

TABLE OF CONTENTS

Acknowledgements	i
-------------------------------	----------

A word of appreciation	iii
Lazarus Hangula	

List of abbreviations	viii
------------------------------------	-------------

PART I: BACKGROUND

Justice for justice and justice for peace: Legal anthropological observations on traditional and informal justice systems.....	3
Manfred O Hinz	

Accused and cherished: Traditional and informal justice systems as seen by international organisations	25
Clever Mapaure	

PART II: TRADITIONAL JUSTICE: THE AFRICAN NORMALITY

Traditional courts in action: The daily official activities of the <i>Ombadja</i> Traditional Authority, Namibia	53
Prisca Nangoma Anyolo	

Traditional justice under the South African Constitution	67
Tom W Bennett	

La justice au Sénégal : des tentatives pour remédier à l'opposition entre modèles autochtones et importés	73
Fatou Kiné Camara	

Traditional courts in Namibia – part of the judiciary? Jurisprudential challenges of traditional justice	93
Manfred O Hinz	

Community courts in Namibia: Life or death for customary law?	115
Nico Horn	

Legal pluralism and human rights in a Kenyan court: An analysis of dowry claim cases	133
Shin-ichiro Ishida	
Court assessors, received laws and informal justice in Tanzania	167
Eliamani Laltaika	
Lesotho – Traditional administration of justice in a monarchy: Human rights gaps and strategies to encourage respect for human rights	181
Borenahabokhethe Sekonyela	
Dispute resolution at grass-roots level: Some observations from peri-urban Mwanamsekwa, Tanzania	211
Harald Sippel and Ulrike Wanitzek	
 PART III: TRADITIONAL JUSTICE IN SITUATIONS OF TRANSITION	
Traditional justice: A critical legal analysis of the <i>Gacaca</i> jurisdictions in Rwanda	225
Francois-X Bangamwabo	
The traditional justice system in Burundi: The institution of <i>bashingantahe</i>	245
Tracy Dexter and Philippe Ntahombaye	
The olive branch? The role of a Somali justice system in the quest for peace	259
Sue Tatten	
Traditional authorities in Angola: Which way?	279
Fernanda Chipela Conceição Domingos	
Framing the complex legal plurality in Mozambique	285
Maria Paula Meneses	
Legal pluralism and interlegality: The role of community justices in Mozambique	309
Sara Araújo	
Traditional authority in the post-Comprehensive Peace Agreement Southern Sudan	325
Deng Biong Mijak	

PART IV: TRADITIONAL AND INFORMAL JUSTICE: THEORETICAL ASPECTS

Is African customary law just?	341
Effa Okupa	
Criminal sciences in Namibia: A venture into transculturality and law. The internationalisation of criminal law and subsequent theoretical needs	351
Lorenz Böllinger	
Between formal and informal justice? The mandate of the Ombudsman in Namibia	363
Oliver C Ruppel and Katharina G Ruppel-Schlichting	
Multiple identity configurations and the International Covenant on Civil and Political Rights	383
Sue Tatten	
“In view of the difficult legal questions, I beg you to understand ...”: Political ethics and the Herero–German War one hundred years later	395
Manfred O Hinz	
Healing – Beyond formal conflict resolution	413
Manfred O Hinz and Helgard Patemann	
Monsters, legal pluralism and human rights in Africa	443
Werner Menski	
The contributors	457