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Introduction to South African Law and Legal Theory ...

over the idea and theory of the realities of law in traditional and modern African societies, seems to be engrossed in the quest for pertinence in what can be called a search for the significance of its hidden history. At its heart is the view that to perceive the significance of the history of any subject or culture requires openness of mind.

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South Africa has a 'hybrid' or 'mixed' legal system, formed by the interweaving of a number of distinct legal traditions: a civil law system inherited from the Dutch, a common law system inherited from the British, and a customary law system inherited from indigenous Africans. These traditions have had a complex interrelationship, with the English influence most apparent in procedural aspects of the legal system and methods of adjudication, and the Roman-

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Dutch influence most visible in its subst

Law of South Africa - Wikipedia

Abstract. This is an introductory book on African legal philosophy. The book claims that African legal philosophy exists and is intelligible in the context of African culture, just as every other legal philosophy has its cultural foundation. What law is, how it is thought, how it is interpreted, and how it is applied takes place with thing the parameters of African culture.

John Murungi, An Introduction to African Legal Philosophy ...

Legal Theory is a three-year major subject in the BA, B SocSci, BCom, B BusSci and BSc curricula. It involves the study of key fields of South African Law in the reality of public and private law, and thus forms an important stepping stone towards the LLB degree. Legal Theory is allowed as a credit for degrees in the Faculties of Humanities, Commerce and Science.

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The book is a collection of essays, which aim to situate African legal theory in the context of the myriad of contemporary global challenges; from the prevalence of war to the misery of poverty and disease to the crises of the environment. Apart from being problems that have an indelible African mark on them, a common theme that runs throughout the essays in this book is that African legal theory has been excluded, under-explored or under-theorised in the search for solutions to such ...

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Displaying scepticism of liberalism, much of critical race theory is characterised as well by “deep discontent” with “civil rights litigation and activism, faith in the legal system, and hope for progress”. The genesis of much of critical race theory suggests a hybrid of critical theories and perspectives with race at the core.

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Morality of Law Dworkin's "Third Theory of Law" Legal Realism and Critical Legal Studies 1. Thomas Aquinas and Natural Law Theory Natural law theory like legal positivism has appeared in a variety of forms and in many guises. One of the most elaborate statements of natural law theory can be found in Aquinas who distinguished four types of law ...

The papers presented in this volume aim to contribute to the development of African legal theory. Issues discussed include: legal anthropology, customary law in the state legal system; legal concepts; and procedural and substantive justice.

The book is a collection of essays, which aim to situate African legal theory in the context of the myriad of contemporary global challenges; from the prevalence of war to the misery of poverty and disease to the crises of the environment. Apart from being problems that have an indelible African mark on them, a common theme that runs throughout the essays in this book is that African legal theory has been excluded, under-explored or under-theorised in the search for solutions to such contemporary problems. The essays make a modest attempt to reverse this trend. The contributors investigate and introduce readers to the key issues, questions, concepts, impulses and problems that underpin the idea of African legal theory. They outline the potential offered by African legal theory and open up its key concepts and impulses for critical scrutiny. This is done in order to develop a better understanding of the extent to which African legal theory can contribute to discourses seeking to address some of the challenges that confront African and non-African societies alike.

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