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**THE INCORPORATION OF PUBLIC INTERNATIONAL LAW INTO MUNICIPAL  
LAW AND REGIONAL LAW AGAINST THE BACKGROUND OF THE  
DICHOTOMY BETWEEN MONISM AND DUALISM**

G Ferreira\*

A Ferreira-Snyman\*\*

**SUMMARY**

Monism and dualism represent two different approaches towards the relationship between public international law and municipal law. While the former views public international law and municipal law as a single legal system, the latter regards these two areas of law as separate and distinct legal systems that exist alongside each other. However, not all legal systems are clearly either monist or dualist. The dichotomy between monism and dualism no longer only concerns the relationship between public international law and municipal law, but also increasingly affects the relationship between public international law and regional law. This contribution discusses the application of the monist and dualist approaches by the South African Constitutional Court in the *Glenister* case and the European Court of Justice in the *Kadi* and *Hungary* cases in order to illustrate the practical application of the dichotomy between monism and dualism in a municipal system and on a regional level.

**KEYWORDS:** Customary international law; dualism; European Union; *Glenister* case; *Hungary* case; *jus cogens*; *Kadi* case; monism; obligations *erga omnes*; treaties

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\* Gerrit Ferreira. B Iuris, LLB (PUCHO); LLM (RAU); LLD (UNISA); LLD (PUCHO). Professor, Faculty of Law, North-West University, Potchefstroom Campus. Email: gerrit.ferreira@nwu.ac.za.

\*\* Anél Ferreira-Snyman. B Juris (PUCHE), LLB (PUCHE), LLM (PUCHE), LLD (UJ). Professor, Department of Jurisprudence, Unisa. Email: Ferremp@unisa.ac.za.