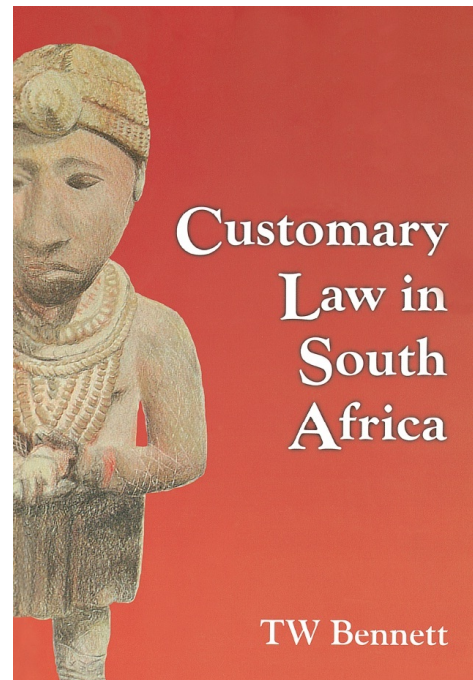


Customary Law in South Africa

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About this Publication:

The position of customary law in the South African legal system has been much improved since the enactment of the new Constitution. As a constitutionally protected cultural heritage, customary law now enjoys a status equal to that of Roman-Dutch law. By drawing on a range of materials, both legal and anthropological, from South Africa and elsewhere in Africa, this book provides a comprehensive account of the major branches of customary law: marriage, divorce, succession, children, courts and procedures, traditional leadership, land tenure and the conflict of laws. Constant reference is made to the tensions generated by conflict between the Bill of Rights and the African legal tradition. The book also explores the complex nature of customary law, which exists in oral traditions, in codes, precedents and academic texts and, above all, in the system of living norms that regulate the everyday lives of the great majority of South Africans.

Contents Include:

- Concepts and theory
- Recognition, ascertainment and application
- The right to culture and constitution
- Traditional leaders
- Courts
- Procedure
- The family
- Marriage
- Consequences of marriage
- Children
- Succession
- Land tenure

Of Interest and Benefit to:

- Justice officials
- Students
- Academics
- Legal practitioners
- Libraries
- Family law advisers