

ABSTRACTS

Constitutional Foundations of Hong Kong

By *Yongping Ge*, Nanjing/Marburg

The article is concerned with the basic structure, the documents and some of the main issues concerning these instruments of the constitutional law of Hong Kong, both as a British colony and, since 1997, as a special administrative region of China. After a short description of the situation from around the middle of the 19th century up to the beginning of the 20th century, the constitutional law of Hong Kong as a special administrative region of China is dealt with in further detail.

Bearing in mind the differences between the Chinese legal system and other legal systems, the three main bodies of law, which are currently important for Hong Kong's constitutional law, namely, the Constitution the People's Republic of China of 1982, the Joint Declaration of the Government of the People's Republic of China and the Government of the United Kingdom of 1984 and the Basic Law of the Special Administrative Region Hong Kong of 1990, will be presented and examined. Finally, the preservation of a high level of autonomy is acknowledged and a résumé is given.

Gender Dimensions of Law, Colonialism and Inheritance in East Africa: Kenyan Women's Experiences

By *Patricia G. Kamari-Mbote*, Nairobi

This paper gives an account of the application of inheritance laws in Kenya from colonialism to date highlighting the conflict between introduced English norms with customary norms and the effects of that conflict on the rights of women to inherit property. It also maps the continuum in the application of customary legal principles, dispelling the dichotomy that legislators passing uniform laws of inheritance modelled after the English ones seem to assume.

It argues that there is need to rethink and reconceptualise the implications of customary laws of succession and inheritance in any meaningful law reform programme that seeks to enhance women's rights to inherit property.

South African Refugee Protection System: An Analysis of Refugee Status, Rights and Duties

By *Obeng Mireku*, Thohoyandou, South Africa

The article seeks to analyse the refugee protection system recently adopted in South Africa through a comparison with international refugee law. The principal thesis advanced in this paper is that the refugee statute establishes a refugee protection system that is deeply rooted in human rights norms recognised under international conventions and reinforced by the domestic bill of rights.

Accordingly, it briefly outlines the genesis of the Refugee Act and traces the origin of its definition of refugee status to the UN and OAU conventions on refugees. This is then followed by an examination of the refugee determination procedure as well as the statutory and constitutional rights of refugees. In conclusion, the paper highlights the outstanding features of the Refugee Act.

Political Instability and Agricultural Policy Dynamics in Ghana

By *A. Wayo Seini*, Legon, Ghana

Ghana, like most other Sub-Saharan African countries, had for several decades after independence from colonial rule been plagued by political instability that in turn influenced the direction of its agricultural policy. The paper gives a historical overview of agricultural policy dynamics in response to frequent changes in the political fortunes of Ghana. The narrative points to the fact that political instability had been accompanied by frequent changes in the direction of agricultural policy. Being an agricultural country, ad hoc agricultural policies contributed to the slide of the economy into chaos by the close of the 1970s. However, stabilisation and structural adjustment policies, coupled with a new era of democratic dispensation that allows debate and consensus building seems to have put agricultural policy in Ghana in a new pragmatic direction, based on trade and comparative advantage in the production of agricultural commodities.