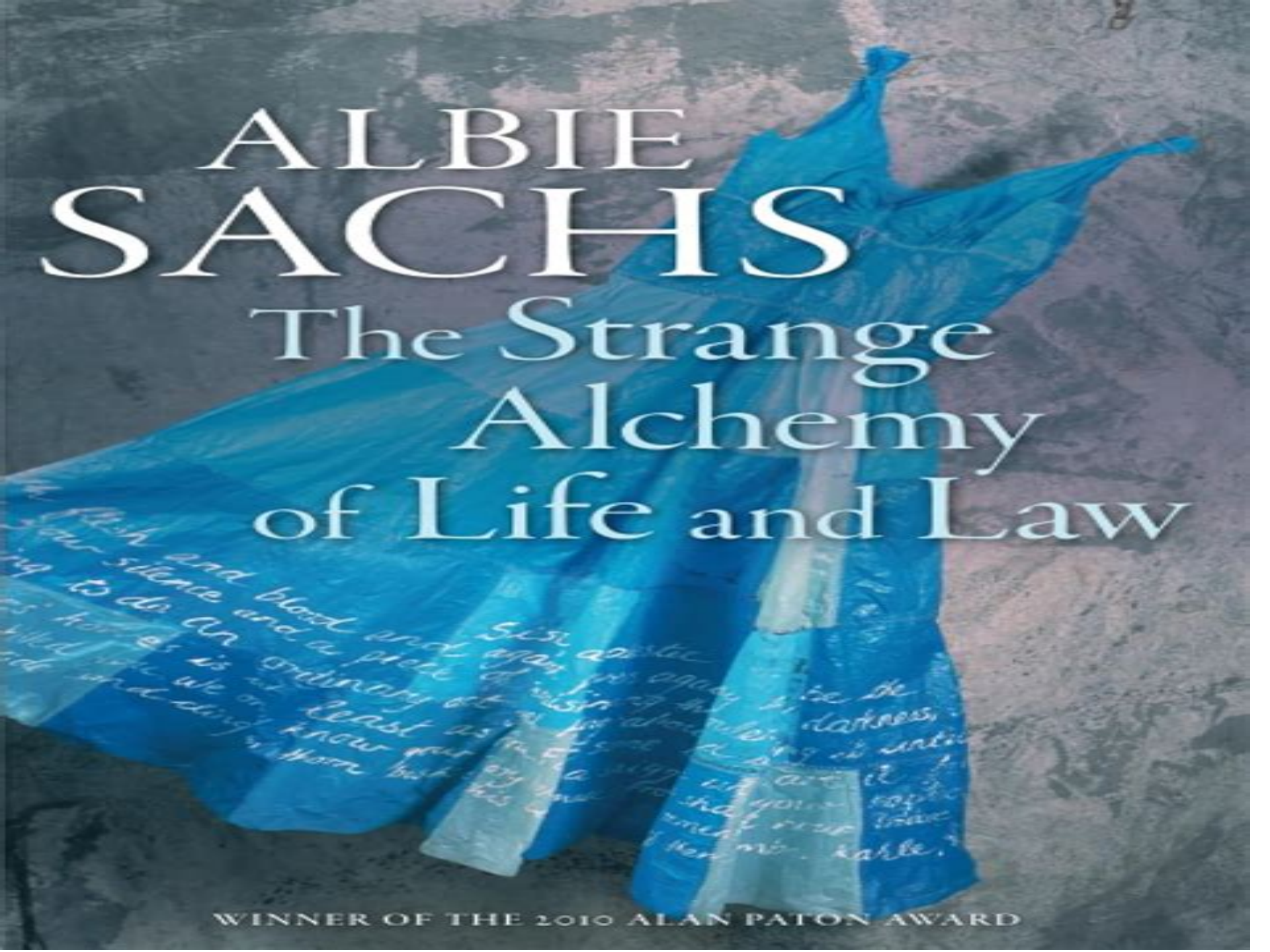




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The Strange Alchemy of Life and Law Albie Sachs, 2011-03-10 Albie Sachs gives an intimate account of his extraordinary life and work as a judge in South Africa Mixing autobiography with reflections on his major cases and the role of law in achieving social justice Sachs offers a rare glimpse into the workings of the judicial mind and a unique perspective on modern South African history

Albie Sachs and Transformation in South Africa Drucilla Cornell, Karin van Marle, Albie Sachs, 2014-03-05 Many critical theorists talk and write about the day after the revolution but few have actually participated in the constitution of a revolutionary government Emeritus Justice Albie Sachs was a freedom fighter for most of his life He then played a major role in the negotiating committee for the new constitution of South Africa and was subsequently appointed to the new Constitutional Court of South Africa Therefore the question of what it means to make the transition from a freedom fighter to a participant in a revolutionary government is not abstract in Hegel s sense of the word it is an actual journey that Albie Sachs undertook The essays in this book raise the complex question of what it actually means to make this transition without selling out to the demands of realism In addition the preface written by Emeritus Justice Albie Sachs and his interview with Drucilla Cornell and Karin van Marle further address key questions about revolution in the twentieth and twenty first centuries from armed struggle to the organization of a nation state committed to ethical transformation in the name of justice Albie Sachs and transformation in South Africa from revolutionary activist to constitutional court judge illuminates the theoretical and practical experiences of revolution and its political aftermath With first hand accounts alongside academic interrogation this unique book will intrigue anyone interested in the intersection of Law and Politics

Critical Issues in International Refugee Law James C. Simeon, 2010-08-19 This volume of essays examines key cutting edge areas of international refugee law including strategies for interpretative harmony the rights of refugees and the standard of proof in complementary protection Each topic is examined from a theoretical and a practical perspective in order to find solutions to the many legal issues and concerns which currently confront this area of law and to seek ways to advance the field as a whole

Family Law and Personal Life John Eekelaar, 2017-09-22 Developments in the law scholarship and research since 2006 form a substantial part of the second edition of this book which sets the governance of personal relationships in the context of the exercise of social and personal power Its central argument is that this power is counterbalanced by the presence of individual rights This entails an analysis of the nature and deployment of rights including human rights and children s rights Against that background the book examines the values of friendship truth respect and responsibility and how the values of individualism co exist with those of the community in an open society It argues that central to these values is respecting the role of intimacy in personal relationships In doing this a variety of issues are examined including the legal regulation of married and unmarried relationships same sex marriage state supervision over the inception and exercise of parenthood including surrogacy and assisted reproductive technology the role of fault and

responsibility in divorce law children's rights and welfare religion and family rights the rights of separated partners regarding property and of separated parents regarding their children and how states should respond to cultural diversity

The Democratic Moment Xolela Mangcu, 2009 The Democratic Moment is among other things a look at the mass forces that swept Jacob Zuma to power in South Africa in 2009 and put an end to the elite politics of the Thabo Mbeki era Trenchant and provocative Xolela Mangcu looks at the new configuration of power in South Africa and in the process illuminates such topics as the new black elite with particular attention to institutions such as the political opposition the courts and the media This is a book that will stimulate ideas provoke discussion create controversy and help to understand where South Africa stands as a society and a nation

Oxford Handbook of Transitional Justice, 2015-08-15 The Oxford Handbook of Transitional Justice is an authoritative guide to the rapidly growing domain of transitional justice the practices and processes of reckoning pursued in the aftermath of historic injustice Since the neologism's coining in the late 1990s transitional justice has become one of the 21st century's most influential practices of international humanitarianism However transitional justice projects often conceal the very violence they are intended to address or even inflict further violence on victims of atrocities Across 48 genre bending chapters the Handbook explores articulates and advances a multifaceted critique of transitional justice Ranging innovatively across space and time it interrogates the nature and legacies of the justice cascade that the prosecution of international crimes is said to have inspired An interdisciplinary cast of leading scholars questions the meaning and efficacy of transitional justice's modalities which range from archives to courts from memorials to reparations In so doing this volume's authors critically challenge the panglossian orthodoxies that have accumulated and ossified around efforts to come to terms with violent pasts from colonialism to genocide This global endeavor is not one of tear down however Rather it points toward a reimagined project that is more clear eyed about the promises of transitional justice and its inherent limits A definitive work on the subject The Oxford Handbook of Transitional Justice is essential reading for students scholars and practitioners interested in practices of reckoning

Joyful Human Rights William Paul Simmons, 2019-03-15 In popular legal and academic discourses the term human rights is now almost always discussed in relation to its opposite human rights abuses Syllabi textbooks and articles focus largely on victimization and trauma with scarcely a mention of a positive dimension Joy especially is often discounted and disregarded William Paul Simmons asserts that there is a time and place and necessity in human rights work for being joyful Joyful Human Rights leads us to challenge human rights foundations afresh Focusing on joy shifts the way we view victims perpetrators activists and martyrs and mitigates our propensity to express paternalistic or heroic attitudes toward human rights victims Victims experience joy indeed it is often what sustains them and in many cases what best facilitates their recovery from trauma Instead of reducing individuals merely to victim status or the tragedies they have experienced human rights workers can help harmed individuals reclaim their full humanity which includes positive emotions such as joy A joy centered approach provides new insights into

foundational human rights issues such as motivations of perpetrators trauma and survivorship the work of social movements and activists philosophical and historical origins of human rights and the politicization of human rights Many concepts rarely discussed in the field play important roles here including social erotics clowning dancing expressive arts therapy posttraumatic growth and the Buddhist terms metta loving kindness and mudita sympathetic joy Joyful Human Rights provides a new framework one based upon a more comprehensive understanding of human experiences for theorizing and practicing a more affirmative and robust notion of human rights

The Bloomsbury Guide to Pastoral Care Bernadette Flanagan, 2014-01-30 The Bloomsbury Guide to Pastoral Care provides a framework for reflection on pastoral care practice and identifies frontier learning from the new and challenging practical contexts which are important in pastoral care research today In this collection of essays from leading practitioner scholars Bernadette Flanagan and Sharon Thornton set out core principles underpinning professional identity and the practice of pastoral care in rapidly changing social settings Such pastoral challenges as developing compassionate and effective companionship to those who have suffered trauma torture catastrophic events social disintegration the moral wounds of war and cultural dislocation are treated with insight and deep care The new frontiers of pastoral care in more familiar circumstances such as family health settings where patients facing life challenging medical events and multi cultural communities are also explored With contributions from Kevin Egan Michael O Sullivan SJ Rita Nakashima Brock and Julia Prinz VDMF The Bloomsbury Guide to Pastoral Care is an essential reference for the theory and practice of pastoral care

Oral Law of Ancient Israel Robert D. Miller II, OFS, 2022-10-12 This book presents a new window on the legal system of Ancient Israel Building on the understanding that Israel was a society where writing was the medium for some forms of discourse but not others where written texts were performed orally and rewritten from oral performances Robert D Miller II OFS examines law and jurisprudence in this oral and literate world Using Iceland as an ethnographic analogy Miller shows how law was practiced performed and transmitted the way written artifacts of the law fit into oral performance and transmission and the relationship of the detritus of law that survives in the Hebrew Bible both Torah and Proverbs to that earlier social world

Constitutionalism Alejandro Linares Cantillo, Camilo Valdivieso-León, Santiago García-Jaramillo, 2021 This compilation of twenty essays gathers some of the most prominent authors in constitutionalism and legal theory to critically examine classical debates such as the role of judicial review in a democracy the enforcement of socio economic rights the doctrine of unconstitutional amendments and the theory of transitional justice

Religious Freedom and Religious Pluralism in Africa Pieter Coertzen, M Christian Green, Len Hansen, 2016-05-22 Africa continues to be a region with strong commitments to religious freedom and religious pluralism These however are rarely mere facts on the ground they are legal political social and theological projects that require considerable effort to realise This volume compiling the proceedings of the third annual conference of the African Consortium for Law and Religion Studies focuses on various issues which vastly effect the understanding of religious

pluralism in Africa These include amongst others religious freedom as a human right the importance of managing religious pluralism and the permissibility of religious practice and observance in South African public schools

Homosexuality and the European Court of Human Rights Paul Johnson,2013-09-05 Homosexuality and the European Court of Human Rights is the first book length study of the Court s jurisprudence in respect of sexual orientation It offers a socio legal analysis of the substantial number of decisions and judgments of the Strasbourg organs on the wide range of complaints brought by gay men and lesbians under the European Convention on Human Rights Providing a systematic analysis of Strasbourg case law since 1955 and examining decades of decisions that have hitherto remained obscure the book considers the evolution of the Court s interpretation of the Convention and how this has fashioned lesbian and gay rights in Europe Going beyond doctrinal analysis by employing a nuanced sociological consideration of Strasbourg jurisprudence Paul Johnson shows how the Court is a site at which homosexuality is both socially constructed and regulated He argues that although the Convention is conceived as a living instrument to be interpreted in the light of present day conditions the Court s judgments have frequently forged and advanced new social conditions in respect of homosexuality Johnson argues that the Court s jurisprudence has an extra legal importance because it provides an authoritative and powerful discursive resource that can be mobilized by lesbians and gay men to challenge homophobic and heteronormative social relations in contemporary societies As such the book considers how the Court s interpretation of the Convention might be evolved in the future to better protect lesbian and gay rights and lives

Brexit, Union, and Disunion Sionaidh Douglas-Scott,2023-11-09 Provides a critical analysis of Brexit placing it in the broader context of the historical development of the British Constitution

Litigating the Rights of the Child Ton Liefwaard,Jaap E. Doek,2014-09-29 This book examines the impact of the UN Convention on the Rights of the Child CRC on national and international jurisprudence since its adoption in 1989 It offers state of the art knowledge on the functions challenges and limitations of the CRC in domestic regional and international children s rights litigation Litigating the Rights of the Child provides insight in the role of the CRC in domestic jurisprudence in ten countries from different parts of the world with civil law common law and Islamic law systems In addition it offers analyses of the jurisprudence of regional courts in Europe and the Americas and of human rights treaty bodies including the Human Rights Committee Committee on the Elimination of Discrimination against Women and the African Committee of Experts on the Rights and Welfare of the Child This book presents a global and comparative picture on the use of the CRC in litigation and identifies emerging trends This book serves as an important source of reference and inspiration for academics students legal professionals including judges and lawyers and inter national organisations working in the area of children s rights

Black Britain and Nelson Mandela Elizabeth Williams,2024-11-14 In Black Britain and Nelson Mandela Pulling the Branch of a Tree Elizabeth Williams leads a cast of renowned scholars to explore the impact of Nelson Mandela s legacy on Black intellectual thought on race and social justice in Britain This engaging book presents an original collection of chapters authored by leading Black

voices across the academy foregrounding the Black British perspective in historical discourse for the first time This fresh take on Mandela the Man rather than the enduring myth around his branding explores the life of Nelson Mandela his contribution to the peace in South Africa and the impact of British law on Mandela and his legal jurisprudence Not only does this innovative collection highlight the lessons which can be learned from Mandela s life it also connects with contemporary issues of race in Britain today taking in the Rhodes Must Fall movement and Black Lives Matter movement The result is a much needed revival of existing literature and a collection which will be of interest to students and scholars of Black British History

Building the Constitution James Fowkes,2016-12-15 A revisionary account of the South African Constitutional Court its working method and the neglected political underpinnings of its success

African Migration, Human Rights and Literature Fareda Banda,2020-12-24 This innovative book looks at the topic of migration through the prism of law and literature The author uses a rich mix of novels short stories literary realism human rights and comparative literature to explore the experiences of African migrants and asylum seekers The book is divided into two Part one is conceptual and focuses on art activism and the myriad ways in which people have sought to write justice Using Mazrui s diasporas of slavery and colonialism it then considers histories of migration across the centuries before honing in on the recent anti migration policies of western states Achiume is used to show how these histories of imposition and exploitation create a bond which bestows on Africans a status as co sovereigns of the First World through citizenship The many fictional examples of the schemes used to gain entry are set against the formal legal processes Attention is paid to life post arrival which for asylum seekers may include periods in detention The impact of the increased hostility of receiving states is examined in light of their human rights obligations Consideration is paid to how Africans navigate their post migration lives which includes reconciling themselves to status fracture taking on jobs for which they are over qualified while simultaneously dealing with the resentment borne of status threat on the part of the citizenry Part two moves from the general to consider the intersections of gender and status focusing on women LGBTI individuals and children Focusing on their human rights and the fictional literature chapter four looks at women who have been trafficked as well as domestic workers and hotel maids while chapter five is on LGBTI people whose legal and literary stories are only now being told The final substantive chapter considers the experiences of children who may arrive as unaccompanied minors Using a mixture of poetry and first person accounts the chapter examines the post arrival lives of children some of whom may be citizens but who are continually made to feel like outsiders The conclusion follows starting with two stories about walls by Hadero and Lanchester which are used to illustrate the themes discussed in the book Few African lawyers write about literature and few books and articles in Western law and literature look at books by or about Africans so a book that engages with both is long overdue This book provides fascinating reading for academics students of law literature gender and migration studies and indeed the general public

Contested Equality Elif Askin,Hannah Stoll,2024-12-09 This is an open access title available under the terms of a CC BY NC ND 4 0

License It is free to read download and share on Elgaronline thanks to generous funding support of the University Research Priority Program URPP Equality of Opportunity of the University of Zurich Comparative in scope this book explores current debates surrounding the legal notion of equality It expertly analyses equality law from a range of different legal perspectives divided into three categories dimensions of inequality framing and proceduralising inequality and new frontiers of inequality

Dictionary of African Biography Emmanuel Kwaku Akyeampong, Professor Henry Louis Gates, Jr., 2012-02-02 From the Pharaohs to Fanon *Dictionary of African Biography* provides a comprehensive overview of the lives of the men and women who shaped Africa's history Unprecedented in scale DAB covers the whole continent from Tunisia to South Africa from Sierra Leone to Somalia It also encompasses the full scope of history from Queen Hatsheput of Egypt 1490 1468 BC and Hannibal the military commander and strategist of Carthage 243 183 BC to Kwame Nkrumah of Ghana 1909 1972 Miriam Makeba and Nelson Mandela of South Africa 1918

From Your Gods to Our Gods Marco Ventura, 2014-10-16 The global world debates secularism freedom of belief faith based norms the state's arbitration of religious conflicts and the place of the sacred in the public sphere In facing these issues Britain India and South Africa stand out as unique laboratories They have greatly influenced the rest of the world As single countries and together as a whole the three have moved from the colonial clash of antagonistic religions of your gods to an era when it has become impossible to dissociate your god from my god Today both belong to the same blurred reality of our gods Through a narrative account of British South African and Indian court cases from 1857 to 2009 the author draws an unconventional history of the process leading from the encounter with the gods of the other to the forging of a postmodern common and global religion Across ages borders faiths and laws the three countries have experienced the ambivalent interaction of society politics and beliefs Hence the lesson the world might learn from them our gods promise an idealized purity but they can only become real in the everyday creation of mixed identities hybrid deities and shared fears and hopes

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