

Charl Hugo: A Friend and Dear Colleague

JT (Jopie) Pretorius

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Author

Jopie Pretorius

Affiliation

Emeritus Professor of Law,
University of South Africa

Email

jt.pretorius@gmail.com

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I met Charl sometime in 1987 (if my memory serves me right). At that time, I was a newly appointed professor at the University of South Africa (Unisa). Charl requested me to be the supervisor for his LLM dissertation at Unisa. I agreed, even though I was still trying to find my feet at my new place of employment. Charl turned out to be an excellent student. Charl was one of the easiest students I have ever had. Needless to say, he passed his dissertation with distinction. The article, which dealt with negotiable instruments, was later published in the *South African Mercantile Law Journal*. The article was well received. In those days, negotiable instruments was still an important subject, and many problems and cases dealt with the subject. As things go, due to technological advances, the advent of personal computers and changed banking practices, the law on negotiable instruments has become less important, and one may now say it is part of legal history. The demise of the law of negotiable instruments is a pity because a great deal of insight is necessary to understand the subject thoroughly. Charl mastered this and became one of the top academics in the field.

In the process, Charl and I became friends and often discussed and debated the subject. Charl went on to complete his LLD on letters of credit. The letter of credit is closely related to negotiable instruments. If one understands negotiable instruments well, it is much easier to understand the difficulties of using letters of credit in international trade. Charl had this advantage, and this is why his thesis is outstanding. It has been and is still quoted in reported cases and academic writings in law journals. I can say that he is probably the foremost academic in this field. I am very proud of Charl's achievements. Charl is humble and does not boast of his many achievements. With Charl's warm personality and friendliness, it was very easy to be his friend. And I can honestly say that he is a good friend.

I often saw Charl at the *Annual Banking Law Update* (ABLU) hosted at the then Randse Afrikaanse Universiteit (now the University of Johannesburg), where Charl delivered many papers on letters of credit and other subjects.

In 1997 Charl was appointed Professor of Mercantile Law at the University of Stellenbosch. In 2004 he told me he would be doing his pupillage at the Cape Bar in 2005. He asked me if I would be willing to take over his teaching duties at the University of Stellenbosch whilst he was doing his pupillage. (Charl said he would mark the exam papers, which was quite a relief.) I gladly accepted Charl's request and found myself teaching at the University of Stellenbosch. The University rented a flat for me within walking distance from the campus. During the time I spent there, I made many friends.

I subsequently learnt that Charl was going to the Cape Bar full-time and that he had resigned from the University of Stellenbosch. However, we somehow kept in touch. During his time at the bar, we often spoke on the telephone to discuss some of his cases. I hope that the legal advice I gave him was correct.

Towards the end of 2012, I heard that Charl had decided to return to academia full-time. I was requested by Patrick O'Brien, who was back then the dean of the faculty of law at the University of Johannesburg, to sit on the selection panel for the appointment of Professor in Mercantile Law. I accepted the invitation, and to my pleasant surprise, I discovered that Charl was one of the applicants. Charl continued to publish whilst he was at the bar and had an impressive track record. The unanimous decision of the selection panel was that Charl should be appointed as a Professor of Banking law. He was also appointed as director of the Centre for Banking Law.

One of the responsibilities of the Centre was to organise ABLU. Charl did a superb job in his capacity as the organiser of ABLU. All the ABLU conferences during his term were well organised, and he secured excellent speakers in Banking Law and other disciplines from South Africa and often abroad. I was chairperson at some of the ABLU conferences, and I was always impressed with how he conducted these conferences and the personal gatherings that came with the conference event.

I saw quite a lot of Charl during this time, strengthening our long friendship. He continued to publish, and I know he was personally involved in several conferences abroad. His inaugural lecture was quite a gem, and the manuscript was subsequently published. It dealt with the history of letters of credit.

With the pandemic, it was not possible to see each other, in person, for quite some time. With retirement approaching, Charl has moved to the Cape to be closer to his two sons, his granddaughter and other family members.

Charl, my good friend, I wish you all the best during your retirement. This time is now a new phase in your life. You are still healthy, which is a blessing. I hope you will continue to publish but also have time to relax and spend with your family.

In the words of Nobel prize winner Bob Dylan, "May you stay ... forever young." But then, as we all know, it is very difficult to predict what will happen in the future.

JT (Jopie) Pretorius*

* Joseph Thomas (Jopie) Pretorius. B Iuris (Pret) LLB (Natal) LLM (Cape Town) LLM (London) LLD (RAU). Emeritus Professor of Law, University of South Africa. Life Member of Clare Hall, University of Cambridge. Attorney of the High Court South Africa. Email: jt.pretorius@gmail.com.