

STUDY NOTES (2023) FOR AFRICAN CUSTOMARY LAW-

IND2601

BY NANGAMSO N

AN INTRODUCTION TO AFRICAN CUSTOMARY LAW

LECTURE 1

1.1 THE LAW AND HUMAN RELATIONSHIPS

Public law

- Any legal relationship between people –individuals or groups, or a government and its subjects creates responsibilities and obligations.
- The subject is obliged to abide by the laws enacted by the government.
- Government is obliged to protect the subject.
 - Legislative organs (Parliament) responsible for passing statutes.
 - Executive organs -responsible for the application of statutes and other public services.
 - Judiciary – refer to the courts.
- When two individuals enter into a contract, one is obliged to pay the price and the other to deliver.

Private law

- Legal relationships between individuals and groups in their capacity as private persons.
1. The aim of any legal system is to maintain order within the society concerned.
 2. Maintenance of order is supported by means of approving and disapproving legal sanctions.

1.2 THE NAME OF THIS SUBJECT

- a. In customary law, the emphasis tends to be on duties rather than on rights.
- b. The term "customary law" means "the customs and usages traditionally observed among the indigenous African peoples of South Africa and which form part of the culture of those peoples" (section 1 of the Recognition of Customary Marriages Act 120 of 1998).

1.2 THE DIVISION OF CUSTOMARY LAW

- Initially, most of the indigenous African people in Africa had their own independent "states.
- Africans had their own authority under the supervision of the tribal chief.
- Some kingdoms consisted of several tribes and remnants of tribes, ruled by a king or a paramount chief.

Customary Public Law

- Customary public law governs the relations **between traditional authorities and subjects.**
- And the relations between these authorities within the tribe.

Subdivision of Customary Public Law

1. Customary Constitutional and Administrative Law
 - a. Relates to the **composition, powers and functions** of the public organs of authority.
 - b. In a Tribe, the highest authority is the tribal chief.
 - i. The tribal chief has various councils that help him to perform his duties.

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Lesotho Country Study Guide Volume 1 Strategic Information and Developments IBP USA,

Decolonisation, Anti-Racism, and Legal Pedagogy Foluke I Adebisi, Suhraiya Jivraj, Ntina Tzouvala, 2023-12-08 This book offers an international breadth of historical and theoretical insights into recent efforts to decolonise legal education across the world With a specific focus on post and decolonial thought and anti racist methods in pedagogy this edited collection provides an accessible illustration of pedagogical innovation in teaching and learning law Chapters cover civil and common law legal systems incorporate cases from non state Indigenous legal systems and critically examine key topics such as decolonisation and anti racism in criminology colonialism and the British Empire and court process and Indigenous justice The book demonstrates how teaching can be modified and adapted to address long standing injustice in the curriculum Offering a systematic collection of theoretical and practical examples of anti racist and decolonial legal pedagogy this volume will appeal to curriculum designers and law educators as well as to undergraduate and post graduate level law teachers and researchers

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Legislature. Assembly, 1911 **Forward with Classics** Arlene Holmes-Henderson, Steven Hunt, Mai Musié, 2018-08-09

Despite their removal from England's National Curriculum in 1988 and claims of elitism Latin and Greek are increasingly re-entering the mainstream educational arena. Since 2012 there have been more students in state-maintained schools in England studying classical subjects than in independent schools and the number of schools offering Classics continues to rise in the state-maintained sector. The teaching and learning of Latin and Greek is not however confined to the classroom: community-based learning for adults and children is facilitated in newly established regional Classics hubs in evenings and at weekends in universities as part of outreach and even in parks and in prisons. This book investigates the motivations of teachers and learners behind the rise of Classics in the classroom and in communities and explores ways in which knowledge of classical languages is considered valuable for diverse learners in the 21st century. The role of classical languages within the English educational policy landscape is examined as new possibilities exist for introducing Latin and Greek into school curricula. The state of Classics education internationally is also investigated with case studies presenting the status quo in policy and practice from Australasia, North America, the rest of Europe and worldwide. The priorities for the future of Classics education in these diverse locations are compared and contrasted by the editors who conjecture what strategies are conducive to success.

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 William Burge, Alexander Wood Renton, George Grenville Phillimore, 1907 *Readers' Guide to Periodical Literature*, 1916
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 Document Supply Centre, 2005 *Willing's Press Guide and Advertisers' Directory and Handbook*, 1899 **Subject Index of Modern Books Acquired** British Library, 1922 **Subject Index of the Modern Works Added to the Library of the British Museum in the Years ...** British Museum, 1911 *Official Year Book of the Union and of Basutoland, Bechuanaland Protectorate, and Swaziland*, 1927 No 1 contains statistics mainly for the period 1910-1916

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