

## Private International Law

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### About this Publication:

The growing sophistication of South African private international law has become more evident in the years since the last edition. The Supreme Court of Appeal has delivered several important judgments which have had significant impacts on the law. Peregrines are now more readily subject to South Africa jurisdiction in several ways, and foreign judgments are now more readily enforced in South Africa.

The problems of choice of law have not been neglected by the courts. The fundamental problem of characterisation has been addressed by a perceptive and valuable judgment of the Supreme Court of Appeal, and there have been thoughtful judgments on many other areas including, for the first time, on choice of law in delict. Even more significantly, constitutional values have been making themselves felt on the development of the law in this area. In at least two areas – same-sex marriages and the doctrine of arrest to found jurisdiction – constitutional developments have required significant adjustments to the law.

All these developments are fully described and explained with suggestions being made as to how the law might develop in the future.

### Review of fourth edition in 2005 *Stellenbosch Law Review* 169 at 170 and 172:

'One would expect a book of such high regard to be dense and filled with complex discussions of byzantine constructions (and private international law definitely has more than enough material to fill a book with such analyses!) This book, however, has none of that. It is a model of clear and understandable writing. The discussions are to the point and well structured. Simple, concrete examples are given throughout to illustrate more abstract principles. These are often drawn from local or international case law, thus serving a double purpose in incorporating the relevant authority into discussions. These strengths of the book open the field up to students and other first time readers. In my opinion it is quite remarkable that Forsyth has managed to find and maintain the balance between creating a work of indisputable authority and one that is at the same time simple enough to serve as introduction to private international law. From the preface to the fourth edition it is clear that the author is acutely aware of this status of the book and consciously strives to maintain it. He must be congratulated for succeeding to do so again in the fourth edition.

... [T]his is an outstanding work that is worthy to continue what has become a standard and much respected authority in South African law. I strongly recommend it to all jurists, from students to judges. I can hardly imagine anyone attempting to resolve a conflict of laws question in South Africa without reference to this book.'

### Contents Include:

- Table of statutes
- Table of cases

- Glossary
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- An essay in history and theory
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- The ascertainment of the content of foreign laws and the exclusion in appropriate cases of the otherwise applicable law
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- Choice of law in cases involving legal obligations
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**Of Interest and Benefit to:**

- Students
- Practitioners
- Academics

**Pricing:**

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