

VOLUME 68 · NUMBER 1 · 2024

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

E DUROJAYE, Centre for Human Rights, University of Pretoria
O LWABUKUNA, School of Law, SOAS University of London
AA OLAWOYIN, Faculty of Law, University of Lagos

Editorial board

M BADERIN, School of Law, SOAS University of London
F BANDA, School of Law, SOAS University of London
M CHANOCK, School of Law, La Trobe University
P CULLET, School of Law, SOAS University of London
A DIALA, University of the Western Cape
JT GATHII, School of Law, Loyola University Chicago
D HAILE, School of Law, Bahir Dar University; School of Law, University of Bristol
T KAIME, University of Bayreuth
I KANE, Open Society Initiative for Eastern Africa, Nairobi
E LARYEA, Monash University
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
CB NCUBE, University of Cape Town
M NDULO, Cornell University Law School
C NGWENA, Centre for Human Rights, University of Pretoria
C NYOMBI, University of Derby
I ODUMOSU-AYANU, College of Law, University of Saskatchewan
L OETTE, School of Law, SOAS University of London
OC OKAFOR, School of Advanced International Studies, Johns Hopkins University
E ONYEMA, School of Law, SOAS University of London
M WIEBUSCH, Faculty of Law, University of Cape Town
S WILLIAMS, Faculty of Law, Stellenbosch University

Notes to contributors

1. 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.
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. The policy of the *Journal of African Law* is that authors (or in some cases their employers) retain copyright and grant SOAS University of London a licence to publish their work. In the case of gold open access articles this is a non-exclusive licence. For open access articles, articles will be published under a Creative Commons Attribution licence (CC-BY) by default. Authors can choose a different kind of Creative Commons licence if they prefer.

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 68 in 2024 is: £318 (US \$540 in USA, Canada and Mexico)

for institutions, print and electronic; £40 (US \$66 in USA, Canada and Mexico) for individuals ordering direct from the publishers and certifying that the journal is for their personal use. Single parts are £125 (US \$212 in USA, Canada and Mexico) plus postage. EU subscribers may be required to pay import VAT at their country's rate on receipt of physical deliveries. EU subscribers for electronic deliveries who are not VAT registered 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 & Assessment, University Printing House, Shaftesbury Road, Cambridge CB2 8EA, or in the USA, Canada and Mexico: Cambridge University Press & Assessment, 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 & Assessment, University Printing House, Shaftesbury Road, Cambridge CB2 8EA, 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. For further information on other Press titles access cambridge.org

© SOAS University of London, 2024

Typeset by Techset Composition Ltd, Salisbury, UK. Printed and bound by CPI Group (UK) Ltd, Croydon, CR0 4YY.

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 for information.