

An Introduction To Zimbabwean Law Lovemore Madhuku

The establishment of legal institutions was a key part of the process of state construction in Africa, and these institutions have played a crucial role in the projection of state authority across space. This is especially the case in colonial and postcolonial Zimbabwe. George Karekwaivanane offers a unique long-term study of law and politics in Zimbabwe, which examines how the law was used in the constitution and contestation of state power across the late-colonial and postcolonial periods. Through this, he offers insight on recent debates about judicial independence, adherence to human rights, and the observation of the rule of law in contemporary Zimbabwean politics. The book sheds light on the prominent place that law has assumed in Zimbabwe's recent political struggles for those researching the history of the state and power in Southern Africa. It also carries forward important debates on the role of law in state-making, and will also appeal to those interested in African legal history.

This book examines the everyday lives of ordinary Zimbabweans in the context of national crises in post-2000 Zimbabwe. Throughout the literature of Zimbabwean studies, a consideration of everyday lives has been limited to informal trading and rarely applied as an analytical framework, despite the importance of understanding crisis-living with reference to the specific character of national crises across the African

Read Book An Introduction To Zimbabwean Law Lovemore Madhuku

continent. This edited volume is one of the first in its field to theorise everyday Zimbabwean lives within the context of crisis, with three central themes addressed: urban and rural lives; men, women and HIV; and along and beyond the border. Chapters incorporate topics from child marriage and sexual practices, to climate change and social accountability, encompassing a shift in focus from macro-structures to how farm labourers, students, child-brides and other ordinary people negotiate gender, class and social dynamics within a dominant order. The introductory chapter offers an innovative analytical framing for the empirical chapters which follow, each providing micro-studies based on original qualitative fieldwork by early-career Zimbabwean scholars. *Everyday Crisis-Living in Contemporary Zimbabwe* will appeal to students and scholars of sociology, anthropology and African Studies more broadly. A comprehensive and in-depth analysis of how courts in the countries of Commonwealth Africa decide claims under private international law. This book examines the politics of landscape and heritage by focusing on the example of Great Zimbabwe National Monument in southern Zimbabwe. The controversy that surrounded the site in the early part of the 20th century, between colonial antiquarians and professional archaeologists, is well reported in the published literature. Based on long term ethnographic field work around Great Zimbabwe, as well as archival research in NMMZ, in the National Archives of Zimbabwe, and several months of research at the World Heritage Centre in Paris, this new book represents an important step beyond that

Read Book An Introduction To Zimbabwean Law Lovemore Madhuku

controversy over origins, to focus on the site's position in local contests between, and among individuals within, the Nemanwa, Charumbira and Mugabe clans over land, power and authority. To justify their claims, chiefs, spirit mediums and elders of each clan make appeals to different, but related, constructions of the past. Emphasising the disappearance of the 'Voice' that used to speak there, these narratives also describe the destruction, alienation and desecration of Great Zimbabwe that occurred, and continues, through the international and national, archaeological and heritage processes and practices by which Great Zimbabwe has become a national and world heritage site today.

An Introduction to Zimbabwean Law African Books Collective

The best country-by-country assessment of human rights. The human rights records of more than ninety countries and territories are put into perspective in Human Rights Watch's signature yearly report. Reflecting extensive investigative work undertaken by Human Rights Watch staff, in close partnership with domestic human rights activists, the annual World Report is an invaluable resource for journalists, diplomats, and citizens, and is a must-read for anyone interested in the fight to protect human rights in every corner of the globe.

Model Law on Access to Information for Africa and other regional instruments: Soft law and human rights in Africa Edited by Ololade Shyllon 2018 ISBN: 978-1-920538-87-3 Pages: 255 Print version: Available Electronic version: Free PDF available About the

Read Book An Introduction To Zimbabwean Law Lovemore Madhuku

publication The adoption in 2013 of the Model Law on Access to Information for Africa by the African Commission on Human and Peoples' Rights is an important landmark in the increasing elaboration of human rights-related soft law standards in Africa. Although non-binding, the Model Law significantly influenced the access to information landscape on the continent. Since the adoption of the Model Law, the Commission adopted several General Comments. The AU similarly adopted Model Laws such as the African Union Model Law on Internally Displaced Persons in Addressing Internal Displacement in Africa. This collection of essays inquires into the role and impact of soft law standards within the African human rights system and the AU generally. It assesses the extent to which these standards induced compliance, and identifies factors that contribute to generating such compliance. This book is a collection of papers presented at a conference organised by the Centre for Human Rights, University of Pretoria, with the financial support of the government of Norway, through the Royal Norwegian Embassy in Pretoria. Following the conference, the papers were reviewed and reworked.

Table of Contents Acknowledgments Preface Contributors Abbreviations and acronyms PART I: THE MODEL LAW AND ITS INFLUENCE ON ACCESS TO INFORMATION IN AFRICA Introduction Ololade Shyllon The impact of the Model Law on Access to Information for Africa Fola Adeleke Implementing a Model Law on Access to Information in Africa: Lessons from the Americas Marianna Belalba and Alan Sears The implementation of the constitutional right of access to information in Africa:

Opportunities and challenges Ololade Shyllon PART II: COUNTRY STUDIES The Model Law on Access to Information for Africa and the struggle for the review and passage of the Ghanaian Right to Information Bill of 2013 Ugonna Ukaigwe The impact of the Model Law on Access to Information for Africa on Kenya's Access to Information framework Anne Nderi The Sudanese Access to Information Act 2015: A step forward? Ali Abdelrahman Ali Compliance through decoration: Access to information in Zimbabwe Nhlanhla Ngwenya PART III: INFLUENCE OF SOFT LAW WITHIN THE AFRICAN HUMAN RIGHTS SYSTEM Soft law and legitimacy in the African Union: The case of the Pretoria Principles on Ending Mass Atrocities Pursuant to Article 4(h) of the AU Constitutive Act Busingye Kabumba The incorporation of the thematic resolutions of the African Commission into the domestic laws of African countries Japhet Biegon General Comment 1 of the African Commission of the African Commission on Human and Peoples' Rights: A source of norms and standard setting on sexual and reproductive health and rights Ebenezer Durojaye The African Union Model Law on Internally Displaced Persons: A critique Romola Adeola Selected bibliography Customary laws and traditional institutions in Africa constitute comprehensive legal systems that regulate the entire spectrum of activities from birth to death. Once the sole source of law, customary rules now exist in the context of pluralist legal systems with competing bodies of domestic constitutional law, statutory law, common law and international human rights treaties. This book promotes discussion and understanding of customary law and explores its continued relevance in sub-Saharan Africa. The volume considers the characteristics of customary law

Read Book An Introduction To Zimbabwean Law Lovemore Madhuku

and efforts to ascertain and codify customary law, and how this body of law differs in content, form and status from legislation and common law. It also addresses a number of substantive areas of customary law including the role and power of traditional authorities; customary criminal law; customary land tenure, property rights and intestate succession; and the relationship between customary law, human rights and gender equality.

This Guide provides an outline of the main aspects of the Zimbabwean Law of Delict. Delict is a concept of civil law in which a willfull wrong or an act of negligence gives rise to a legal obligation between the parties, despite the lack of a contract. A Cases section follows the main text, containing summaries of salient Zimbabwean cases and also of some important South African and English cases.

This comprehensive edition covers all areas of business law in the Zimbabwean context. It includes cases and legislation, and South African, English and other authorities have been relegated to the detailed footnotes.

An Introduction to Crime and Crime Causation is a student-friendly textbook that defines and explains the concepts of crime, criminal law, and criminology. Ideal for a one-semester course, the book compares and contrasts early criminal behavior and today's modern forms of crime. It also explores society's responses to criminal behavior in the past

As an instrument which addresses the circumstances which affect women's lives and enjoyment of rights in a diverse world, the CEDAW is slowly but surely making its mark on the development of international and national law. Using national case studies from South Asia, Southern Africa, Australia, Canada and Northern Europe, Women's Human Rights examines the potential and actual added value of the Convention on the Elimination of All Forms of

Read Book An Introduction To Zimbabwean Law Lovemore Madhuku

Discrimination against Women in comparison and interaction with other equality and anti-discrimination mechanisms. The studies demonstrate how state and non-state actors have invoked, adopted or resisted the CEDAW and related instruments in different legal, political, economic and socio-cultural contexts, and how the various international, regional and national regimes have drawn inspiration and learned from each other.

This edited volume includes studies of discourses about bodily and psychiatric illness in modern China, bringing together scholarships that reconfigure the fields of history, literature, film, psychology, anthropology, and gender studies by tracing the pathological path of China through the nineteenth and twentieth centuries into the new millennium.

Rule of law and constitutionalist ideals are understood by many, if not most, as necessary to create a just political order. Defying the traditional division between normative and positive theoretical approaches, this book explores how political reality on the one hand, and constitutional ideals on the other, mutually inform and influence each other. Seventeen chapters from leading international scholars cover a diverse range of topics and case studies to test the hypothesis that the best normative theories, including those regarding the role of constitutions, constitutionalism and the rule of law, conceive of the ideal and the real as mutually regulating.

This monograph explores the concept of mobility in Zimbabwean works of fiction published in English between the introduction of the controversial Fast Track Land Reform Programme and the end of the Mugabe era. Since 2000, Zimbabwe has experienced unprecedented levels of transnational out-migration in response

to the political conflicts and economic downturn often referred to as the Zimbabwe Crisis. This, in turn, has led to an increased outpouring of literary texts about migration, both in locally produced texts and in works by authors based in the diaspora. Situating Zimbabwe's recent literary developments in a wider context of Southern African writing and history, this book focuses on texts that portray movement within Zimbabwe's cities, between village and city, to South Africa, and overseas. The author examines important developments and trends in recent Zimbabwean literature, investigating the link between state authoritarianism and control of mobility, and literature's potential to intervene into dominant political discourses. The book includes in-depth analyses of ten recent works of fiction published in the post-2000 era and develops mobility as a key category of literary analysis of Zimbabwe's contemporary literatures. Setting out a rich dialogue between literary criticism and mobility studies, this book will be of interest to researchers of African literature, Southern Africa, migration, and mobility.

Right from the enslavement era through to the colonial and contemporary eras, Africans have been denied their human essence – portrayed as indistinct from animals or beasts for imperial burdens, Africans have been historically dispossessed and exploited. Postulating the theory of global jurisprudential

apartheid, the book accounts for biases in various legal systems, norms, values and conventions that bind Africans while affording impunity to Western states. Drawing on contemporary notions of animism, transhumanism, posthumanism and science and technology studies, the book critically interrogates the possibility of a jurisprudence of anticipation which is attentive to the emergent New World Order that engineers 'human beings to become nonhumans' while 'nonhumans become humans'. Connecting discourses on decoloniality with jurisprudence in the areas of family law, environment, indigenisation, property, migration, constitutionalism, employment and labour law, commercial law and Ubuntu, the book also juggles with emergent issues around Earth Jurisprudence, ecocentrism, wild law, rights of nature, Earth Court and Earth Tribunal. Arguing for decoloniality that attends to global jurisprudential apartheid., this tome is handy for legal scholars and practitioners, social scientists, civil society organisations, policy makers and researchers interested in transformation, decoloniality and Pan-Africanism.

South Africa is celebrating its first decade of democratic freedom. It therefore seems appropriate to examine in more detail how South Africa has tried to restore some of the many social injustices caused by the former apartheid regime. This book offers a view into the world of organisation and management

Read Book An Introduction To Zimbabwean Law Lovemore Madhuku

from a cultural perspective. The authors investigate how initiatives and policies with the aim of generating more employment equity have been developed, implemented and have worked out in various sectors of the South African economy. The various chapters present in-depth case studies that deal with the South African government, local NGOs, universities and tourism. The book reveals in detail the local struggles of the historically disadvantaged and the "powers-that-be", to try and live up to the ideals of the New South Africa. This is a comprehensive textbook on Zimbabwean labour law. After detailing the history and purpose of the law, it offers a comprehensive review of contracts of employment, termination, the rights of organisation and association, and collective bargaining. Dispute settlement is discussed within the contexts of the right to strike, conciliation and arbitration, and the role of the courts in adjudication. State employment is treated separately, as it is governed by constitutional law as well as labour law. The book concludes with chapters covering aspects of social security in Zimbabwe, and a discussion on international labour law.

Human Rights and the Judicialisation of African Politics shows readers how central questions in African politics have entered courtrooms over the last three decades, and provides the first transnational explanation for this development.

Read Book An Introduction To Zimbabwean Law Lovemore Madhuku

The book begins with three conditions that have made judicialisation possible in Africa as a whole; new corporate rights norms (including the expansion of indigenous rights), the proliferation of new avenues for legal proceedings, and the development of new support structures enabling litigation. It then studies the effects of these changes based on fieldwork in three Southern African countries – Zimbabwe, Namibia and Botswana. Examining three recent court cases involving international law, international courts and transnational NGOs, it looks beyond some of international relations' established models to explain when and why and legal rights can be clarified. This text will be of key interest to scholars and students of African politics and human rights, and more broadly to international relations and international law and justice.

The meaning of armed conflict is reported on by prominent international law scholars from four continents together with perspectives by military historians, soldiers, just war scholars, political scientists, peace studies scholars, and war correspondents, offering a unique interdisciplinary exploration.

This book explores the barrack experiences of soldiers in post-independence Zimbabwe, examining the concept of military professionalism within a state in political crisis. Drawing upon interviews with former soldiers of the Zimbabwe National Army, *Soldiers and the State in Zimbabwe* casts a light on the

oppression of soldiers by commanders who sought to repress and control the political thinking of their men. By contextualising the political, economic and material conditions in which Zimbabwean soldiers existed, Godfrey Maringira reveals the everyday victimisation and violence of the barracks. Exploring such events as the imposition of the Defence Act, the desertion of soldiers, and the 2017 military coup in Zimbabwe, the book presents and discusses the politicised nature of the military in post-independence Zimbabwe, and the political consequences of service in a state in deep political crisis. *Soldiers and the State in Zimbabwe* will be of interest to scholars and students of African Politics, military and security studies, and African studies.

Rhodesia's illegal Unilateral Declaration of Independence (UDI) in 1965 is an act that not only shaped regional politics but also had a profound effect on Britain's attempt to retreat from its empire. This edited collection brings together leading voices in the field, whose contributions - on the role of finance, 'big business', and the regional and international actors involved in the country's negotiated independence - update long-held historiographical wisdoms, signalling a revival in economic and diplomatic explanations for the country's decolonisation. In

Read Book An Introduction To Zimbabwean Law Lovemore Madhuku

particular, they shed fresh light on the role(s) played in the decolonisation of Zimbabwe by economic (private business) and political (liberation movements, Western and Southern African governments) actors that until now have been studied with very limited access to primary sources. As scholarship on Zimbabwe is currently dominated by studies that seek to understand the 'crisis' in which the country has recently found itself, this collection acts as a clarion call that reinforces the importance of studies of earlier historical processes. In doing so, the book provides a more nuanced understanding of the continuities and discontinuities between Zimbabwe's colonial and postcolonial history, and examines the roles played by external governments and individuals in the decolonisation of Zimbabwe. This book was originally published as a special issue of *The Journal of Imperial and Commonwealth History*.

This is an introductory textbook on the Zimbabwean legal system. It sets the stage for a comprehensive description of that legal system by opening with some theoretical issues on the nature of law in general, particularly a definition of law, the role and purpose of law in society, the relationship between law and justice and how morality impacts on law. After outlining this theoretical framework, it turns to the Zimbabwean legal system and covers the following key areas: sources of Zimbabwean law, the scope of Roman-Dutch law in Zimbabwe, the

Read Book An Introduction To Zimbabwean Law Lovemore Madhuku

law-making process and the role of Parliament, the structure of the courts in Zimbabwe, the procedures in the civil and criminal courts, the legal aid system and the nature of the legal profession. It covers the process of appointment of judges and its effect on the independence of the judiciary. It has a long closing chapter on the interpretation of statutes covering all the rules, maxims and presumptions.

In Law & Equity, specialists in the field examine the curious dual structure that shaped the law of England and Rome. Why did this dual structure come about and how did it influence historical developments in substantive law?

This handbook is organised into eight parts: What are Professional Ethics?; Nature and Structure of the Profession; Common-law Ethical Duties of a Legal Practitioner; Statutory Duties of a Legal Practitioner; Administering Oaths; Cessation or abandonment of practice; Disciplinary Proceedings; and Judges Magistrates and Prosecutors.

Focusing on political trials in Zimbabwe's Magistrates' Courts between 2000 and 2012, Susanne Verheul explores why the judiciary have remained a central site of contestation in post-independence Zimbabwe. Drawing on rich court observations and in-depth interviews, this book foregrounds law's potential to reproduce or transform social and political power through the narrative, material,

and sensory dimensions of courtroom performances. Instead of viewing appeals to law as acts of resistance by marginalised orders for inclusion in dominant modes of rule, Susanne Verheul argues that it was not recognition by but of this formal, rule-bound ordering, and the form of citizenship it stood for, that was at stake in performative legal engagements. In this manner, law was much more than a mere instrument. Law was a site in which competing conceptions of political authority were given expression, and in which people's understandings of themselves as citizens were formed and performed.

A searing novel about the obstacles facing women in Zimbabwe, by one of the country's most notable authors Anxious about her prospects after leaving a stagnant job, Tambudzai finds herself living in a run-down youth hostel in downtown Harare. For reasons that include her grim financial prospects and her age, she moves to a widow's boarding house and eventually finds work as a biology teacher. But at every turn in her attempt to make a life for herself, she is faced with a fresh humiliation, until the painful contrast between the future she imagined and her daily reality ultimately drives her to a breaking point. In *This Mournable Body*, Tsitsi Dangarembga returns to the protagonist of her acclaimed first novel, *Nervous Conditions*, to examine how the hope and potential of a young girl and a fledgling nation can sour over time and become a bitter and

floundering struggle for survival. As a last resort, Tambudzai takes an ecotourism job that forces her to return to her parents' impoverished homestead. It is this homecoming, in Dangarembga's tense and psychologically charged novel, that culminates in an act of betrayal, revealing just how toxic the combination of colonialism and capitalism can be.

The Judicial Bench Book on Violence Against Women in Commonwealth East Africa situates VAW in Kenya, Rwanda, Tanzania and Uganda. By placing VAW within the socio-cultural and legal context of the region, the bench book will enhance the ability of judicial officers to handle cases of VAW, both within a human rights as well as a gender perspective.

This book addresses the ways in which writers deploy the trope of contested criminality to expose Zimbabwe's socially and politically oppressive cultures in a wide range of novels and short stories published in English between 1994 and 2016. Some of the most influential authors that are examined in this book are Yvonne Vera, Petina Gappah, NoViolet Bulawayo, Brian Chikwava, Christopher Mlalazi, Tendai Huchu and Virginia Phiri. The author uses the Zimbabwean experience to engage with critical issues facing the African continent and the world, providing a thoughtful reading of contemporary debates on illegal migration, homophobia, state criminality and gender inequalities. The thematic focus of the book represents a departure from what Schulze-Engler notes elsewhere as postcolonial discourse's habit of suggesting that the legacies of colonialism and the predominance of the 'global North'

Read Book An Introduction To Zimbabwean Law Lovemore Madhuku

are responsible for injustice in the Global South. Using the context of Zimbabwe, it is shown that colonialism is not the only image of violence and injustice, but that there are other forms of injustice that are of local origin. Throughout the book, it is argued that in speaking about contested criminalities, writers call attention to the fact that laws are violated, some laws are unjust and some crimes are henceforth justified. In this sense crime, (in)justice and the law are portrayed as unstable concepts.

Fifty years after the adoption of the Declaration on Permanent Sovereignty over Natural Resources by the General Assembly of the United Nations in December 1962, this volume assesses the evolution of the principle of permanent sovereignty over natural resources into a principle of customary international law as well as related developments. International environmental and human rights law leave unresolved questions regarding the limitations of this principle, e.g. extraterritorial and international influences such as the applicable criminal and tort law, as well as the extraterritorial and international promotion of good governance, including transparency obligations.

In recent years, the Zimbabwe crisis rendered the country and its citizens to be a typical case of 'failed states', the world over. Zimbabwean society was and is still confronted with different challenges which include political, economic and social problems. Attempts to overcome these challenges have thrown light on the power that rests within individuals and or groups to change and even revolutionize their localities, communities, states and ultimately the world at large. Through experience, individuals and groups have promoted ideas that have aided in changing mentalities, attitudes and behaviors in societies at different levels. This book brings together contributors from various academic disciplines to reflect on and theorize the contours of power,

Read Book An Introduction To Zimbabwean Law Lovemore Madhuku

including the intrinsic and or extrinsic models of power, which pertain to individuals, communities, and or groups in order to transform society. Reflections are on various groups such as political movements, environmental movements, religious groups, advocacy groups, gender groups, to mention but a few, as they struggle against marginalization, discrimination, exploitation, and other forms of oppression showing their agency or compliance.

The international legal framework of human rights presents itself as universal. But rights do not exist as a mere framework; they are enacted, practiced, and debated in local contexts. *Rights After Wrongs* ethnographically explores the chasm between the ideals and the practice of human rights. Specifically, it shows where the sweeping colonial logics of Western law meets the lived experiences, accumulated histories, and humanitarian debts present in post-colonial Zimbabwe. Through a comprehensive survey of human rights scholarship, Shannon Morreira explores the ways in which the global framework of human rights is locally interpreted, constituted, and contested in Harare, Zimbabwe, and Musina and Cape Town, South Africa. Presenting the stories of those who lived through the violent struggles of the past decades, Morreira shows how supposedly universal ideals become localized in the context of post-colonial Southern Africa. *Rights After Wrongs* uncovers the disconnect between the ways human rights appear on paper and the ways in which it is possible for people to use and understand them in everyday life.

"*A Practical Guide to Constitution Building* provides an essential foundation for understanding constitutions and constitution building. Full of world examples of ground-breaking agreements and innovative provisions adopted during processes of constitutional change, the Guide offers a wide range of examples of how constitutions develop and how their development can

Read Book An Introduction To Zimbabwean Law Lovemore Madhuku

establish and entrench democratic values. Beyond comparative examples, the Guide contains in-depth analysis of key components of constitutions and the forces of change that shape them. The Guide analyzes the adoption of the substantive elements of a new constitution by looking at forces for the aggregation or dissemination of governmental power, and forces for greater legalization or politicization of governmental power, and examining how these forces influence the content of the constitution. It urges practitioners to look carefully at the forces at play within their individual contexts in order to better understand constitutional dynamics and play a role in shaping a constitution that will put into place a functioning democratic government and foster lasting peace."--

Few African countries provide for an explicit right to a nationality. Laws and practices governing citizenship leave hundreds of thousands of people in Africa without a country to which they belong. Statelessness and discriminatory citizenship practices underlie and exacerbate tensions in many regions of the continent, according to this report by the Open Society Institute. *Citizenship Law in Africa* is a comparative study by the Open Society Justice Initiative and Africa Governance Monitoring and Advocacy Project. It describes the often arbitrary, discriminatory, and contradictory citizenship laws that exist from state to state, and recommends ways that African countries can bring their citizenship laws in line with international legal norms. The report covers topics such as citizenship by descent, citizenship by naturalization, gender discrimination in citizenship law, dual citizenship, and the right to identity documents and passports. It describes how stateless Africans are systematically exposed to human rights abuses: they can neither vote nor stand for public office; they cannot enroll their children in school, travel freely, or own property; they cannot work for the

Read Book An Introduction To Zimbabwean Law Lovemore Madhuku

government.--Publisher description.

[Copyright: 7b6d987b5cda655ff1cee7b1460afed8](#)