

20 March 2026

Tribute to Nicholas “Fink” Haysom (1952 – 2026)

Nicholas “Fink” Haysom was foundational to establishing Cheadle Thompson & Haysom (CTH), together with Halton Cheadle and Clive Thompson.

He brought his experience and commitment as a student leader and activist (NUSAS President 1977, detained without trial and banned under apartheid security legislation) to build a law firm to defend and advance the struggle against apartheid and for democracy.

Fink Haysom was extraordinary. He inspired cohorts of young lawyers and made an immense contribution to the struggle against apartheid, the transition to democracy and the building of our democratic constitutional order. He took his arsenal of experience and expertise to the international stage as an exceptional United Nations diplomat and peacemaker in intractable conflicts.

Fink was a brilliant and imaginative activist, lawyer and academic. At the Centre for Applied Legal Studies (CALS) at Wits University he wrote on a wide range of labour and human rights issues, including the position of farm workers, policing, prisons, emergency law, censorship, detention without trial, forced removals and constitutionalism.

At CTH, Fink was deeply involved in assisting trade unions and other political organisations resist repression. He saw the law firm’s task as “building the muscles of popular organisation against apartheid and the government [as it then was].”

He represented many high-profile detainees and political prisoners and, with David Webster, was instrumental in establishing the Detainees’ Parents Support Committee. He was central to many cases resisting forced removals and, for a decade from 1983, represented the Bakwena Ba Mogopa community in their relentless and ultimately successful legal and political battle against forced removal from their farms near Ventersdorp.

Fink also played a key role in representing the families of victims of apartheid atrocities in inquests and commissions of inquiry, including the Kannemeyer Commission into the Langa massacre on 21 March 1985.

One of his many ground-breaking cases arose from this engagement - the 1985 ruling in *ex parte Mashinini* in which the Eastern Cape Supreme Court granted an “Anton Piller” order permitting an unannounced search of two East London police stations to discover electrical equipment used to torture detainees, which was unprecedented. Previously, these orders had only been granted in commercial disputes, and persuading an executive-minded judge to apply these principles against the apartheid state during the height of the state of emergency represented a significant triumph of public interest litigation.

After the unbanning of the African National Congress (ANC) and the organisation's return from exile in 1990, Fink played a central role in shaping its approach to constitutional negotiations, which produced the interim Constitution. He was a member of its National Working Committee and one of its chief constitutional negotiators.

As President Nelson Mandela's chief legal and constitutional advisor after 1994, he continued his deep involvement in the constitutional process. His role in the period that led up to the adoption of the final Constitution in 1996 was described as "presidential law advisor by day, constitutional trouble-shooter and drafter by night." Fink described the lesson of Nelson Mandela as "not just being a nice person, it's perseverance in your ideals that will change the world."

After the expiry of Nelson Mandela's presidential term in 1999, Fink Haysom became involved in major peace-making efforts internationally, initially at Madiba's request, and from 2005 onwards, he held senior diplomatic positions in the United Nations, including in the office of successive UN Secretary-Generals. He made remarkable contributions to peacekeeping missions and conflict resolution in Burundi, Sudan, Somalia, Iraq and Afghanistan.

Fink's exceptional contribution to human rights law nationally and internationally was recognised by the University of Cape Town and New York University which awarded him honorary doctorates in 2012 and 2019 respectively.

CTH was built on the foundation stones laid by Fink Haysom. We are forever grateful for his inspiration.

Hamba Kahle, Fink!