



Research article

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Digital Transformations of the South African Legal Landscape

William Manga Mokofe

High Court of South Africa
East London, South Africa

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personal data protection,
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Abstract

Objective: South Africa is a country with great potential for intensive development due to the active growth and adoption of digital technologies. The rapidly emerging digital landscape is transforming the legal framework, which in turn influences the digital environment. This transformative relationship determined the focus of the research, which is to identify the legal system adaptability under dynamic changes, as well as the legal landscape evolution under digitalization and technological progress.

Methods: the study of the changing legal landscape required an interdisciplinary approach that combines legal analysis with ideas from sociology, economics, etc. In doing so, the formal-legal method was used to examine the key legal instruments shaping South Africa's digital environment and providing the opportunities and challenges of the interaction between digital technologies and South African law.

Results: the paper provides insights into how the South African legal system is addressing digital challenges; assesses the integration of digital innovations into the legal system; highlights the transformative impact of digital technologies on traditional legal processes, including collecting evidence, dispute resolution and access to justice. Finally, it evaluates the role of digital technologies in making legal processes more efficient.

Scientific novelty: the study contributes to the ongoing debate on the complex relationship between digital technologies and South African law. It shows how South African law is coping with digital complexities

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and substantiates new insights into the transformation of the traditional legal paradigm as a result of digitalization, as well as its implications for legal proceedings and access to justice. By delving into the adaptations, challenges and innovations arising at the intersection of law, technologies and digitalization, insights are gained into how South African law navigates the dynamic digital landscape.

Practical significance: adapting the legal landscape to digitalization and technological advances is critical to ensure rapid technological progress. It also requires collaboration between government agencies, civil society, experts in law and technology. The study provides valuable recommendations and suggestions for policymakers, legal practitioners and stakeholders shaping South Africa's legal ecosystem. The author addresses the challenges of ensuring personal data privacy, enhancing electronic interactions, and countering cybercrime. The importance of introducing technological achievements while maintaining robust legal safeguards is emphasized.

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Introduction

In the modern landscape, the intricate interplay between digital technologies and the legal framework has ushered in a new era of challenges and opportunities, nowhere more evident than in the context of South Africa. The rapid evolution of digital technologies has been reshaping societies, economies, and governance structures, fundamentally altering the way people communicate, transact, and interact (Mokofe & van Eck, 2021). This transformative

impact has prompted a compelling need to scrutinize the adaptability of legal systems in the face of these dynamic changes.

The overarching aim of this exploration is to delve into how South African law has responded and adapted to the rapidly advancing digital technologies while evaluating the broader implications of this adaptation. The interconnection of these realms is not merely coincidental; rather, it reflects a symbiotic relationship wherein the legal framework seeks to regulate and harness the potential of digital technologies, and in turn, digital technologies challenge the legal norms that have been traditionally established (Adams & Adeleke, 2020).

The digital landscape encompasses a wide array of technologies, ranging from ubiquitous smartphones and the omnipresent Internet to more specialized domains like blockchain, artificial intelligence, and the Internet of Things (IoT). Each of these technologies brings its own set of opportunities and complexities, intertwining with various aspects of law, from data protection and privacy to intellectual property and cybercrime (Mokofe & van Eck, 2022; Swales, 2021). Consequently, exploring this landscape necessitates a multidisciplinary approach that combines legal analysis with insights from technology, sociology, economics, and beyond.

One of the primary focal points of this inquiry is the legal frameworks that have been established to govern the digital sphere in South Africa. The enactment of laws such as the Protection of Personal Information Act (POPIA)¹ and the Electronic Communications and Transactions Act (ECTA)² exemplifies the nation's proactive efforts to provide legal guidelines for the digital age. These statutes seek to ensure that the proliferation of digital technologies is not accompanied by the erosion of individual rights, data privacy, and security.

Moreover, as the digital landscape knows no geographical boundaries, it presents unique jurisdictional challenges. Cybercrime, often orchestrated from distant locations, forces legal systems to confront the complexities of transnational law enforcement and cooperation (Mtuze, 2022; Swales, 2022). This global interconnectedness highlights the need for international collaboration, as well as the development of legal instruments that can effectively tackle the novel challenges brought forth by technology.

Beyond its regulatory aspects, digital transformation is reshaping conventional legal processes. The introduction of digital evidence, the utilization of Artificial Intelligence (AI) legal research, and the rise of online dispute-resolution platforms are altering the very fabric of litigation and dispute resolution (De Sousa et al., 2021). These shifts bring efficiency gains but also demand a critical evaluation of their impact on traditional notions of justice and due process.

¹ Copyright Amendment Act, No. 9 of 2019.

² Electronic Communications and Transactions Act, No. 25 of 2002.

The integration of digital technologies within the legal framework of South Africa encapsulates a multifaceted discourse that bridges technology, law, and society (Botha et al., 2017). This exploration seeks to traverse this evolving landscape, shedding light on the intricate relationship between legal norms and technological advancements. By delving into the adaptations, challenges, and innovations that emerge at this intersection, this study aims to contribute to a comprehensive understanding of how South African law navigates the dynamic terrain of the digital age.

1. Adaptation of South African law to rapidly advancing digital technologies

The convergence of digital technologies and the legal landscape in South Africa has led to a complex and evolving relationship, necessitating a responsive and adaptable legal framework. As digital technologies continue to reshape traditional norms and modes of operation, South African law has undergone a series of significant adaptations to address the multifaceted challenges and opportunities presented by this paradigm shift (Naude & Papadopoulos, 2016). These dynamic adaptations are discussed below.

2. Data protection and privacy

One of the most pronounced adaptations has been in the realm of data protection and privacy. The enactment of the Protection of Personal Information Act (POPIA)³ stands as a seminal response to the increasing digitization of personal information. POPIA establishes a comprehensive legal framework for the collection, processing, and storage of personal data, aiming to ensure individuals' rights are upheld in the digital age. By imposing stringent obligations on data controllers and processors, the law seeks to strike a balance between technological innovation and safeguarding personal privacy.

The accelerated integration of digital technologies into everyday life has significantly impacted data protection and privacy concerns. Foremost among South Africa's legal adaptations to these evolving challenges is the enactment of the POPIA. With the escalating digitization of personal information and the proliferation of online data exchanges, POPIA serves as a pivotal response that aims to harmonize individual rights and technological advancements in the digital age.

POPIA's establishment represents a comprehensive effort to create a legal framework capable of regulating the collection, processing, and storage of personal data while preserving individuals' privacy (Adams & Adeleke, 2020; Bronstein, 2022). In essence, it underscores the growing recognition of data as a valuable commodity, the safeguarding of which requires robust legal mechanisms. The Act encapsulates an assortment of provisions that delineate the rights of data subjects and the responsibilities of data controllers and processors (Naude & Papadopoulos, 2016).

³ Protection of Personal Information Act, No. 4 of 2013.

By placing stringent obligations on entities handling personal data, the legislation seeks to strike a delicate equilibrium between facilitating innovation and protecting individuals' privacy (Malgieri & Comandé, 2017). Through its provisions, POPIA enforces transparency and accountability by mandating data controllers obtain explicit consent for data processing, disclose data usage, and implement adequate security measures to prevent breaches.

Furthermore, POPIA's establishment signifies a response to the global trend of data protection regulations, emphasizing South Africa's commitment to aligning its legal landscape with international standards (Adams & Adeleke, 2020). The Act's introduction has far-reaching implications for businesses operating in the digital sphere, requiring them to revise their data management practices and establish mechanisms for compliance.

Further, the enactment of POPIA represents a crucial adaptation of South African law to address the burgeoning concerns surrounding data protection and privacy in an increasingly digitized world. By providing a robust legal framework that sets the tone for responsible data management and privacy preservation, the legislation endeavours to harmonize technological innovation with fundamental rights.

3. Cybercrime legislation

In, recognition of the escalating threat of cybercrime, South African law has been reshaped to encompass a range of offences and penalties related to digital crimes. The Cybercrimes Act⁴ represents a notable milestone, criminalizing a wide array of activities including hacking, identity theft, and cyberbullying. This legislation underscores the recognition of the unique challenges posed by digital offences and the necessity to provide a legal framework that can effectively combat such crimes while protecting individuals' digital rights.

The surge in cyber threats has spurred a critical overhaul of South African law to tackle the burgeoning menace of digital crimes. As digital technologies continue to advance, South African lawmakers recognized the pressing need to adapt the legal framework to effectively address cybercrime. This evolving landscape prompted the enactment of the Cybercrimes Act, signifying a pivotal step toward enhancing the nation's capability to combat a spectrum of digital offences.

The Cybercrimes Act, a significant legislative development, serves as an instrumental response to the multifaceted nature of cybercrime. With its comprehensive approach, the Act marks a departure from traditional legal paradigms by specifically criminalizing a wide spectrum of cyber offences. Activities ranging from hacking and identity theft to cyberbullying are brought under the purview of the law, underlining the South African legal system's resolve to adapt to contemporary challenges (Roos, 2020).

⁴ Cybercrimes Act, No. 19 of 2020.

By encompassing a diverse array of cyber offences, the Act reflects a nuanced understanding of the evolving digital threat landscape and the necessity for a multifaceted legal response (Malgieri & Comandé, 2017). This legislation recognizes that cybercrime extends beyond financial fraud to encompass activities that compromise individuals' privacy, safety, and well-being in the digital realm. As such, the Act aligns with international trends in cybercrime legislation, demonstrating South Africa's commitment to fostering cybersecurity (de Bruyn, 2014).

The introduction of the Cybercrimes Act underscores a strategic shift in legal reasoning, acknowledging the distinctive challenges and complexities posed by digital offences. This legislation not only seeks to penalize perpetrators but also reinforces the need to secure individuals' digital rights (Van Niekerk, 2018). By outlining penalties commensurate with the severity of offences, the Act aims to deter potential wrongdoers while providing a solid foundation for law enforcement agencies to effectively combat cybercrime.

More so, the adoption of the Cybercrimes Act exemplifies South Africa's proactive approach to shaping its legal framework to counter the escalating threat of digital crimes. Through its comprehensive scope, the Act underscores the dynamic nature of cyber threats and the necessity for a robust legislative response. As the digital landscape evolves, the Act lays the groundwork for safeguarding individuals' digital rights and fostering a secure digital environment (Van Niekerk, 2017).

4. Electronic communications transaction

The ECTA embodies South Africa's response to the digital transformation of commercial activities and interactions. By providing legal recognition to electronic signatures, contracts, and communications, ECTA facilitates the growth of e-commerce and electronic transactions while ensuring their validity and enforceability. This adaptation acknowledges the increasing prevalence of digital interactions and endeavours to provide legal certainty in an ever-evolving digital landscape.

In the wake of the digital revolution reshaping commercial interactions and transactions, South African law has taken a proactive stance through the Electronic ECTA. This legislation represents a comprehensive response to the challenges and opportunities posed by the digital transformation of commerce, signaling the nation's commitment to fostering a legally sound environment for electronic interactions.

The ECTA's enactment underscores the realization that traditional modes of commerce have evolved with the integration of digital technologies. By extending legal recognition to electronic signatures, contracts, and communications, the Act embraces the burgeoning growth of e-commerce while ensuring that electronic transactions remain valid, enforceable, and legally binding (Staunton & De Stadler, 2019). This recognition is a pivotal aspect in addressing the unique characteristics of the digital age, where the physical presence of individuals is not essential for commercial engagements.

The ECTA's provisions resonate with the changing dynamics of the modern business landscape. The Act's emphasis on legal certainty ensures that parties engaged in electronic transactions have a clear understanding of their rights, obligations, and the legal consequences of their actions. This legal clarity is instrumental in promoting trust and confidence in online interactions, mitigating uncertainties that may otherwise hinder the growth of e-commerce and digital transactions.

Furthermore, the ECTA's adaptation reflects South Africa's commitment to aligning its legal framework with international norms. As globalization accelerates, the harmonization of legal principles related to electronic transactions contributes to fostering cross-border commerce and international trade relationships.

The introduction of the ECTA not only underscores the legal framework's adaptability but also its resilience in embracing the rapid evolution of digital technologies. By addressing the intricacies of electronic interactions and transactions, the Act lays the foundation for a robust framework that facilitates the continued growth of e-commerce while upholding legal principles.

The Electronic Communications and Transactions Act stands as a defining response to the digital transformation of commerce, encapsulating South Africa's proactive approach to adapting its legal framework. Through its recognition of electronic signatures, contracts, and communications, the ECTA bridges the gap between traditional legal norms and the ever-evolving digital landscape, promoting legal certainty and trust in electronic interactions.

5. Intellectual property and digital innovation

The convergence of digital technologies and intellectual property rights has necessitated a recalibration of copyright, patent, and trademark laws. The Copyright Amendment, for instance, addresses challenges posed by the digital reproduction and distribution of creative works. Balancing the interests of creators, innovators, and the public, the law seeks to stimulate digital innovation while safeguarding intellectual property rights.

The fusion of digital technologies and the realm of intellectual property (IP) has engendered a fundamental re-evaluation of existing legal frameworks, including copyright, patent, and trademark laws. As digital platforms become central to the creation, dissemination, and consumption of creative works and innovative ideas, South African law has embarked on a recalibration journey to align IP protection with the unique dynamics of the digital age.

One of the notable instances of this recalibration is witnessed in the Copyright Amendment. In recognizing the challenges posed by digital reproduction and distribution of creative works, this legislation illustrates the legal system's acknowledgement of the intricate interplay between digital technologies and copyright protection (Dove & Chen, 2020). The Act addresses concerns related to the unauthorized duplication and dissemination of digital content, establishing mechanisms to curb the infringement of authors' rights in the digital sphere.

Central to the Act's approach is the aspiration to strike a delicate balance between the competing interests of creators, innovators, and the wider public. By enhancing the scope of fair use provisions, the law accommodates transformative uses of copyrighted material, fostering digital innovation and creativity. The Act, therefore, encapsulates a nuanced understanding that the traditional copyright paradigm requires adaptation to accommodate the rapidly evolving modes of content consumption and creation enabled by digital technologies.

Beyond copyright, the recalibration extends to patent and trademark laws, as digital innovation often transcends traditional boundaries. The rise of software and business methods patents, for instance, has prompted legal considerations that challenge conventional patent doctrines (Talkmore, 2022). Likewise, the evolving nature of digital trademarks necessitates a re-examination of trademark registration processes and the protection of online brands in an increasingly global digital landscape.

In essence, the recalibration of IP laws exemplifies South Africa's proactive response to the dynamic synergy between digital technologies and creative expression. The legal adaptations embodied in the Copyright Amendment Act underscore the nation's commitment to fostering an environment conducive to digital innovation and creativity while safeguarding the rights of content creators and innovators.

Further, the convergence of digital technologies and intellectual property rights necessitates a comprehensive legal recalibration that navigates the intricate terrain between creativity, innovation, and digital advancements. By addressing challenges brought forth by digital reproduction, distribution, and transformation of creative works, South African law strives to cultivate an ecosystem that stimulates digital innovation while preserving the integrity of intellectual property rights.

6. Jurisdictional and enforcement challenges

As digital technologies transcend geographical borders; South African law has encountered jurisdictional challenges in addressing transnational digital offences. Ensuring effective enforcement against cybercriminals operating from foreign jurisdictions requires international collaboration, extradition treaties, and a nuanced approach to digital evidence collection and preservation.

In an increasingly interconnected world driven by digital technologies, South African law faces a complex array of jurisdictional and enforcement challenges when dealing with transnational digital offences. As cybercriminal activities span geographical boundaries with ease, the limitations of traditional legal frameworks have become apparent, necessitating an adaptive response to the evolving nature of digital crime.

The digital landscape is characterized by a borderless nature, enabling cybercriminals to exploit vulnerabilities from remote locations while causing considerable harm across jurisdictions (Van Niekerk, 2018). This has raised significant jurisdictional concerns, as South African law enforcement agencies grapple with the dilemma of prosecuting offenders beyond their national borders.

The solution to this predicament lies in international collaboration. Ensuring the effective enforcement of South African law against cybercriminals operating from foreign jurisdictions hinges upon forging robust partnerships with other nations. Extradition treaties play a pivotal role in enabling the apprehension and extradition of cybercriminals to face justice within South Africa's legal framework. These treaties provide the necessary legal foundation to overcome jurisdictional barriers that hinder the prosecution of transnational digital offences.

Central to the enforcement challenge is the preservation and collection of digital evidence. Digital evidence is inherently volatile and easily manipulable, requiring a meticulous and technologically informed approach to ensure its integrity and admissibility in legal proceedings. This entails a nuanced understanding of data preservation techniques, data privacy laws, and international protocols to guarantee the legitimacy of evidence presented before the courts.

Furthermore, the enforcement of South African law in the realm of transnational digital offences necessitates a comprehensive understanding of international legal instruments such as the Budapest Convention on Cybercrime. This convention serves as a guiding framework for international cooperation in investigating and prosecuting cybercrimes, emphasizing the importance of harmonizing legal approaches across nations⁵.

The realm of transnational digital offences presents South African law with multifaceted jurisdictional and enforcement challenges. As digital technologies transcend geographical boundaries, effective response demands international collaboration, (Dove & Chen, 2020) extradition treaties, and adept evidence-collection techniques. These adaptations in legal enforcement underscore the need to address the borderless nature of cybercrime while navigating the intricacies of international law and digital evidence preservation.

7. Evolving legal processes

The integration of digital technologies has also prompted adaptations in traditional legal processes. Courts now grapple with issues related to digital evidence, electronic discovery, and the utilization of Artificial Intelligence (AI) in legal research. The evolution of online dispute resolution platforms aims to expedite the resolution of disputes while catering to the changing dynamics of digital interactions.

⁵ Council of Europe. (2001). Convention on Cybercrime. <https://clck.ru/36cr32>

The seamless integration of digital technologies into various aspects of society has catalyzed profound changes in traditional legal processes. As the legal landscape adapts to the digital era, South African courts find themselves at the crossroads of innovation, grappling with multifaceted challenges and opportunities arising from the infusion of technology into their proceedings.

One notable aspect of this transformation is the treatment of digital evidence. The proliferation of digital interactions has necessitated a re-evaluation of evidence collection, preservation, and presentation. Courts are now tasked with understanding the intricacies of digital forensics and ensuring the integrity and admissibility of electronic evidence while upholding the principles of due process (Swales, 2018). This entails a delicate balance between embracing technology's efficiency and safeguarding the fairness of legal proceedings.

Electronic discovery, often referred to as e-discovery, has become a cornerstone of contemporary litigation. The digitization of vast amounts of data demands efficient and systematic methods for identifying, collecting, and presenting evidence. This shift has prompted legal professionals to engage with technological tools and platforms that facilitate the efficient management of digital evidence and streamline the discovery process.

Furthermore, the utilization of AI in legal research introduces a transformative dimension to legal scholarship and decision-making. AI-driven algorithms analyze vast datasets, facilitating rapid legal research, precedent analysis, and case law review. This augmentation of legal research with AI expedites information retrieval, enhances the identification of relevant legal principles, and supports more informed legal arguments.

The digitization of legal processes has also given rise to the evolution of online dispute resolution (ODR) platforms. These platforms leverage digital technologies to provide efficient and accessible mechanisms for resolving disputes (Kahungi, 2022). ODR platforms cater to the changing dynamics of digital interactions, enabling parties to engage in resolution processes without the constraints of physical presence. This alignment with the digital age aims to expedite the resolution of disputes while accommodating the realities of contemporary communication.

The integration of digital technologies into traditional legal processes is emblematic of the dynamic evolution of the legal landscape. Courts, legal professionals, and litigants alike navigate the challenges and opportunities presented by digital evidence, electronic discovery, AI-driven research, and online dispute resolution. As South African legal processes adapt to the digital era, the potential for efficiency gains and enhanced access to justice is coupled with the imperative to ensure due process and the preservation of legal rights.

Conclusion

In summation, the intricate process of adapting South African law to the rapid advancement of digital technologies emerges as an ongoing endeavour that traverses a delicate equilibrium between promoting technological advancement and preserving the fundamental rights and collective interests of individuals and society as a whole. This adaptive journey within the legal landscape reflects a conscientious effort to harmonize the ever-evolving digital realm with established legal principles, constituting a dynamic interplay that shapes the contours of the nation's legal framework.

The responsive nature of this evolving legal framework underscores the nation's commitment to ensuring that the integration of digital technologies aligns harmoniously with its societal values and individual rights. This commitment finds manifestation through a multifaceted approach that encompasses diverse areas of law, all of which have been recalibrated to address the novel challenges presented by the digital age. The multifarious components of this responsive legal architecture are epitomized by pivotal areas such as data protection, cybercrime legislation, electronic transactions, intellectual property, and jurisdictional considerations.

At the forefront, the comprehensive data protection initiatives underscore profound respect for the privacy and personal autonomy of individuals in the digital era (Bester, 2023). The implementation of stringent regulations ensures that the vast repositories of personal data harnessed by digital technologies are handled with responsibility and that the rights of individuals are preserved even as data-driven innovations surge ahead. Concurrently, the enactment of cybercrime legislation reflects a proactive stance in safeguarding the digital sphere from nefarious activities, thereby protecting both the technological ecosystem and the citizens who inhabit it (Bester, 2023).

The legal response to electronic transactions signifies South Africa's commitment to nurturing a thriving digital economy. By validating electronic signatures, contracts, and communications, the law emboldens entrepreneurs and businesses to harness the potential of e-commerce, thereby fostering economic growth while ensuring the enforceability and legality of digital transactions.

Moreover, the recalibration of intellectual property laws emphasizes an understanding of the nuanced relationship between creativity, innovation, and technological progression. By balancing the interests of creators, innovators, and the broader public, these adaptations foster a conducive environment for both digital innovation and the protection of intellectual property rights, reflecting an intricate understanding of the dual imperatives of progress and protection.

Equally significant are the jurisdictional adaptations that acknowledge the boundaryless nature of digital operations. The legal system's responsiveness to cross-border cybercrimes underscores its determination to navigate the challenges posed by global connectivity and the necessity to uphold justice in a realm devoid of conventional geographical limitations.

This adaptive legal approach signifies a commitment to seamlessly assimilating the digital age into the legal landscape while preserving its relevance and effectiveness. Nevertheless, as digital technologies continue to advance, new vistas of challenges and opportunities are set to emerge. The adaptive journey of South African law, therefore, remains an ongoing endeavour that demands unwavering vigilance. The legal system is poised to address emerging complexities and transformations with the same responsive spirit, ensuring that the rights, aspirations, and well-being of the nation's populace are both safeguarded and propelled forward in a digital landscape marked by continuous evolution.

In essence, the adaptation of South African law to digital technologies is not a destination but a dynamic process, a continuous quest to calibrate the nation's legal norms in alignment with the ever-evolving contours of the digital age. As the frontier of technological innovation pushes onward, the legal system's adaptive prowess will be vital in steering the course, orchestrating the symphony of innovation, justice, and societal well-being in harmony with the digital symphony.

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Author information



William Manga Mokofe – PhD (Law), Advocate of the High Court of South Africa

Address: 12 Stewart Drive Berea, East London, South Africa

E-mail: william.mokofe@gmail.com

ORCID iD: <https://orcid.org/0000-0002-5170-1304>

Google Scholar ID: https://scholar.google.com/citations?hl=en&user=h_w4XXAAAAAJ

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Ключевые слова

законодательство,
защита персональных
данных,
искусственный интеллект,
киберпреступность,
онлайн-разрешение споров,
право интеллектуальной
собственности,
право,
судебная практика,
цифровые технологии,
Южная Африка

Аннотация

Цель: Южная Африка является страной с большим потенциалом интенсивного развития благодаря стремительному росту и внедрению цифровых технологий. Активно формирующаяся цифровая среда трансформирует законодательную базу, которая в свою очередь оказывает влияние на цифровую среду. Это преобразующее взаимоотношение обусловило направленность исследования на выявление адаптивности правовой системы перед лицом динамичных изменений и путей эволюции правового ландшафта в условиях цифровизации и технологического прогресса.

Методы: изучение изменяющегося правового ландшафта требует междисциплинарного подхода, сочетающего юридический анализ с идеями из областей социологии, экономики и др. При этом с помощью формально-юридического метода исследуются ключевые правовые акты, формирующие цифровую среду Южной Африки и определяющие возможности и проблемы взаимодействия цифровых технологий и южноафриканского права.

Результаты: в работе дается представление о том, как правовая система Южной Африки решает цифровые проблемы; оценивается интеграция цифровых новаций в правовую систему; подчеркивается преобразующее влияние цифровых технологий на традиционные юридические процессы, охватывающие сбор доказательств, разрешение споров и доступ к правосудию; оценивается роль цифровых технологий в повышении эффективности юридических процессов.

Научная новизна: исследование вносит вклад в продолжающуюся дискуссию о сложной взаимосвязи между цифровыми технологиями и законодательством Южной Африки; показано, как южноафриканское

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Статья находится в открытом доступе и распространяется в соответствии с лицензией Creative Commons «Attribution» («Атрибуция») 4.0 Всемирная (CC BY 4.0) (<https://creativecommons.org/licenses/by/4.0/deed.ru>), позволяющей неограниченно использовать, распространять и воспроизводить материал при условии, что оригинальная работа упомянута с соблюдением правил цитирования.

право справляется с цифровыми сложностями; обосновываются новые идеи о трансформации традиционной правовой парадигмы в результате цифровизации, ее последствий для судопроизводства и доступа к правосудию. При углублении в адаптацию, проблемы и инновации, возникающие на пересечении права, технологий и цифровизации, происходит понимание того, как южноафриканское право ориентируется в динамичной цифровой среде.

Практическая значимость: адаптация правового ландшафта к цифровизации и технологическим достижениям имеет решающее значение для обеспечения быстрого технологического прогресса и требует сотрудничества между государственными органами, гражданским обществом, экспертами в области права и технологий. Исследование содержит ценные рекомендации и предложения для политиков, юристов-практиков и заинтересованных сторон, формирующих правовую экосистему Южно-Африканской Республики, решающих проблемы обеспечения конфиденциальности персональных данных, повышения эффективности электронных взаимодействий и противодействия киберпреступности. Подчеркивается важность внедрения технологического прогресса при одновременном соблюдении надежных правовых гарантий.

Для цитирования

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Информация об авторе



Мокофе Уильям Манга, PhD в области права, адвокат Верховного Суда Южно-Африканской Республики

Адрес: Южно-Африканская Республика, г. Ист-Лондон, Стюарт Драйв Береа, 12

E-mail: william.mokofe@gmail.com

ORCID iD: <https://orcid.org/0000-0002-5170-1304>

Google Scholar ID: https://scholar.google.com/citations?hl=en&user=h_w4XXAAAAAJ

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