

VOLUME 62 · NUMBER 1 · 2018

ISSN 0021-8553

Journal of

# African Law



**SOAS**  
University of London

**CAMBRIDGE**  
UNIVERSITY PRESS

# Journal of African Law

Published by Cambridge University Press for SOAS University of London, UK.

## General editors

C JENKINS, School of Law, SOAS University of London  
L OETTE, School of Law, SOAS University of London  
S WILLIAMS-ELEGBE, Faculty of Law, Stellenbosch University

## Editorial board

A AN-NA'IM, Emory University School of Law  
M BADERIN, School of Law, SOAS University of London  
F BANDA, School of Law, SOAS University of London  
C BEYANI, Department of Law, The London School of Economics and Political Science  
M CHANOCK, School of Law, La Trobe University  
P CULLET, School of Law, SOAS University of London  
N ENONCHONG, Birmingham Law School  
JT GATHII, School of Law, Loyola University Chicago  
I KANE, Open Society Initiative for Eastern Africa, Nairobi  
BD MEZMUR, Community Law Centre, University of the Western Cape  
T MUROMBO, School of Law, University of the Witwatersrand  
R MURRAY, School of Law, University of Bristol  
M MUTUA, SUNY Buffalo Law School  
M NDULO, Cornell University Law School  
C NGWENA, Centre for Human Rights, University of Pretoria  
I ODUMOSU-AYANU, College of Law, University of Saskatchewan  
OC OKAFOR, Osgoode Hall Law School, York University, Toronto  
E ONYEMA, School of Law, SOAS University of London  
B RWEZAURA, Faculty of Law, The Open University of Tanzania  
U WANTIZEK, Institute of African Studies, University of Bayreuth  
G WOODMAN, Birmingham Law School

## Notes to contributors

1. Article manuscripts should be submitted through the ScholarOne online submission and peer review system (<http://mc.manuscriptcentral.com/jal>). If you experience technical difficulties, please contact the Editorial Office at [jal@soas.ac.uk](mailto:jal@soas.ac.uk).
2. Submission of a manuscript to JAL implies that it has not been submitted elsewhere nor published in any form.
3. It is regretted that no payment can be made to contributors.
4. It is a condition of publication in the *Journal* that authors assign copyright to SOAS University of London. This ensures that requests from third parties to reproduce articles are handled efficiently and consistently and also enables the article to be as widely disseminated as possible. In assigning copyright, authors may use their own material in other publications provided that the *Journal* is acknowledged as the original place of publication, and Cambridge University Press is notified in advance in writing.

## Subscriptions

*Journal of African Law* (ISSN 0021-8553) is published three times a year in February, June and October. Three parts form a volume. The subscription price which includes delivery

by air where appropriate (but excluding VAT) of volume 62 in 2018 is: £229 (US \$390 in USA, Canada and Mexico) for institutions, print and electronic; £34 (US \$57 in USA, Canada and Mexico) for individuals ordering direct from the publishers and certifying that the journal is for their personal use. Institutions in developing countries can apply for the developing countries rate which is £17. Single parts are £84 (US \$143 in USA, Canada and Mexico) plus postage. EU subscribers (outside the UK) who are not registered for VAT should add VAT at their country's rate. VAT registered members should provide their VAT registration number. Japanese prices for institutions (including ASP delivery) are available from Kinokuniya Company Ltd, PO Box 55, Chitose, Tokyo 156, Japan. Orders, which must be accompanied by payment, may be sent to a bookseller, subscription agent or direct to the publisher: Cambridge University Press, University Printing House, Shaftesbury Road, Cambridge CB2 8BS, or in the USA, Canada and Mexico: Cambridge University Press, Journals Fulfillment Department, 1 Liberty Plaza, Floor 20, New York, NY 10006, USA. Periodicals postage paid at New York, NY and at additional mailing offices. The current and latest two back volumes are available from Cambridge University Press.

## Advertising

Advertisements are welcomed and rates will be quoted on request. Enquiries should be addressed to Amy O'Leary, Advertising Promoter, Journals Group, Cambridge University Press, University Printing House, Shaftesbury Road, Cambridge CB2 8BS, UK. Tel +44 (0)1223 325757 Fax +44 (0)1223 325801. Abstracted and indexed in: *Anthropology Index*; *Index to Foreign Legal Periodicals*; *International Bibliography of Sociology*; *International Political Science Abstracts*; *Legal Resources Index*/LegalTrac.

## Copying

This journal is registered with the Copyright Clearance Center, 222 Rosewood Drive, Danvers, MA 01923, USA. Organizations in the USA which are also registered with the CCC may, therefore, copy material (beyond the limits permitted by sections 107 and 108 of US Copyright law) subject to payment to the CCC of the per copy fee of \$15. This consent does not extend to multiple copying for promotional or commercial purposes. Code 0021-8553/15. ISI Tear Sheet Service, 3501 Market Street, Philadelphia, PA 19104, USA, is authorized to supply single copies of separate articles for private use only. Organizations authorized by the Copyright Licensing Agency may also copy material subject to the usual conditions. For all other use, permission should be sought from Cambridge University Press in Cambridge or New York.

This journal is included in the Cambridge Journals Online Service which can be found at [journals.cambridge.org](http://journals.cambridge.org). For further information on other Press titles access [cambridge.org](http://cambridge.org)

© SOAS University of London, 2018

Typeset by Techset Composition Ltd, Salisbury, UK. Printed and bound in the United Kingdom by Bell & Bain, Glasgow.

This journal issue has been printed on FSC-certified paper and cover board. FSC is an independent, non-governmental, not-for-profit organization established to promote the responsible management of the world's forests. Please see [www.fsc.org](http://www.fsc.org) for information.