1. Record Nr. UNINA9910780063803321 Autore Chanock Martin Titolo The making of South African legal culture, 1902-1936: fear, favour, and prejudice / / Martin Chanock [[electronic resource]] Cambridge: ,: Cambridge University Press, , 2001 Pubbl/distr/stampa **ISBN** 1-107-12158-2 0-511-01423-6 1-280-43003-6 0-511-17580-9 0-511-15646-4 0-511-30411-0 0-511-49540-4 0-511-04683-9 Descrizione fisica 1 online resource (xv, 571 pages) : digital, PDF file(s) Disciplina 349.68 Law - South Africa - History Soggetti Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Title from publisher's bibliographic system (viewed on 05 Oct 2015). Note generali Nota di bibliografia Includes bibliographical references (p. 539-554) and indexes. Nota di contenuto Part I. Puzzles, Paradigms and Problems: 1. Four stories; 2. Introduction: legal culture, state-making and colonialism -- Part II. Law and Order: 3. Police and policing; 4. Criminology; 5. Prisons and penology; 6. Criminal law; 7. Criminalising political opposition -- Part III. South African Common Law A: 8. Roman-Dutch law; 9. Marriage and race: 10. The legal profession -- Part IV. South African Common Law B: 11. Creating the discourse: customary law and colonial rule in 19th century South Africa; 12. After union: the segregationist tide; 13. The Native Appeal Courts and customary law; 14. Customary law, courts and code after 1927 -- Part V. Law and Government: 15. Land 16. Law and labour; 17. The new province for law and order: struggles on the racial frontier: 18. A rule of law -- Part VI. Consideration: 19. Reconstructing the state: legal formalism, democracy and a postcolonial rule of law. Sommario/riassunto The development of the South African legal system in the early

twentieth century was crucial to the establishment and maintenance of

the systems which underpinned the racist state, including control of the population, the running of the economy, and the legitimization of the regime. Martin Chanock's highly illuminating and definitive perspective on that development examines all areas of the law: criminal law and criminology; the Roman-Dutch law; the State's African law; and land, labour and 'rule of law' questions. His revisionist analysis of the construction of South African legal culture illustrates the larger processes of legal colonization, while the consideration of the interaction between imported doctrine and legislative models with local contexts and approaches also provides a basis for understanding the re-fashioning of law under circumstances of post-colonialism and globalization.