

the golden thread of continuity: aboriginal customs at ... - the "golden thread" of continuity: aboriginal customs at common law and under the constitution act, 1982 mark d. walters* in this article, the author considers the relation-ship between the common law status of aboriginal customs and the constitutional status of aboriginal rights under section 35(1) of the constitution act, 1982. it is argued that british imperial and colonial le-gal precedent ... **emergence of the constitution - hrmars** - constitution appearance caused the emergence the state of law, while also forcing the governors to undergo fundamental norms, higher standards of any law in the state. hegel said that every people have its own constitution which fits it deserves (hegel, **marriage under african customary law in the face of the ...** - incompatible with the bill of rights and international human rights standards. the last section concludes the discussion. 2 position of international human rights law in terms of the constitution the position of international human rights law in terms of the consti-tution may be looked at in different ways. firstly, some international human rights norms have been elevated to constitutional ... **the british constitution, law reform and the parliamentary ...** - the british constitution, law reform and the parliamentary legislative process this topic enables you: to appreciate the role of parliament as the dominant law-making power in the british constitution. to identify the influences on parliament from law reform bodies, pressure groups and campaigners. to understand the law-making processes within parliament. to identify the ...**the judiciary and the role of customary courts in nigeria ...** - the constitution of nigeria, 1999 (as amended) has made adequate provisions for states, through their respective houses of assembly to establish area and customary courts to hear and determine matters over persons subject to native laws and customs prevailing in the areas of their jurisdiction. these courts being close to the grassroots, citizens, can safely be referred to as grassroots courts ... **a summary of recent constitutional reform in the united ...** - a summary of recent constitutional reform in the united kingdom lesley dingle* and bradley miller** contents present constitution: the status quo background to post-1997 proposals for constitutional change changes influenced by domestic policy post-1997 reform of the house of commons reform of the house of lords judicial reform devolution scottish parliament welsh assembly northern ireland ... **primogeniture and illegitimacy in african customary law ...** - primogeniture and illegitimacy in african customary law: the battle for survival of culture jelili a. omotola* nowadays, african cultures seem threatened by the effects of rapid socio-economic transformation processes and by the invasion offoreign models and mass cultural products. the ways of life, the ancestral values, the endogenous forms of solidarity and expression, the traditional ... **report on conflicts of law - justice home** - indigenous law report on conflicts of law. south african law commission project 90 the harmonisation of the common law and the indigenous law report on conflicts of law september 1999-iv-to dr pm maduna, mp, minister of justice and constitutional development i am honoured to submit to you in terms of section 7(1) of the south african law commission act, 1973 (act 19 of 1973), for your ... **south african common and customary law of intestate ...** - 1 south african common and customary law of intestate succession: a question of harmonisation, integration or abolition christa rautenbach * readers are reminded that this work is protected by copyright. **african human rights law journal - university of pretoria** - african human rights law journal customary law and the promotion of gender equality: an appraisal of ... constitution of the republic of south africa act 108 of 1996.3 this appointment did not sit well with hosi richard's first-born son, sidwell nwamitwa, the applicant in this case. according to the appli-cant, the tribal authorities had no right to alter the primogeniture rule. the high ... **custom, law and ideology in papua new guinea** - custom, law and ideology in papua new guinea colin filer this paper seeks to illustrate some of the distinctive national features of the relationship between custom, law, and ideology in papua new guinea. while the concept of ~native custom was initially the creation of australian colonial law, the relationship between custom and law acquired a new complexion around the time of national ... **ghanaian law: its evolution and interaction with english law** - cornell international law journal/vol. 4, no. 1 in the case of settlements, a good example being australia, the fiction that englishmen carry their law with them wherever they go makes the introduction of english law into a settled colony a matter of course; and the law which the english thus take with them includes the common law of england, equity and statutes of general application in force ... **is general international law customary law only?** - general international law by custom only, or if it may also be achieved by multilateral treaties. the second important problem is whether, in attempting to create a new world order based on the rule of

law, we should exclude the possibility of an international treaty becoming a kind of constitution of the international community. it is hoped that these two questions suffice to illustrate that ...

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