

# SOUTH AFRICA'S CRISIS OF CONSTITUTIONAL DEMOCRACY



CAN THE  
U.S. CONSTITUTION  
HELP?

EDITED BY  
ROBERT A. LIGHT  
AND HERIUS DE VILLIERS

# South Africas Crisis Of Constitutional Democracy Can The Us Constitution Help

**Neil Colman McCabe**



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*South Africa's Crisis of Constitutional Democracy* Robert A. Licht, 1994 This book is designed to help bring about the desired transition to liberal democracy in South Africa particularly as the deliberations about a permanent constitution get under way *Contributions to the Study of Peacemaking*, 1995 *Contributions to the Study of Peacemaking: A summary of completed grant projects through October 1995* United States Institute of Peace, 1991 *Contributions to the Study of Peacemaking: v. [1]. A summary of completed grant projects, December 1990* United States Institute of Peace, 1991

*Contributions to the Study of Peacemaking* United States Institute of Peace, ***Contributions to the Study of Peacemaking*** Anne-Marie Smith, 1996 *Federalism, Subnational Constitutions, and Minority Rights* G. Alan Tarr, Robert F. Williams, Josef Marko, 2004-08-30 Whether federalism and subnational constitutions contribute to or undermine minority rights has long been a subject of controversy Within the United States the general view has been that federalism has been detrimental to minority rights In contrast other countries have seen federalism as crucial in safeguarding rights of ethnic and religious minorities This volume provides the basis for a more nuanced assessment of the contributions of federalism and subnational constitutions to protecting minority rights by studying their impact in a variety of federal systems This work explores both mature federal systems Switzerland United States systems in transition Belgium Bosnia Herzegovina both quasifederal Italy Spain and well established systems Germany both systems with considerable homogeneity of population Austria and systems with extraordinary diversity India It also analyses the various constitutional arrangements that federal systems have devised for safeguarding minority rights and given them a voice in political deliberations *Comparative Federalism in the Devolution Era* Neil Colman McCabe, 2002-01-01 Comparative Federalism in the Devolution Era offers political scientists and legal scholars a new perspective on the diverse nature and exercise of postmodern federalism **The Legacies of Law** Jens Meierhenrich, 2008-10-13 Focusing on South Africa during the period 1650 2000 this book examines the role of law in making democracy work in changing societies The Legacies of Law sheds light on the neglected relationship between path dependence and the law Meierhenrich argues that legal norms and institutions even illiberal ones have an important and hitherto undertheorized structuring effect on democratic outcomes Under certain conditions law appears to reduce uncertainty in democratization by invoking common cultural backgrounds and experiences In instances where interacting adversaries share qua law reasonably convergent mental models transitions from authoritarian rule are shown to be less intractable Meierhenrich's historical analysis of the evolution of law and its effects in South Africa during the period 1650 2000 compared with a short study of Chile from 1830 1990 shows how and when legal norms and institutions serve as historical causes to both liberal and illiberal rule *South Africa* Siri Gloppen, 2019-05-23 Originally published in 1997 *South Africa The Battle over the Constitution* analyses rivaling positions in the South African constitutional debate from the early 1990s via the 1993 interim constitution to the adoption and certification of the new Final Constitution in December

1996 A theoretical framework is developed to analyze the constitutional structure of the contesting constitutional models and the book looks into their potential for addressing the problems of violence social inequality and ethnic tension and for achieving legitimacy and constitutionalism It argues that the constitutional solutions are premised on incomparable conceptions of South African reality and that the Final Constitution includes elements based on incompatible world views The compromises required by the constitutional moment could pose problems for the constitutional function The book also discusses other factors influencing the consolidation of a constitutional democracy in South Africa such as the role of the Constitutional Court and the attempts to create legitimacy for the constitution by broad public participation in the constitution making process      Constitutionalism and Democratic Transitions Veronica Federico, Carlo Fusaro, 2006 The

book as the outcome of a research performed by the University of Florence and the United States Institute of Peace of Washington explores the role of law in the process of democratic transition in South Africa More specifically it emphasize how constitutional law may contribute to civilize apparently reconcilable conflicts a part from laying down the foundations of the new legal order and institutions The book as the outcome of a research performed by the University of Florence and the United States Institute of Peace of Washington explores the role of law in the process of democratic transition in South Africa More specifically it emphasize how constitutional law may contribute to civilize apparently reconcilable conflicts a part from laying down the foundations of the new legal order and institutions Publisher s description      **Leo Strauss and His Legacy**

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Africa is currently experiencing sociopolitical and economic changes of unprecedented proportions New leaders institutions discourses and methods of political organization and action are shaping a new future Through a case study approach this essay collection provides a comprehensive analysis of the history trajectory actors institutions contradictions failures and opportunities in contemporary efforts at democratization in Africa While presenting the dynamics of democracy and democratization in several African countries they also look at critical issues in Africa s transition projects from political parties and elections through constitutions and constitutionalism to new structures of power and politics A provocative analysis for scholars students researchers and policy makers involved with African political and economic development

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the liberation movement for nearly four decades suffering brutal tortures and twelve years imprisonment on Robben Island with Nelson Mandela It was Maharaj who smuggled out the manuscript of Mandela s autobiography and later re entered South Africa to establish a political and military underground on a mission so secret that only those at the highest levels were even aware of its existence Drawing from extensive interviews with Maharaj over eleven years and hitherto unavailable documents Padraig O Malley vividly renders a true tale of heroism and a gripping insider s look at the struggle for freedom in South Africa

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