## Contents

| Contributors<br>Acknowledgments |  |  | vii<br>viii |
|---------------------------------|--|--|-------------|
| 1                               | The evolution of the separation of powers in the global south and global north David Landau and David Bilchitz |  |             |
| PA                              | RT I   | EMERGING THEMES IN THE SEPARATION OF POWERS OF THE GLOBAL SOUTH AND THE GLOBAL NORTH   |             |
| 2                               | in the   | utional failure and intertemporal theories of judicial role global south   | 31          |
| 3                               | socio<br>or sej  | ards a defensible relationship between the content of economic rights and the separation of powers: conflation paration?  d Bilchitz | 57          |
| 4                               | const  | ts and the expansion of executive power: making the itution matter ta Uitz   | 85          |
| 5                               | of law   | ommodating an old constitution to the 21st-century state: w and politics i C. Jackson  | 114         |
| 6                               | powe   | conceptual architecture of the principle of separation of ers  | 145         |
|                                 |  |  |             |

## PART II INDEPENDENT ACCOUNTABILITY INSTITUTIONS AND THE NEW SEPARATION OF POWERS IN THE GLOBAL SOUTH

| 7  | The fourth branch: challenges and opportunities for a robust and meaningful role for South Africa's State Institutions Supporting Democracy Faraaz Mahomed | 177 |
|----|--|-----|
| 8  | Separation of powers and the accountability role of NHRIs: the Malawi Human Rights Commission through the courts Redson Edward Kapindu                     | 206 |
| 9  | Mexico's National Commission on Human Rights: an autonomous constitutional agency with too much autonomy? <i>José Ma. Serna de la Garza</i>                | 236 |
| In | dex  | 255 |