refer to him as Christof from now on, as he often insisted on being called, even to

those who cringed at the prospect of addressing him as anything but Prof – it is clear that he was a big person in every sense: a big man, with a big intellect, and a big heart. And yet, there were so many little things that made up his deep humanity...people are full of big, little things, and, as we reflect on his life and all that it has meant to so many, let us cherish the monumental and the minor, for together they paint the picture of a person who can only inspire us to all be better versions of ourselves.

Christof's father, Johan Heyns, an independent-minded and outspoken reformist, sowed a small seed of a worldview to his son, which Christof summarised as being: "Die liefde is om iemand 'n *gap* te gee". This seed of 'love being about creating space for people' perhaps blossomed into Christof's huge passion for human rights, as he devoted his life to creating a better life for vulnerable people in South Africa and around the world.

Justice Dikgang Moseneke, former Deputy Chief Justice of South Africa, said in his tribute that he personally knew Christof in the dark days of apartheid and colonialism. Unlike many others, he says, Christof opposed apartheid openly, and embraced notions of an inclusive and socially just society. In a joint appreciation from the alumni of the Masters' degree programme in Human Rights and Democratisation in Africa, the scholars acclaim Christoff's establishment in 1986 of the Centre for Human Rights, together with Johan van der Westhuizen, at the then white and conservative University of Pretoria, as an achievement in itself. Christof's motto was, as the motto of the CHR, "From Human Wrongs to Human Rights". They recall his optimism about a non-racial future for South Africa based on human rights and the rule of law, and how he worked tirelessly for a new and democratic South Africa, making an important contribution to our renowned Constitution.

Christof achieved some pretty big things in his career. He held the degrees MA LLB from UP, an LLM from Yale Law School, and a PhD from Wits. He was an adjunct professor at the Washington College of Law of the American University and, since 2005, a Visiting Fellow at Kellogg College at Oxford University. He also held several positions at UP: He was the Director of the Centre for Human Rights from 1999 to 2006, after which he moved to become the Dean of the Faculty of Law for four years. He then became the founding Co-Director of the Institute for International and Comparative Law (ICLA). He was especially passionate about moot courts, and built UP Moot from the ground up, not to mention conceptualising several distinguished moot court competitions, including the Nelson Mandela World Human Rights Moot Competition.

From 2010 to 2016, Christof served as the United Nations Special Rapporteur on extrajudicial, summary or arbitrary executions. His many important achievements in that role included a ground-breaking report on Lethal Autonomous Robotics and the right to life. He also played a key role in helping to update the Minnesota Protocol on The Investigation of Potentially Unlawful Death, published in 2016, and in the same year chaired the UN Independent Investigation on Burundi. From 2017 he took on his most recent role of being a member of the UN Human Rights Committee. He led the drafting of the widely acclaimed General Comment No. 37 on the right of peaceful assembly, which was published last July. My last event of last year on 16 December

Reconciliation Day he, Abigail Noko, Frans and I were part of a global webinar at Future Africa at the UPTV to discuss the guidelines. He also led the team that drafted the UN Human Rights Guidance on Less-Lethal Weapons in Law Enforcement, launched two months earlier in May 2020.

Christof's tireless efforts in educating several generations of students to become accomplished human rights lawyers is an important part of his legacy, and it is here that the little things show their profound impact. A student from Burundi recalls meeting him in Geneva, and being surprised by his humbleness; how he shared with her his challenges of back in time when he was a student in a foreign country. "He was a unique professor," she says. "His way of teaching would attract anyone to get interested in human rights, given his passion and knowledge." Another student remembers a lecture he gave in Oxford: "His dilemmas and the way he explained them to the audience became our own dilemmas on the topic for years to come. He was such good fun to be with, always ready to laugh with the next joke; the perfect host." And the list goes on. A photograph on a tribute page shows a group of students huddled around laptops at Christof's dining room table. One of the students writes: "Where is the family?' you might ask. Well, as always, human rights took centre stage and we happily decamped to the kitchen. We couldn't get access to campus and so we were there, not for a day, but for a week, with Prof leaving us to it and coming through every now and then to answer our questions."

There is no doubt that Christof was an ideas person – always brimming with enthusiasm over the next project, and with the solid determination to follow through on them. He started everything from TuksRadio and Regshuis to the annual faculty festival day (FacFest) and Sasvo – a student programme started in 1994 which saw volunteers work alongside communities on existing development projects.

Anyone working closely with him would be familiar with his so-called "3am mails" – mostly one-liners with no subject line or punctuation, but always about the bigger picture. These were vintage Christof, and I am sure many of his visions and brilliant ideas were conjured up in the wee hours of the morning. There is also the fact that, with so much on his plate, there is little wonder that he had to work at 3am! For, as much as Christof gave to his work life, this tremendous effort was duplicated in his personal life – his love and investment in his family, his friends, his hobbies, the outdoors and simply enjoying life. He was active and surf-ski'd and mountain-biked; he adored literature and music – we all remember him playing guitar in *The Outlaws* and how the band's appearances lit up many a staff event. Fearika attests to Christof being the glue of their family; and that they were always his first priority. He relished in becoming a grandfather this past year, and one of his last videos circulated was of little Isaak laughing gleefully every time Christof pruned a branch off a tree in his garden. The video was called, "Hoekom ek my hele boom afgekap het", or "Why I chopped down my entire tree".

Now that a great tree has fallen, where then does that leave us? To quote Maya Angelou's poem, "When great souls die, the air around us becomes light, rare, sterile. We breathe, briefly. Our eyes, briefly, see with hurtful clarity." As we mourn and reflect, we cannot but come back to the call of Christof's life and legacy. He was one of South Africa's greatest activists, and activism is always a rush and always urgent. Speaking after his father's tragic murder in 1994, Christof said that something like that makes

you much more sensitive to the plight of others – and aware of the limited time that we have to make a difference. He said that his response was to throw himself into his work; that being creative offered an opportunity to try and make sense of a country which asks so much of its people. The COVID-19 pandemic has heightened and exposed glaring income inequality in South Africa like never before; millions live in a desperate and undignified conditions. Globally, we face multiple disruptions and crises. As a university community, we are well poised to come up with strategies which we can collaboratively implement to achieve social justice and equality. We can be inspired to do the big things, while not forgetting the little out-of-sight actions and other-people centredness that spoke such volumes in Christof's life.

There is a paragraph in one of Christof's short stories published on LitNet, *A funeral at Stilbaai*, which reads: "He feels the warmth of the old man's arm around his shoulders, and then the pat on his back. 'I know. The world can be a terrible place. We won't be able to change that. But, you are prepared for it – as much as anyone can be. You will be okay if you use what you have to make it better.'" Thank you, son of Africa, for your immense contribution. We will do our best to live out your legacy and make it better.