



Prof Karin van Marle

Prof Van Marle is professor en Hoof van die Departement Regsleer in die Fakulteit Regsgeleerdheid. Haar algemene navorsingsgebied omvat regsleer, regsfilosofie en regsteorie. Die meer spesifieke fokus van haar werk is om krities te besin oor die eienskappe van regsleer in post-apartheid Suid-Afrika, en om ook dié regsleer te herkonfigureer. 'n Sentrale tema in prof Van Marle se navorsing is die alomteenwoordigheid van instrumentalistiese en funksionalistiese doelwitte wat die moontlikheid van kritiese teorie ondermyn. Sy stel ondersoek in na hoe instrumentalisme en funksionalisme diskoerse oor transformasie, versoening en regstelling raak binne die regs-, politieke en maatskaplike raamwerk van post-apartheid Suid-Afrika. As feministiese regsgeleerde het sy ook besin oor hoe feministiese teorie, en feministiese regsleer in die besonder, beïnvloed en soms oorgeneem is deur die empiriese benadering tot nadeel van konseptuele ontwikkeling en, meer pertinent, van die ideaal van geregtigheid. Sy kyk nou ook na die verhouding tussen wet en die geestes- en sosiale wetenskappe in die post-apartheid konteks. Sy vind aansluiting by die Amerikaanse akademikus en skryfster, Marianne Constable, oor die sosiaal-wetenskaplike gewaad waarin die reg voorgestel word, en hoe dit sosio-geregteel geword het.

In haar navorsing fokus prof Van Marle onder meer op hoe Suid-Afrikaanse regsgeleerdes die sosiale wetenskappe (sosiologie, staatsleer en sielkunde) ingespan het om die reg te versterk eerder as om die moontlikhede wat die geesteswetenskappe (wysbegeerte, kritiese teorie en letterkunde) bied te ondersoek om die mag van die wet uit te daag en om geweld, en die onmoontlikheid en afwesigheid van geregtigheid, bloot te lê. Sy het ook regsopleiding ondersoek, en die behoefte aan 'n regscurriculum wat op onderwys gefokus is en nie bloot op geregtigheid nie, en wat konseptuele denke bevorder. Sy is sedert 2007 'n genoot van die Stellenbosse Instituut vir Gevorderde Navorsing (STIAS). In 2010 het sy 'n STIAS-projek oor 'Genres of Critique' onderneem waarby sy 'n groep internasionale vakkundiges betrek het om die potensiaal van estetiese vorms vir kritiese denke te ondersoek. Sy is genooi om in 2013 twee maande by STIAS deur te bring om navorsing te doen met die oog op 'n projek om post-apartheid-regseleer en moderniteit in die reg te ondersoek. Prof Van Marle het in 2010 die Universiteit se toekening vir Uitmuntende Presteerders ontvang. Vier doktorsale studente en agt LLM-navorsers het onder haar leiding gepromoveer en daar is tans 11 doktorsale studente en drie LLM-navorsingstudente wat onder haar studieleiding werk.

Prof Van Marle is a professor and Head of Department: Jurisprudence in the Faculty of Law. Her general area of research is in the field of jurisprudence, legal philosophy and legal theory. The specific focus of her work is to reflect critically on the features of a post-apartheid jurisprudence, but beyond that also to reconfigure such jurisprudence. A central concern in Prof Van Marle's research is the pervasiveness of instrumentalist and functionalist aims overtaking the potential of critical theory. She has explored how instrumentalist and functionalist views affect discourses on transformation, reconciliation and reparation within the post-apartheid legal, political and social context. As a feminist legal scholar, she has also reflected on how feminist theory, and particularly feminist jurisprudence, were influenced and sometimes overtaken by the empirical method to the detriment of conceptual development and more pertinently the ideal of justice. Lately Prof Van Marle has contemplated the relationship between law, the humanities and social sciences in the post-apartheid context. She has drawn on US scholar Marianne Constable's insight into the 'social scientificity of law' and how law has become 'socio-legal'.

Prof Van Marle's research includes a focus on how South African legal scholars have made use of the social sciences (sociology, political science and psychology) in particular to make law stronger, rather than to investigate possibilities offered by the humanities (philosophy, critical theory and literature) to challenge the power of law and to expose violence, impossibility and the absence of justice. Linked to this, she has explored legal education and the need for a law curriculum to be focused on education, not merely training, and to develop conceptual thought. A fellow of the Stellenbosch Institute for Advanced Study (STIAS) since 2007, her most recent STIAS endeavour in 2010 involved a group of international scholars in a project, 'Genres of Critique', which explores the potential of aesthetic forms for critique. She has been invited to spend two months at STIAS during 2013 to conduct research towards a project on post-apartheid jurisprudence and legal modernity. She has been invited to spend two months at STIAS in 2013 to conduct research towards a project on post-apartheid jurisprudence and legal modernity. She received the University of Pretoria's Exceptional Achievers Award in 2010. Four doctoral students and eight LLM research students have completed their degrees under her supervision. Prof Van Marle currently supervises 11 doctoral candidates and three LLM research students.

Prof Van Marle ke mopofesa le Hlogo ya Kgoro ya Thutamolao ka Lefapheng la Molao. Makala a kakaretšo a dinyakišišo tša gagwe a ka makaleng a thutamolao, filosofi ya molao le teori ya molao. Sedi ya mošomo wa gagwe thwii ke go bonagatša ka bosekaseki ka ga ditlabelwa tša thutamolao ya ka morago ga kgethollo, eupša go feta fao, le go sekamolla thutamolao yeo. Tabakgolo ya dinyakišišo tša Prof Van Marle yeo ebilego kgwekgwe mo mengwageng ye mararo ya go feta ke go kgeloga ga dinepo tša boinstrumetale le bofankšenale ka go fekeetšeng teori ya bosekaseki. O hlohlošitše ka fao dipono tša boinstrumetale le bofankšenale di amago dikgokagano ka tlhamongleswa, poelano le filosofing ya molao ka seemotikologong sa tša molao, bopolotiki le leago sa ka morago ga kgethollo. Bjalo ka radithuto wa teori ya bofemenisi (tšošološo ya bosadi) o bonagadiše ka fao teori ya bofemenisi, kudukudu thutamolao ya bofemenisi e hueditšwego, ka nako yengwe bo fekeeditšwego ke mokgwa wa koketšotsebo ka go bona go ya tshenyegong ya tlhabollo ya dikgopolo, kudukudu morero wa toka. Moragonyana Prof Van Marle o lebeleditše kamano gare ga molao, tša bomotho le disaense tša leago ka seemotikologong sa ka morago ga kgethollo. O gatelelela gore ka mokgwa woo molao o bilego le kamano le tša bomotho ka gona e bile ka mokgwa wa tšhomišo wa mmapaale gomme e gogile šedi ya radithuto wa US e lego Marianne Constable ka go 'saensefatšo ya molao wa leago' le ka fao molao o fetogilego 'molao-leago'.

Dinyakišišo tša Prof Van Marle di akaretša šedi ya ka fao boradithuto ba molao ba ka Afrika-Borwa ba šomišitšego saense ya leago (sosiološi, saense ya polotiki le saekholotši) go matlafatša tša molao sebakeng sa go nyakišiša dikgonagalo tšeo di tlogo ka tša bomotho (filosofi, teori ya tšhekatšheko le dingwalwa) go hlola maatla a molao le go utolla bosenyi, go se kgonagale le go se be gona ga toka. Go kopana le se, o hlohlošitše gape thuto ya molao le tlhokego ya kharikhulamo ya molao gore e bee šedi ya yona go thuto, e sego fela go tlhahlo, le go hlabolla dikgopolo. Bjalo ka mogweramoleloko wa Instištshute ya Thuto yeo e tšwetšego pele ya Stellenbosch (STIAS) go tloga ka 2007 maiteko a gagwe a moragorago a STIAS ka 2010 a akareditše sehlopha sa boditšhabatšhaba ka protšekeng ya Genres of Critique yeo e hlohlošitšego bokgoni bja dipopego tše di ikgethilego tša tšhekatšheko. O memilwe go fetša kgwedi tšedi go la STIAS ka 2013 go dira dinyakišišo ya go tšeo di protšekeng ya ka ga thutamolao ya ka morago ga kgethollo le bosehono bja molao. Prof Van Marle o amogetše Sefoka sa Monyakišiši yo Monnyane sa Yunibesithi ya Pretoria ka 2003, le sa Radithuto wa go Atlega go kudu ka 2010. Baithuti ba bane ba lengwalo la bongaka le ba seswai ba lengwalo la dinyakišišo la LLM ba feditše ditikrii tša bona ka fase ga bookamedi bja gagwe. Gabjale Prof Van Marle o akometše baithuti ba 11 ba lengwalo la bongaka le ba bararo ba lengwalo la dinyakišišo la LLM.