

THE APARTHEID IN SOUTH AFRICA;

THE RELATIONSHIP BETWEEN LAW, JUSTICE, AND VIOLENCE

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INTRODUCTION; HISTORY OF THE APARTHEID IN SOUTH AFRICA

- Colonization (1652)
- Early segregation laws
- Apartheid formalized in 1948 by the National Party
- Segregation, forced removals, denied citizenship
- Resistance by African National Congress, Mandela, and more
- 1994: Democracy, Mandela elected

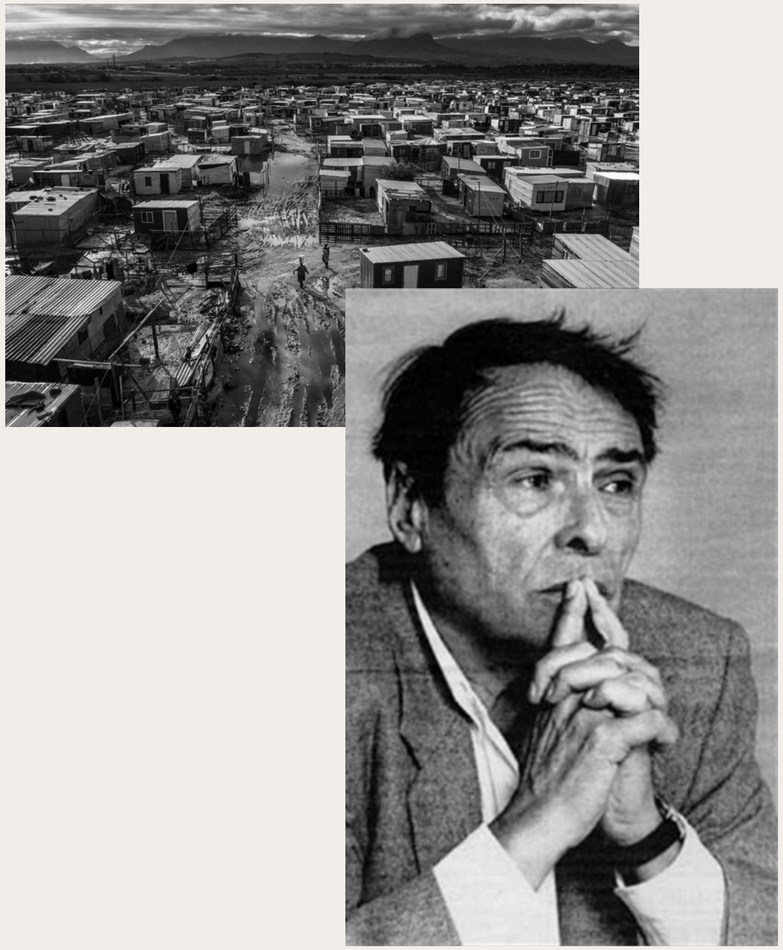
Ekor, 2021
Cawthra, 2015

LEGALIZED INJUSTICE; MAX WEBER

- Rational Legal Framework: Bureaucracy and systematic laws
- Population Registration Act, Group Areas Act
- Rational, but morally unjust

Weber, 1922
Landis, 1957





LEGALIZED INJUSTICE; PIERRE BOURDIEU

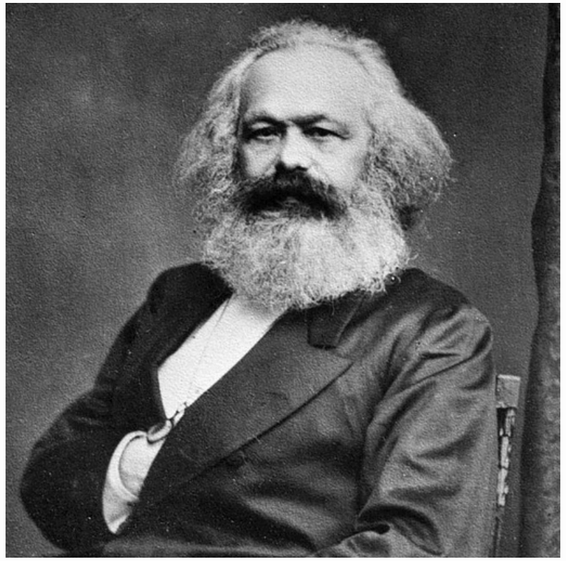
- Symbolic Capital: Law legitimized authority
- Habitus: Social norms reinforced racism
- Symbolic Violence: Inequality internalized through apartheid laws

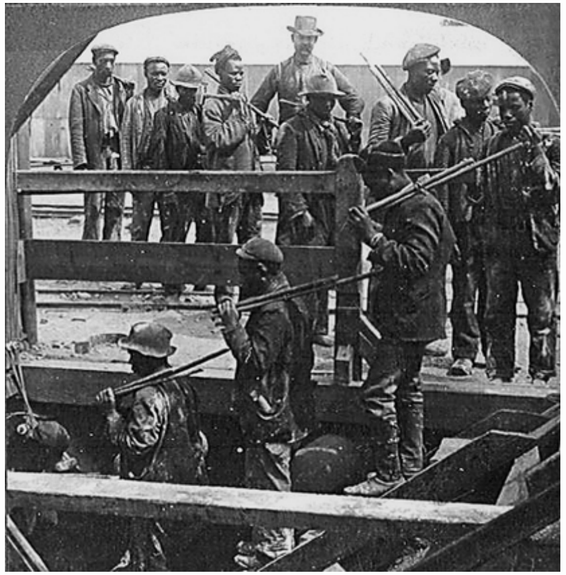
Bourdieu, 1987
Landis, 1957

LEGALIZED INJUSTICE; KARL MARX

- Law sustains capitalism and protects ruling class
- Apartheid laws (bourgeois law) exploited Black South Africans:
- Bantu Education Act
- Employment Control Act

McLellan, 1977
Landis, 1957



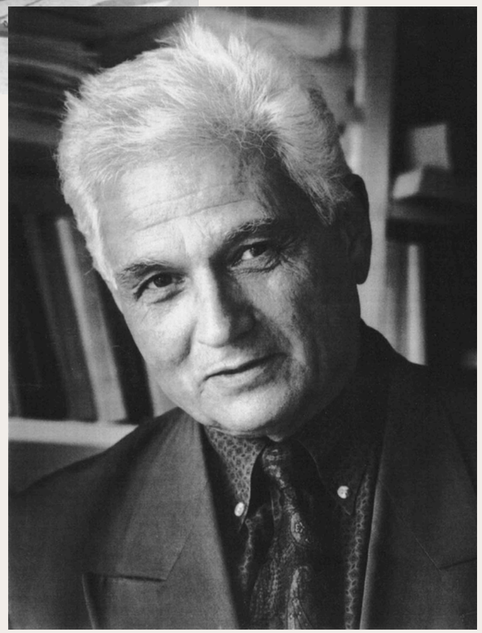


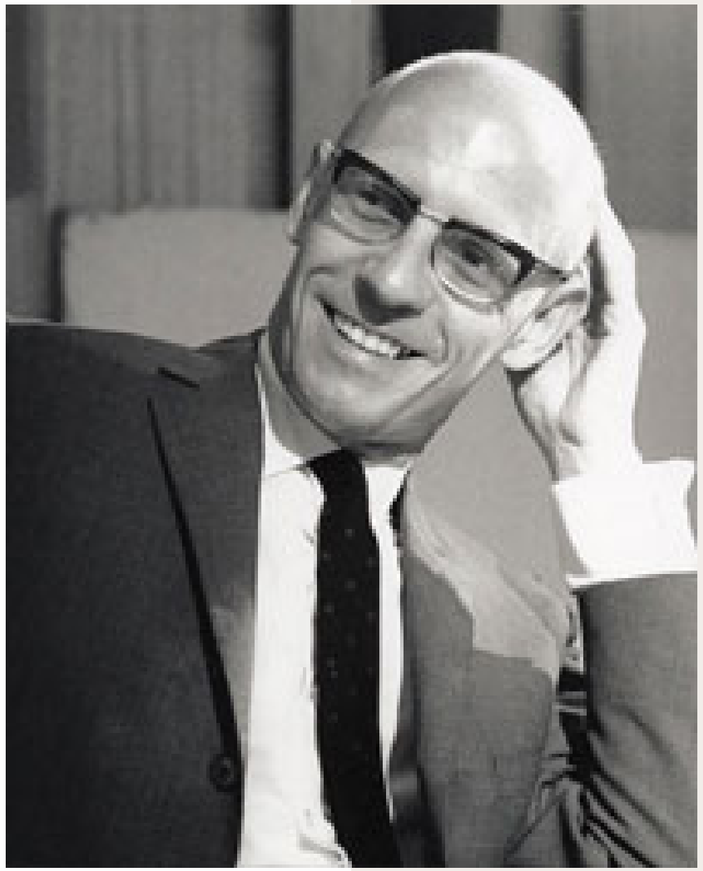
REINFORCEMENT OF THE APARTHEID LAWS THROUGH VIOLENCE; JACQUES DERRIDA

- Mythic Violence: Founding violence in colonialism, segregation, etc.
- Conserving Violence: Police brutality, massacres, etc.

Derrida, 1989
Benjamin, 1996
Landis, 1957







REINFORCEMENT OF APARTHEID LAWS THROUGH VIOLENCE; MICHEL FOUCAULT

- ‘Invisible’ violence
- Labelling of races
- Self-surveillance in Pass Laws
- Governmentality to enforce apartheid

Foucault, 1977
Landis, 1957

RESISTANCE AGAINST INJUSTICE; ROBERT COVER

- Dominant nomos of white supremacy
- Counter-narratives by resistance of ANC, PAC

Cover, 1983
Landis, 1957
Hinds, 1985







RESISTANCE AGAINST INJUSTICE; HANNAH ARENDT

- "The Right to Have Rights"
- Restored citizenship in 1994
- Democracy and equality for all South Africans

Habermas; McCarthy, 1977
Cawthra, 2015



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