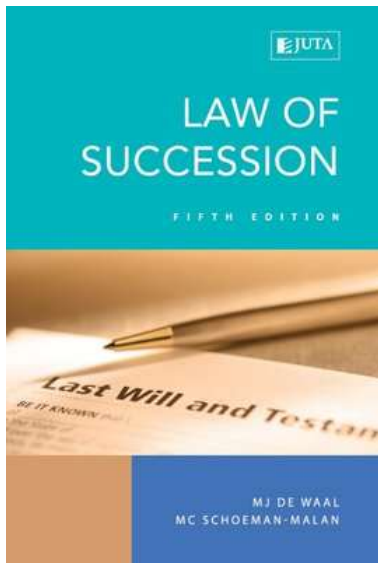


Book Review



LAW OF SUCCESSION

By MJ De Waal &
MC Schoeman-Malan

(331 pages)

Juta & Co Ltd

www.jutalaw.co.za

"But thousands die without or this or that –

Die, and endow a college or a cat"

– Alexander Pope (1688-1744)

The law of succession regulates a substantial portion of life's two certainties – death and taxation. Its rules control the winding up and distribution by inheritance of any assets in a deceased estate remaining after outstanding debts, including taxes and administrative costs, have been met.

This fifth edition of a book which first appeared in 1992 provides a comprehensive overview of all aspects of the law of succession. Also available in Afrikaans as *Erfreg*, it will continue to be an invaluable resource for legal practitioners, executors and administrators of deceased estates, trustees, guardians, curators, tax and financial advisors, estate planners, students and Masters office officials.

Every aspect of the subject is dealt with clearly and logically, with pertinent footnotes, case references, a detailed table of the relevant sections of legislation and regulations, extracts from certain acts such as the Wills Act of 1953 and the Intestate Succession Act of 1987, and an extensive bibliography, all fully indexed.

The experience and expertise of the distinguished co-authors, both acknowledged senior scholars in this branch of the law, ensures that the text and contents are accessible and the style lucid and concise.

This resource is exceptionally well-organised and reader-friendly, while maintaining the intellectual and academic quality and insight required for a complex branch of private law.

The co-authors are Professor MJ de Waal BComm LLB LLM LLD of Stellenbosch University, and Professor MC Schoeman-Malan BA LLB LLD of the University of Pretoria. They point out that the law of succession should always be studied within its broader social context. It can only function successfully in a system that recognises the right to private property. The law of succession thus fulfils an important *economic function* as it regulates the transfer of wealth upon a person's death. It also fulfils a *social function*, particularly in maintaining and protecting the family as a social unit.

The law of succession has, not surprisingly, enjoyed the frequent attention of our legislators and courts and has its origins in ancient times. It has also seen the considered input and commentary of some of our finest scholars and jurors, such as former Chief Justice Michael Corbett (**The Law of Succession in South Africa**, Juta 1980). The present book handsomely meets the ongoing need for guidance and a sure grasp of this fundamental pillar of our legal firmament.

Review by Louis Rood BA LLB (UCT) of Fairbridges Wertheim Becker.