

# Acta Juridica 2014

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### About this Publication:

This annual thematic journal is published with the Faculty of Law of the University of Cape Town. Every year a current legal issue forms the focus.

Acta Juridica 2014 comprises a selection of papers that were presented at a conference held in September 2012 at the University of Cape Town. These papers examine the considerable developments that have occurred in the areas of succession and trusts, including aspects of 'mainstream' succession and trust law, the relevance of African customary law, religious law in contemporary South Africa and the harmonisation of divergent legal systems. Also available in soft cover format as *South African Law of Succession and Trusts – The past meeting the present and thoughts for the future*, and online as part of *Jutastat Evolve: Journals Practice Collection.* 

#### **Key Benefits**

- In-depth up-to-date reflections of the area of law under review
- Expert editors ensure a consistently high quality of content
- Consolidated index plus special searches by title, author or citation

## **Contents Include:**

- The contribution made by Mr Justice Michael McGregor Corbett to the South African law of succession *G Hofmeyr*
- Testamentary freedom versus testamentary duty: in search of a better balance *K Lehmann*
- A grandchild's claim to maintenance from a deceased grandparent's estate *D Mackintosh, M Paleker*
- Section 2(3) of the Wills Act 7 of 1953: a retrospective and critical appraisal of some unresolved issues *L Schoeman-Malan, F du Toit, A van der Linde, J Faber*
- The *modus* in modern South African succession law *J Jamneck*
- Reconsidering the *indignus* principle in the South African law of succession *S Barns, A Thompson*
- A few comments on the (possible) revival of the customary law rule of male primogeniture: can the common-law principle of freedom of testation come to its rescue? *C Rautenbach*
- Faskh (divorce) and intestate succession in Islamic and South African law: impact of the watershed judgment in *Hassam v Jacobs* and the Muslim Marriages Bill *N Moosa, M Abduroaf*
- The viability for women's rights of incorporating Islamic inheritance laws into the South African legal system *W Amien*
- Is the DCFR trust a 'proper' trust? An evaluation from a South African perspective *M J de Waal*
- Die wysiging van *inter vivos-trustaktes*: 'n evaluerende perspektief op die *Potgieter*-saak *T Claassen*
- Comparing the *waqf* and the South African trust *L Albertus*

# Of Interest and Benefit to:

- Legal practitioners
- Academics