

# TABLE OF ABBREVIATIONS

AC - Appeal Court

AD - Anno Domini (Year of our Lord)

AJCL - American Journal of Comparative Law

AJICL - African Journal of International and Comparative

Law

AJIL - American Journal of International Law

All ER - All England Reports

ALJ - American Law Journal

ALR - Arizona Law Review

ASILP - American Society of International Law

**Proceedings** 

ASR - African Studies Review

CILSA - Comparative and International Law Journal of

Southern Africa

CJPS - Canadian Journal of Political Science

CLB - Commonwealth Law Bulletin

CPS - Comparative Political Studies

EALR - East African Law Report

EJIL - European Journal of International Law

Fordham Int'l Law

Journal - Fordham International Law Journal

FSC - Federal Supreme Court

Hastings Int'l &

Comp L Rev - Hastings International and Comparative Law Review

Review

HJRL - Hague Journal on Rule of Law

ICJ Rep - International Court of Justice Reports



ICLJ - International and Comparative Law Journal

ICLQ - International and Comparative Law Quarterly

JAL - Journal of African Law

JCMS - Journal of Common Market Studies

JHRLP - Journal of Human Rights Law and Practice

JIAI - Journal of International African Institute

JJS - Journal for Juridical Science

J.L. & Soc'y - Journal of Law and Society

J. Legal Pluralism

& Unofficial L. - Journal of Legal Pluralism and Unofficial Law

J. of Modern African

Studies - Journal of Modern African Studies

JPPL - Journal of Parliamentary and Political Law

J. Soc. Comp. Legis.

n.s - Journal of Society of Comparative Legislation

J. Soc. Sci. - Journal of Social Sciences

Law & Soc'y Rev. - Law and Society Review

LJNL - Leiden Journal of National Law

McGill L. J. - McGill Law Journal

Mel. U. L. Rev. - Melbourne University Law Review

MJIL - Michigan Journal of International Law

Mod. L. Rev. - Modern Law Review

N.C.J Int'l & Com.

Reg. - North Carolina Journal of International Law and

Commercial Regulation

NGO - Non Governmental Organisation

NLR - Nigerian Law Report

NWLR - Nigerian Weekly Law Report

NYIL - Netherlands Yearbook of International Law



N.Y.U.J.Int'l & Pol. - New York University Journal of International Law

and Politics

PAS - Politics and Society

Public Admin. Dev. - Public Administration and Development

QB - Queen's Bench

RRPE - Review of Radical Political Economy

S. Afr. J. Crim. Just. - South African Journal of Criminal Justice

SAJHR - South African Journal on Human Rights

SAJIA - South African Journal of International Affairs

SALJ - South African Law Journal

SAS - Southeast Asian Studies

SAYIL - South African Yearbook of International Law

Stan. J. Int'l L. - Stanford Journal of International Law

Suffolk U. L. Rev. - Suffolk University Law Review

Texas L. Rev. - Texas Law Review

TWQ - Third World Quarterly

WACA - West Africa Court of Appeal

WNLR - Western Nigerian Law Report

YJIL - Yale Journal of International Law



## **BIBLIOGRAPHY**

#### **BOOKS**

Akintoba TO (1996) African States and contemporary International Law: a case study of the 1982 Law of the Sea Convention and the Exclusive Economic Zone The Hague, The Netherlands: Kluwer Law International

Allot A (ed) (1970) *Judicial and Legal Systems in Nigeria* London, United Kingdom: Butterworth & Co Publishers Ltd

Allott A (1970) New Essays in African Law London, United Kingdom: Butterworths & Co. Publishing Ltd

Amoah GY (1988) Groundwork of Government for West Africa Ilorin, Nigeria: Gbenle Press Ltd

Arhin K (1985) Traditional Rule in Ghana: Past and Present Accra, Ghana: Sedco Publishing Ltd

Assefa H (1998) Regional Approach to the Resolution of Conflicts in the Horn of Africa Washington DC, United States of America: Brokings Institution

Augda A (1992) The Judicial Process and the Third Republic Lagos, Nigeria: F & A Publishers

Aust A (2005) *Handbook of International Law* Cambridge, United Kingdom: Cambridge University Press

Austin (1999) Province of Jurisprudence Determined in Lectures on Jurisprudence Vol 1 New Jersey: The Lawbook Exchange Ltd

Ayittey G (1991) *Indigenous African Institutions* New York: Transnational Publishers, Inc

Barnett RE (2004) Restoring the Lost Constitution: The Presumption of Liberty Princeton, United States of America: Princeton University Press

Basson DA (1994) *South Africa's Interim Constitution: Texts and Notes* Kenwyn, South Africa: Juta and Company

Beck RB (2000) The History of South Africa Westport, Connecticut: Greenwood Press

Beinart W (2001) Twenthieth-Century South Africa New York: Oxford University Press



Bennett TW (2004) Customary Law in South Africa Lansdowne, South Africa: Juta and Company

Blackstone W (1809) Commentaries on the Laws of England Book 1 (7<sup>th</sup> ed)

Boahen AA (1986) Tropics in West African History New York: Longman

Boahen AA & Webster JB (1970) History of Africa New York: Praeger

Boucher D & Kelly P (ed) (1994) *The Social Contract From Hobbes to Rawls* London & New York: Routledge

Brierly JL (1963) Law of Nations (6<sup>th</sup> ed) Oxford, United Kingdom: Clarendon Press

Brownlie I (1971) Basic Documents on African Affairs Oxford: Clarendon Press

Brownlie I (2003) *Principles of Public International Law* (6<sup>th</sup> ed) Oxford: Oxford University Press

Burns A (1978) *History of Nigeria* (8<sup>th</sup> ed) Great Britain: George Allen and Unwin Brothers Limited

Cassese A (2005) *International Law* Oxford, United Kingdom: Oxford University Press

Chazan N & Pellow D (1986) Ghana: Coping with Uncertainty Boulder, Colorado: Westview Press

Clapham C (1996) *Africa in the International System: The Politics of State Survival* London: Cambridge University Press

Davenport TRH et al (2000) South Africa, A Modern History Great Britain: Macmillan Press Ltd

David R & Brierley JEC (1978) Major Legal Systems in the World Today: An Introduction to the Comparative Study of Law London: Stevens

Decalo S (1976) Coups and Army Rule in Africa New Haven and London: Yale University Press

Decalo S (1998) *The Stable Minority: Civilian Rule in Africa*, 1960 – 1990 United States of America: Florida American Press Inc

Diamond L, Kirk-Greene A & Oyediran O (eds) (1997) *Transition without End: Nigerian Politics and Civil Society under Babangida* Ibadan, Nigeria: Vantage Publishers

Dicey AV (1996) Introduction to the Study of the Law of the Constitution (8th ed) Holmes Beach, Florida: Gaunt Inc



Dugard (2005) *International Law: A South African Perspective* Claremont, South Africa: Juta and Company

Ebrahim H (1998) *The Soul of a Nation: Constitution-Making in South Africa* Cape Town, South Africa: Oxford University Press

Elias TO (1956) *The Nature of African Customary Laws* Manchester: Manchester University Press

Elias TO (1971) Nigerian Land Law London: Sweet & Maxwell

Elias TO (1972) *Africa and the Development of International Law* Dobbs Ferry, New York: Oceana Publications Inc

Emiri F & Deinduomo G (eds) (2009) Law and Petroleum Industry in Nigeria: Current Challenges Lagos, Nigeria: Malthouse Press Limited

Evans MD (ed) (2006) International Law Oxford: University Press

Ewelukwa BN (2004) Introduction to Nigerian Press Law Nigeria: Maranatha Press Ltd

Fage DJ (1978) History of Africa London: Hutchinson

Falola T (ed) (2000) *Africa: African Cultures and Societies Before 1885* Durham, North Carolina: Carolina Academic Press

Falola T et al (1989) History of Nigeria: Nigeria before 1840 AD Lagos, Nigeria: Longman Nigeria Plc

Falola T et al (1991) History of Nigeria 3: Nigeria in the twentieth century Lagos, Nigeria: Longman Plc

FIDH (2004) A Human Rights Approach to NEPAD and the APRM Fédération Internationale des droits de l'homme (International Federation of Human Rights)

Fuller LL (1964) *The Morality of Law* New Haven and London: Yale University Press

Glickman H (1995) *Ethnic Conflict and Democratisation in Africa* Atlanta, Georgia: African Studies Association Press

Gutteridge WF (1975) Military Regimes in Africa London: Methuen and Company

Hamnett I (1975) Chieftainship and Legitimacy, an anthropological study of executive law in Lesotho London: Routledge

Hobson JA (1965) Imperialism: A Study Ann Arbor: Michigan University Press



Horn N & Bosi A (eds) (2009) *Human Rights and the Rule of Law in Namibia* Windhoek, Namibia: Macmillan

Hosten et al (1995) Introduction to South African Law and Legal Theory Durban: Butterworths Publishers

Huntington S (1968) *Political Order in Changing Societies* New Haven: Yale University Press

Huntington S (1991) *The Third Wave: Democratisation in the Late Twentieth Century* United States of America: University of Oklahoma Press

Hutchinson AC & Monahan P (1987) *The Rule of Law: Ideal or Ideology* Vancouver, Canada: Carswell Publishing

Ihonvbere JO (1994) Nigeria: The Politics and Adjustment and Democracy New Brunswick: Transaction Publishers

Ihonvbere JO (1996) Economic Crises, Civil Society, and Democratisation: The Case of Zambia New Jersey: Africa World Press, Inc

Inamete UB (2001) Foreign Policy decision-making in Nigeria Massachusetts: Rosemont Publishing and Printing Corporation

Janis MW (2008) International Law New York: Aspen Publishers

Janowitz M (1964) *Military in the Political Development of New Nations* Chicago: University of Chicago Press

Jarmon C (1988) Nigeria: Reorganisation and Development since the Mid-Twentieth Century Leiden, Netherlands: Brill EJ

Johnson JJ (ed) (1962) *The Role of the Military in Underdeveloped Countries* New Jersey: Princeton University Press

Joseph R (1987) *Democracy and Prebandal Politics in Nigeria* Cambridge, United Kingdom: Cambridge University Press

Joseph R (ed) (1999) State, Conflict and Democracy in Africa London: Lynne Rienner Publishers

Karl TL (1997) *The Paradox of Plenty: Oil Booms and Petro-States* (Studies in International Political Economy, no 26) United States of America: University of California Press

Kelsen H (1961) General Theory of Law and State New York: Russell

Kelsen H (1992) *Introduction to the Problems of Legal Theory*, a translation of *Reine Rechtslehre*, 1<sup>st</sup> ed, (Pure Theory of Law) Oxford: Clarendon Press



Kleyn D & Viljoen F (2002) Beginners Guide for Law Students Lansdowne: Juta Publishers

Klotz A (1995) Norms in International Relations: The Struggle Against Apartheid Ithaca, New York: Cornell University Press

Kolajo AA (2000) Customary Law in Nigeria Through the Cases Ibadan, Nigeria: Spectrum Books Ltd.

Kopytoff I (ed) (1987) The African Frontier: The Reproduction of Traditional African Societies Bloomington: Indiana University Press

Krige EJ (1950) The Social system of the Zulus Great Britain: Longmans Green & Co

Lamarchand R (1996) Burundi Ethnic Conflict and Genocide Cambridge: Cambridge University Press

Laslett P (ed) (1967) *John Lock, Two Treatises of Government* Cambridge: Cambridge University Press

Lenin VI (1975) Imperialism: the Highest Stage of Capitalism Peking: Foreign Language Press

Lodge T (1983) Black Politics in South Africa since 1945 United Kingdom: Longman Group

Lugard FD (1983) *The Rise of Our East African Empire*, vol 1 London: William Blackwood and Sons.

Maluwa T (1999) International Law in Post-Colonial Africa Studies and Materials on the Settlement of International Disputes vol 4, The Hague: Kluwer Law International

Martin P & O'Meara P (1986) Africa Bloomington: Indiana University Press

Maylam P (1986) A History of the African People of South Africa New York: St Martin's Press

McClelland JS (1996) A History of Western Political Thought London: Routledge

McLuckie CW & McPhail A (ed) (2000) Ken Saro-Wiwa: writer and political analyst London: Lynne Rienner Publishers

Mensah-Brown AK (ed) (1975), *African International Legal History* New York: United Nations Institute of Training and Research

Menski W (2005) Comparative Law in a Global Context: the legal system of Asia and Africa Cambridge, United Kingdom: Cambridge University Press

Monning HO (1967) The Pedi Pretoria, South Africa: Van Schaik (Pty) Ltd



Morris DR (1965) The Washing of the Spears: A History of the Rise of the Zulu Nation under Shaka and its Fall in the Zulu War of 1979 London: Pimlico Publishing

Mostert N (1992) Frontier: The Epic of South Africa's Creation and the Tragedy of the Xhosa People New York: Knopf

Mwalimu C (2005) *The Nigerian Legal System Vol 1 Public Law* New York, United States of America: Peter Lang Publishing

Nikoi KN (1996) Beyond the New Orthodoxy: Africa's Debt and Development Crisis in Retrospect Aldershot, Hants: Avebury

Nozick R (1974) Anarchy, State and Utopia Oxford: Basil Blackwell

Nwabueze BO (1982) A Constitutional History of Nigeria Great Britain: C. Hurst & Co. Ltd

Nwabueze BO (1982) *The Presidential Constitution of Nigeria* New York: St Martin's Press

O'Connell DP (1970) International Law (2<sup>nd</sup> ed) London, United Kingdom: Stevens

Ogwurike C (1979) Concept of Law in English Speaking Africa Lagos: NOK Publishers International

Okany MC (1984) *The Role of Customary Courts in Nigeria* Enugu, Nigeria: Fourth Dimension Publishing Co, Ltd

Okeke CN (1986) *The Theory and Practice of International Law in Nigeria* Enugu, Nigeria: Fourth Dimension Publishers

Olong AM (2007) The Nigerian Legal System Lagos, Nigeria: Malthouse Press Limited

Omeje K (2006) *High Stakes and Stakeholders: Oil Conflict and Security in Nigeria* Hampshire, England: Ashgate Publishing Limited

Oxford Advanced Learner's Dictionary (7<sup>th</sup> ed) (2005), Oxford: Oxford University Press

Oyebade A (ed)(2002) The Transformation of Nigeria: Essays in Honour of Toyin Falola New York: Africa World Press Inc

Parfitt TW et al (1989) The African Debt Crisis London: Routledge

Phillipson D (1993) African Archaeology Cambridge: Cambridge University Press

Posner D (2005) *Institutions and Ethnic Politics in Africa* New York: Cambridge University Press



Przeworski A & Maravall JM (eds) (2003) *Democracy and the Rule of Law* Cambridge, United Kingdom: Cambridge University Press

Quaison-Sacley A (1963) African Unbound: Reflections of an African Statesman New York: Praeger

Quashigah EK & Okafor OC (ed) (1999) Legitimate Governance in Africa: International and Domestic Legal Perspective Netherlands: Kluwer Law International

Rawls J (1971) A Theory of Justice Oxford: Oxford University Press

Riley P (1982) Will and Political Legitimacy: A Critical Exposition of Social Contract Theory in Hobbes, Locke, Rousseau, Kant and Hegel Massachusetts, United States of America: Harvard University Press

Roche M (1992) Rethinking Citizenship: Welfare, Ideology and Change in Modern Society United States: Polity Press

Rothberg RI (2004) Crafting the New Nigeria Boulder Colo: Lynne Publishers

Rousseau JJ & Cranston M (1972) The Social Contract Harmondsworth: Penguin

Rousseau JJ (1954) *The Social Contract* (a translation of his original work in French in 1954, with and introduction by Willmoore Kendall) Chicago, United States of America: Henry Regnery Company

Schumpeter JA (1976) *Capitalism, Socialism and Democracy* London: George Allen & Unwin Publishers

Shaw M (1997) *International Law* Cambridge, United Kingdom: Cambridge University Press

Tamanaha BZ (2004) On the Rule of Law: History, Politics, Theory Cambridge, United Kingdom: Cambridge University Press

Tamuno T (1972) *The Evolution of the Nigerian State: The Southern Phase, 1898 – 1914* London: Longman

Thompson L (2000) *A History of South Africa* (5<sup>th</sup> ed) United States of America: Yale University Press Publications

Udoma U (1994) *History and the Law of the Constitution of Nigeria* Lagos, Nigeria: Malthouse Press Limited

Van der Merwe CG & Du Plessis JE (ed) (2004) *Introduction to the Law of South Africa* The Hague, Netherlands: Kluwer International



Van Jaarsveld FA (1975) From Van Riebeeck to Vorster 1652 – 1974: An Introduction to the History of the Republic of South Africa Johannesburg: Perskor Publishers

Wallace R & Holiday A (2006) *Nutshells: International Law* London, United Kingdom: Sweet & Maxwell

Watkins F (ed) (1953) Political Writings Edinburgh: Nelson

Webb VN (2002) Language in South Africa: the role of language in national transformation, reconstruction and development Impact: Studies in Language and Society 14, United States of America: John Benjamins Publishing Co

Welsh F (1999) *South Africa: A Narrative History* New York, United States of America: Kadansha International

Woodman GR & Obilade AO (ed) (1995) *African Law and Legal Theory* New York: New York University Press

Worger WH (1987) South Africa's City of Diamonds: Mine Workers and Monopoly Capitalism in Kimberley, 1867 – 1895 New Haven: Yale University Press

Wright RA (ed) (1984) African Philosophy: An Introduction Lanham: University Press of America

Young C (1976) *The Politics of Cultural Pluralism* Madison: University of Wisconsin Press



#### CHAPTERS IN BOOKS

Abel RL 'Legality without a Constitution: South Africa in the 1980s' in Dyzenhaus D (ed) (1999) *Recrafting the Rule of Law: The Limits of Legal Order* Portland, Oregon: Hart Publishing

Agbu O 'Oil and Environmental Conflicts' in Saliu, Hassan A (ed) (2005) *Nigeria Under Democratic Rule*, 1999-2003, vol 2, Ibadan: Ibadan University Press

Ake C 'Dangerous Liaisons: The Interface of Globalisation and Democracy' in Hadenius A (eds) (1997) *Democracy's Victory and Crisis* Cambridge: Cambridge University Press

Allott A 'The Changing Legal Status of Boundaries in Africa' in Ingham K (ed) (1974) Foreign Relations of African States London: Buttersworth

Bates RH 'The Economic Bases of Democratisation' in Joseph R (ed) (1999) *State, Conflict and Democracy in Africa* London: Lynne Rienner Publishers

Boyce JK & Ndikumana L 'Africa's Debt: Who Owes Whom?' in Epstein GA (2005) Capital Flight and Capital Controls in Developing Countries Cheltenham: Edward Elgar

Cheru F 'New Social Movements: Democratic Struggles and Human Rights in Africa' in Mittleman JH (ed) (1996) *Globalisation: Critical Reflection* Colorado, United States of America: Lynne Rienner

Edozie RK 'Nigeria's 2007 Elections in Comparative Perspective: Democratic Capitalism and the Crisis of Democracy in Africa' in Okafor VO (ed) (2007) *Nigeria's Stumbling Democracy and its Implications for Africa's Democratic Movement* PSI Reports, United States of America: Greenwood Publishing Group

Ezetah CR 'Beyond the Failed State' in Quashigah EK & Okafor OC (ed) (1999) Legitimate Governance in Africa: International and Domestic Legal Perspective The Hague, Netherlands: Kluwer Law International

Halisi CRD & O'Meara 'South Africa' in Martin & O'Meara (ed) (1995) *Africa* United States of America: Indiana University Press

Hobbes T 'Leviathan (1651)' in Hyland P et al (eds) (2003) *The Enlightenment: A Sourcebook and Reader* London: Routledge

Hutchinson A 'The Rule of Law Revisited: Democracy and Courts' in Dyzenhaus (ed) (1999) *Recrafting the Rule of Law: The Limits of Legal Order* Portland, Oregon: Hart Publishing

Jones PA 'Mobility and Migration in Traditional African Farming and Iron-Age models' in Hall M *et al* (eds) (1984) *Frontiers: Southern African Archaeology Today* Oxford: Cambridge Monographs in African Archaeology



Kant I 'On the Common Saying: "This May be True in Theory, But it Does Not Apply in Practice" in Reiss H (ed) (1970) *Kant's Political Writings* Cambridge: Cambridge University Press

MacCormick N 'Rhetoric and the Rule of Law' in Dyzenhaus D (1999) *Recrafting the Rule of Law: The Limits of Legal Order* Portland, Oregon: Hart Publishing

Makandawire T 'Crisis Management and the Making of Choiceless Democracies' in Joseph (ed) (1999) *State, Conflict and Democracy in Africa* London: Lynne Rienner Publishers

Nozick R 'Distributive Justice' in Goodin RE & Pettit P ((2006) Contemporary Political Philosophy: An Anthology MA, United States of America: Blackwell Publishing Ltd

Ocheje P 'Exploring the Legal Dimensions of Political Legitimacy: A Rights' Approach to Governance in Africa' in Ouashigah EK & Okafor OC (eds) (1999) Legitimate Governance in Africa: International and Domestic Legal Perspectives The Hague: Kluwer Law International

Olukoshi A 'Governing the African Developmental Process: The Challenge of the New Partnership for Africa's Development' in Hansen & Johannsen (eds) (2003) NEPAD – The Challenge of the New Partnership for Africa's Development Copenhagen: University of Copenhagen

Olukoshi A 'State, Conflict and Democracy in Africa: The Complex Process of Renewal' in Joseph R (ed) (1999) *State, Conflict and Democracy in Africa*' Colorado: Lynne Rienner Publishers Inc

Ottaway M 'Ethnic Politics in Africa' in Jospeh R (ed) (1999) *State, Conflict and Democracy in Africa* London: Lynne Rienner Publishers Inc

Peires J 'The British and the Cape, 1814-1834' in Elphick & Giliomee (eds) (1989) The Shaping of South African Society Cape Town: Longman

Rawls J 'Justice as Fairness' in Goodin RE & Pettit P ((2006) Contemporary Political Philosophy: An Anthology MA, United States of America: Blackwell Publishing Ltd

Saunders C & Le Roy K 'Perspectives on the Rule of Law' in Saunders & Le Roy (eds) (2003) *The Rule of Law* Sydney, Australia: The Federation Press

Shivute P 'The Rule of Law in Sub-Saharan Africa – An Overview' in Horn N & Bosi A (eds) (2009) *Human Rights and the Rule of Law in Namibia* Windhoek, Namibia: Macmillan

Shklar JN 'Political Theory and The Rule of Law' in Hutchinson & Monahan (1987) *The Rule of Law: Ideal or Ideology* Vancouver, Canada: Carswell Publishing



Spiller PR 'Race and Law in South Africa in the Nineteenth and Twentieth Centuries' in Watkin TG (ed) (1989) *Legal Record and Historical Reality* London: Hambledon Press

Thompson L, 'Southern Africa to 1795' in Curtin P et al (1995) African History: From Earliest Times to Independence' New York: Longman

Van Niekerk GJ 'Legal Pluralism' in Bekker JC et al (ed) (2002) *Introduction to Legal Pluralism in South Africa* Durban, South Africa: Butterworth Publishers (Pty) Ltd

Waldron J, 'John Locke: Social Contract versus Political Anthropology' in Boucher & Kelly (eds) (1994) *The Social Contract From Hobbes to Rawls* London and New York: Routledge

Young C, 'The Third Wave of Democratisation in Africa: Ambiguities and Contradictions' in Joseph R (ed) (1999) *State, Conflict and Democracy in Africa* London: Lynne Rienner Publishers



#### JOURNAL ARTICLES

Abioye F 'Africa's drive towards self-monitoring: NEPAD'S Peer Review Mechanism' (2005) 30 SAYIL 194

Akinboye SO 'Globalisation and the Challenge for Nigeria's Development in the 21<sup>st</sup> Century' (2008) *Globalistion* 1

Akuffo K 'Equity in colonial West Africa: A Paradigm of Juridical Dislocation' (2006) 50(2) *Journal of African Law* 132

Banwo A 'Slavery, Commerce and Production in the Sokoto Caliphate of West Africa' (2008) 51(1) *African Studies Review* 140

Bedner A 'An Elementary Approach to the Rule of Law' (2010) 2 Hague Journal on the Rule of Law 48

Botha NJ 'Treaty Making in South Africa: A Reassessment' (2000) 25 SAYIL 69

Botha NJ 'Incorporation of Treaties under the Interim Constitution: A Pattern Emerges' (1995) 20 SAYIL 196

Bronstein V 'Reconceptualizing the Customary Law Debate in South Africa' 1998 South African Journal on Human Rights 388

Claude I 'Collective Legitimation as a Political Function of the United Nations' (1966) 20 *International Organisation* 367

Cleveland SH 'Powers Inherent in Sovereignty: Indians, Aliens, Territories and Nineteenth Century Origins of Plenary Power over Foreign Affairs' (2002-2003) 81 *Texas Law Review* 

Collier P & Gunning JW 'Why has Africa Grown Slowly?' (1999) 13(3) *Journal of Economic Perspectives* 3

Corder H 'Towards a South African Constitution' (1994) 57(4) The Modern Law Review 491

Craig P 'Formal and Substantive Conceptions of the Rule of Law (1997) *Public Law* 467

Crush J 'The Dark Side of Democracy: Migration, Xenophobia and Human Rights in South Africa' (2001) 38(6) *International Migration* 103

Decalo S 'The Process, Prospects and Constraints of Democratisation in Africa' (1992) 91 *African Affairs* 7

Devine DJ 'Some Problems relating to Treaties in the Interim South African Constitution and Some Suggestions for the Definitive Constitution' (1995) 20 SAYIL



Dodeck AM 'State v Zuma: The Future of Constitutional Democracy in South Africa' (2009) 3 Journal of Parliamentary and Political Law (JPPL) 121

Dugard J 'Can Human Rights Transcend the Commercialisation of Water in South Africa? Soweto's Legal Fight for an Equitable Water Policy' (2010) 42(2) *Review of Radical Political Economics* 175

Dugard J 'International Law and South African Constitution' (1997)1 EJIL 77

Dugard J 'The Treaty-making Process' (1968) 85 SALJ 1

Dugard J 'Twenty Years of Human Rights Scholarship and Ten Years of Democracy' (2004) 20 South African Journal on Human Rights 352

Egede E 'Bringing Human Rights Home: An Examination of the Domestication of Human Rights Treaties in Nigeria' (2007) 51(2) *Journal of African Law* 249

Egede E 'The New Territorial Waters (Amendment) Act 1998 – Comments on The Impact of International Law on Nigerian Law' (2000) 12 *The African Journal of International and Comparative Law* 84

Eleftheriadis P 'Begging the Constitutional Question' (1998) 36 *Journal of Common Market Studies* 255

Englebert P & Tarango S 'Dismemberment and Suffocation: A Contribution to the Debate on African Boundaries' (2002) 35(10) *Comparative Political Studies* 1093

Etudaiye ME 'The Pure Theory of Law and the Fragile New Democracies of the Developing World' (2007) 33(2) *Commonwealth Law Bulletin* 218

Ferreira G & Ferreira-Snyman A 'The Constitutionalisation of Public International Law and the Creation of an International Rule of Law: Taking Stock' (2008) 33 South Africa Yearbook of International Law 147

Ferreira-Snyman MP 'Sovereignty and the Changing Nature of Public International Law: Towards a World Law?' (2007) 40(3) Comparative and International Law Journal of Southern Africa 395

Ferreira-Snyman MP 'The Evolution of State Sovereignty: A Historical Overview (2006) 12(2) *Fundamina* 1

Fourie J 'The South African poor white problem in the early 20<sup>th</sup> century: Lessons for poverty today' *Stellenbosch Economic Working Papers*: 14/06

Fukuyama F 'Transitions to the Rule of Law' (2010) 21(1) Journal of Democracy 33

Go J 'Modeling the State: Postcolonial Constitutions in Asia and Africa' (2002) 39(4) Southeast Asian Studies 559



Gordon 'The New Contractarians' (1976) 84(3) The Journal of Political Economy 573

Grant E 'Human Rights, Cultural Diversity and Customary Law in South Africa' 2006 (1) *Journal of African Law* 2

Griffiths J 'What is Legal Pluralism?' (1986) 24 Journal of Legal Pluralism and Unofficial Law 1

Gross A, 'The Constitution, Reconciliation and Transitional Justice: Lessons from South Africa and Israel' (2004) *Stanford Journal of International Law* 46

Hart C, 'The Nigerian Elections of 1983' (1993) 63(3) Journal of the International African Institute 397

Herbst J 'The Creation and Maintenance of National Boundaries in Africa' (1989) 43(4) *International Organization* 673

Hopton TC 'Grundnorm and Constitution: The Legitimacy of Politics' (1978) 24 *McGill L. J.* 72

Hovell D & Williams G 'A Tale of Two Systems: The Use of International Law in Constitutional Interpretation in Australia and South Africa' (2005) 29 *Melbourne University Law Review* 95

Ibagere E 'The Mass Media, the Law and National Security: The Nigerian Perspective' (2010) 24(2) *Journal of Social Sciences* 121-128

Ihonvbere JO 'Organised Labour and the Struggle for Democracy in Africa' (1997) 40(3) *African Studies Review* 89

Ihonvbere JO 'How to make an undemocratic constitution: the Nigerian example' (2000) 21(2) *Third World Quarterly*, 343

Ijeoma EOC 'NEPAD Leadership: A Comparative Analysis of Roles by Nigeria and South Africa' (2008) 43(2) *Journal of Public Administration* 141

Jackson R & Roseberg C 'Sovereignty and Underdevelopment: Juridical Statehood in the African Crisis' (1986) 1 *Journal of Modern African Studies* 1

Jung C & Shapiro I 'South Africa's Negotiated Transition: Democracy, Opposition and the New Constitutional Order' (1995) 23(3) *Politics and Society* 269

Kaganas F & Murray C 'The Contest between Culture and Gender Equality under South Africa's Interim Constitution (1994) 21 *Journal of Law and Society* 409

Kairys E 'Searching for the Rule of Law' (2003) Suffolk University Law Review 36(2) 307



Keightlley R, 'Public International Law and the Final Constitution' (1996) 12 SAJHR 405

Killingray D 'The Maintenance of Law and Order in British Colonial Africa' (1986) 85(340) *African Affairs* 411

Krajewski M 'Democratic Legitimacy and Constitutional Perspectives of WTO Law' (2001) 35(1) *Journal of World Trade* 167

Lamson MA 'Robert Nozick's Anarchy, State and Utopia' (1977) 19 Arizona Law Review 2

Lee 'The Fate of Roman-Dutch Law in the British Colonies' (1906) 7(2) *Journal of the Society of Comparative Legislation* (New Series) 356

Leeson PT 'The Calculus of Piratical Consent: the myth of the myth of social contract theory' (2009) 139 *Public Choice* 443

Lemmer E & Olivier M 'The South African Constitution as a Post-Colonial Document: A Long Walk to Freedom' (2000) 33(1) *De Jure* 138

Lewis PM 'Nigeria's Economy: Opportunity and Challenge' (1999) 27(1) *Issue: A Journal of Opinion* 50

Lewis PM 'Nigeria: Elections in a Fragile Regime' (2003) 14(3) Journal of Democracy 131

Lijphart A 'South African Democracy: Majoritarian or Consociational?' (1998) 5(4) Democratisation 144

Madala J 'Rule Under the Apartheid and the Fledgling Democracy in Post-Apartheid South Africa: The Role of the Judiciary' (2000-2001) *North Carolina Journal of International law and Commercial Regulation* 743

Manning C 'Assessing African Party Systems after the Third Wave' (2005) 11(6) Party Politics 707

Marasinghe L 'Constitutional Reform in South Africa' (1993) 42(4) *International and Comparative Law Quarterly* 827

Melber H 'South Africa and Nepad - Quo Vadis?' (2004) 11(1) South Africa Journal of International Affairs 89

Merry SE 'Legal Pluralism' (1988) 22 Law and Society Review 870

Michie A 'The Provisional Application of Treaties in South African Law and Practice' (2005) 30 SAYIL 1

Milton 'Demise of the Death Penalty: The Constitutional Court Pronounces' (1995) 8 South African Journal of Criminal Justice 188



Mutharika AP 'The Role of International Law in the Twenty-First Century: An African Perspective' (1995) 18 Fordham Int'l Law Journal 1706

Ndayi Z 'Contextualising NEPAD: regionalism, plurilateralism and multilateralism' (2009) 16(3) *South African Journal of International Affairs* 371

Ndongko WA 'Revenue Allocation and the Stability of the Nigerian Federation 1960 – 1980' (1981) 1 *Public Administration and Development* 151

Ngolele EM "The Content of the Doctrine of Self-Execution and its Limited Effect in South African Law" (2006) 31 SAYIL 141

Oba AA 'The Sharia Court of Appeal in Northern Nigeria: The Continuing Crisis of Jurisdiction' (2004) 52 *American Law Journal* 859

Obadare E 'Democratic Transition and Political Violence in Nigeria' (1999) 24(1) *Africa Development* 210

Ogedengbe PS 'Compulsory Acquisition of Oil Exploration Fields in Delta State, Nigeria: The compensation problem' (2007) 25(1) *Nigerian Journal of Property and Investment Finance* 70

Ogowewo TI 'Why the Judicial Annulment of the Constitution of 1999 is Imperative for the Survival of Nigeria's Democracy' (2000) 44(2) *Journal of African Law* 135

Ojo A 'The Search for a Grundnorm in Nigeria: The Lakanmi Case' (1971) 20(1) *International and Comparative Law Quarterly* 117

Okeke CN 'International Law in the Nigerian Legal System' (1997) California Western International Law Journal 311

Okumu W 'Africa and the UN Security Council Permanent Seats' (2005) 2(5) African Renaissance 16

Oliver ME 'South Africa and International Human Rights Agreements: Procedure and Policy (Part 1)' (2003) 2 TSAR 292

Olivier M 'Informal International Agreements under the 1996 Constitution' (1997) 22 SAYIL 63

Olivier M & Abioye FT 'International Environmental Law: Assessing Compliance and Enforcement under South African and International Law (2008) 33 South African Yearbook of International Law 184

Olivier M 'Exploring the Doctrine of Self-Execution as Enforcement Mechanism of International Obligations' (2002) 27 SAYIL 99

Olivier M 'International and Regional Requirements for Good Governance and the Rule of Law' (2007) 32 South African Yearbook of International Law 39



Olivier M 'The International Court of Justice and the Development of International Law Over the Past Ten Years' (2004) 29 South Africa Yearbook of International Law 23

Olivier M 'The Status of International Law in South African Municipal Law: Section 231 of the 1993 Constitution' (1993/94) 19 SAYIL 1

Omotola JO 'Democracy and Constitutionalism in Nigeria under the Fourth Republic, 1999 – 2007' (2008) 2(2) *Africana* 1

Omotola S 'The Next Gulf? Oil Politics, Environmental Apocalypse and Rising Tensions in the Niger Delta' (2006) 1(3) Accord *Occasional Paper Series* 8

Ong DM 'The Legal Status of the 989 Australia-Indonesia Timor Gap Treaty following the end of Indonesian Rule in East Timor' 2000 (31) *Netherlands Yearbook of International Law* 67

Onuoha FC 'Oil pipeline Sabotage in Nigeria: Dimensions, Actors and Implications for National Security' (2008) 17(3) *African Security Review* 99

Onyeonoru I 'Globalisation and Industrial Performance in Nigeria' (2003) 28(3&4) *Africa Development* 33

Peerenboom R 'The Future of Rule of Law: Challenges and Prospects for the Field' (2009) 1 *Hague Journal on the Rule of Law* 5

Peters A 'Compensatory Constitutionalism: The Function and Potential of Fundamental International Norms and Structures' (2006) 19 *Leiden Journal of National Law* 570

Posner D 'Regime Change and Ethnic Cleavages in Africa' (2007) 40(11) Comparative Political Studies 1302

Ratner SR 'Drawing a Better Line: Uti Possidetis and the Borders of New States' (1996) 90 AJIL 590

Reddy ES 'Apartheid and the International Community' (1974) 4(3) Issue: A Journal of Opinion 20

Reno W 'Crisis and No (Reform) in Nigeria's Politics' (1999) 42(1) African Studies Review 105

Sachs A 'Constitutional Developments in South Africa' (1996) New York University Journal of International Law and Politics 695

Sagay I 'The Constitutional and Legal Framework for the Protection of Human Rights in Nigeria' (1992) 2(3) *JHRLP* 60



Sahn DE & Sarris A 'The Evolution of States, Markets and Civil Institutions in Rural Africa' (1994) 32(2) *Journal of Modern African Studies* 279

Sandbrook R 'Patrons, Clients and Factions: New Dimensions of Conflict Analysis in Africa' (1972) 1 Canadian Journal of Political Science 104

Sarkin J 'Problems and Challenges Facing South Africa's Constitutional Court: An Evaluation of its Decisions on Capital and Corporal Punishment' (1996) 113 South African Law Journal 71

Sarkin J 'The Common Law in South Africa: Pro-Apartheid or Pro Democracy?' (1999) 23 Hastings International and Comparative Law Review 18

Sarkin J 'The Drafting of South Africa's Final Constitution from a Human Rights Perspective' (1999) 47(1) *The American Journal of Comparative Law* 67

Schaffer RP 'The Inter-relationship between Public International Law and the Law of South Africa: an Overview (1983) 32 International Comparative Law Quarterly 277

Schatz SP 'Pirate Capitalism and the Inert Economy of Nigeria' (1984) 22(1) Journal of Modern African Studies 45

Scholtz W 'A Few Thoughts on Section 231 of the South African Constitution, Act 108 of 1996' (2004) 29 SAYIL 202

Scribner D & Lambert PA 'Constitutionalising Difference: A Case Study Analysis of Gender Provisions in Botswana and South Africa' (2010) 6(1) *Politics & Gender* 37

Seidman RB 'Law and Development: A General Model' (1972) 6(2) Law and Society Review 311

Shin DC & Tusalem RF 'The Cultural and Institutional Dynamics of Global Democratization: A Synthesis of Mass Experience and Congruence Theory' (2007) 3(1) Taiwan Journal of Democracy 1

Sisk T 'The Violence-Negotiation Nexus: South Africa in Transition and the Politics of Uncertainty' (1993) 9(1) *Negotiation Journal* 77

Skaaning Svend-Erik 'Measuring the Rule of Law' (2009) *Political Research Quarterly* 449

Souare IK 'The Debate on the UN Reform: Near Consensus on the Need for Reform but Rifts on How To Go About It' (2005) 2(4) *African Rennaissance* 10

Spears IS 'Reflections on Somaliland and Africa's Territorial Order' (2003) 95 Review of African Political Economy 89

Taiwo EA 'Repugnancy clause and its impact on customary law: Comparing the South African and Nigerian positions – Some lessons for Nigeria' (2009) 34(1) *Journal for Juridical Science* 89



Taiwo R 'The Thumb Tribe: Creativity and Social Change Through SMS in Nigeria' (2010) 35(1) *California Linguistic Notes* 2

Turianskyi Y 'Off Track? Findings from South Africa's First APRM Implementation Report' *SAIIA Occasional Paper* No 53

Wa Mutua M 'The Politics of Human Rights: Beyond the Abolitionist Paradigm in Africa' (1996) 17 *MJIL* 591

White G & Taylor S 'Well-Oiled Regimes: Oil & Uncertain Transitions in Algeria & Nigeria' (2001) *Review of African Political Economy* 323

Wolff RP 'Robert Nozick's Derivation of the Minimal State' (1977) 19 Arizona Law Review 7

Yelpaala K 'Circular Arguments and Self-Fulfilling Definitions: Statelessness and the Degaaba' (1983) 10 *History in Africa* 349



## TABLE OF CASES (Nigeria)

Abacha v Fawehinmi (2000) 6 NWLR 228, pt 660

Abacha v Fawehinmi (2000) 6 NWLR (Pt 660) 228

Akpan Awo v Cookey Gam (1913) 2 NLR 100

Alfa and Omega v Arepo 1963 Western Nigerian Law Reports 95

Chiduku v Chidano 1922 SR 55

Comptroller of Nigerian Prisons & Others v Adekanye & Others (1999) 10 NWLR (pt 623) 400

Dawodu v Danmole (1958) 3 Federal Supreme Court 46

Edet v Essien (1932) 11 Nigerian Law Report 47

Eshugbayi Eleko v Officer Administering the Government of Nigeria 1931 AC 662

Fiscian v Nelson (1946) 12 WACA 21

Ibidapo v Lufthansa Airlines (1997) 4 NWLR pt 498 124

Jonah Gbemre v Shell Petroleum Development Company (Nigeria) Limited & Others. Suit No FHC/B/CS/153/05 (unreported), delivered on the 14<sup>th</sup> of November 2005

Laoye v Oyetunde 1944 A.C 170

Lewis v Bankole (1908) 1 NLR 81

Mojekwu v Mojekwu 1997 NWLR 592

National Insurance Corporation of Nigeria v Power and Industry Engineering Company Ltd 1986 NWLR 1

Oshevire v British Caledonian Airways Limited Suit No NGSHC/NB/07/94 (High Court of Niger State)

Re Effiong Okon Attah 1930 (10) NLR

Rotibi v Savage 1944 (17) NLR 77

The Registered Trustees of the Constitutional Rights Project v The President of the Federal Republic of Nigeria & 2 Ors Suit No M/102/93 (Lagos High Court)



Trendtex Trading Corp Limited v Central Bank of Nigeria (1977) QB 529, (1977) 1 All ER 881

Trendtex Trading Corporation v Central Bank of Nigeria (1977) Queens Bench 529 at 578

Ubani v Director of State Security Services (1999) 11 NWLR (pt 625) 129



### TABLE OF CASES (South Africa)

Bhe v Magistrate of Khayelitsha, Shibi v Sithole and South African Human Rights Commission v President of the Republic of South Africa (commonly referred to as the Bhe case) 2005 (1) BCLR 1 (CC)

CCT 37/96 Ex parte Chairperson of the Constitutional Assembly: In re: Certification of the Amended Text of the Constitution of the Republic of South Africa, 1996, 1997 (2) SALR 97 (CC)

Christian Education South Africa v Minister of Education 2000 (4) SA 757 (CC)

Ex parte Minister of Native Affairs: In re Yako v Beyi 1948 (1) SA 388 (A)

Executive Council of the Western Cape Legislature and Others v President of the Republic of South Africa and Others 1995 (10) BCLR 1289 (CC)

Hassam v Jacobs NO and Others 2009 (11) BCLR 1148

Hlophe v Constitutional Court of South Africa and Others (2008) ZAGPHC 289

Hoffman v South African Airways 2001 (1) SA 1

Kaunda & Ors v President of the RSA & Others (2004) 10 BCLR 1009 (CC); also reported in (2005) 4 SA 235

*Kaunda & Others v President of RSA & Others* 2004 (10) BCLR 1009(CC)

Langa v Hlophe (2009) ZASCA 36

Mahaye v Mabuso 1951 NAC 280 (NE)

Matiyenga & another v Chinamura & Others 1958 SRN 829 at 831

Minister of Health v Treatment Action Campaign (TAC) 2002 (5) SA 721

Minister of Posts and Telegraphs v Rasool 1934 AD 167

Mohamed v President of the Republic of South Africa 2001 (3) SA 893 (CC)

National Director of Public Prosecutions v Zuma 2009 (2) SA 277

Premier Western Cape Province v The JSC & Others Case No: 25467/2009

President of the Republic of South Africa and Others v South African Rugby Football Union and Others (1999) ZACC 11

Prince v President of the Law Society, Cape of Good Hope and Others (1998) 8 BCLR 976



Prince v President, Cape Law Society and Others (2000) 3 SA 845 (SCA)

Prince v President, Cape Law Society and Others (2001) 2 SA 388 (CC); and (2002) 2 SA 794 (CC)

Prince v South Africa (2004) AHRLR 105 (ACHPR 2004)

Prince v South Africa (2007) AHRLR 40 (HRC 2007)

R v Abdurahman 1950 (3) SA 136 (A)

S v Bull 1967 (2) SA 636 (T)

S v Eliasov 1965 (2) SA 770 (T)

*S v Makwanyane & Others* 1995 (3) SA 391 (CC)

S v Makwanyane 1995 BCLR 665

S v Shaik & Others (2005) 3 All SA 211 (D)

S v Williams (1995) 2 SA 632 (CC); (1995) 7 BCLR 861

S v Zuma 2006 SA (WLD) 2

*Shaik & Others v S* (2007) 2 All SA 9 (SCA)

Shilubana & Others v Nwamitwa 2008 (9) BCLR 914 (CC)

Zuma & Another v NDPP & Others (2008) ZACC 13

Zuma & Others v State (2009) 1 All SA 54 (N)



## TABLE OF CASES (Foreign)

Advisory Opinion of the ICJ in the Legality of the Use by a State of Nuclear Weapons in Armed Conflict (1996) 35 ILM 809

Barcelona Traction Light and Power Company case (Second Phase) 1970 ICJ Reports 3

Chorzow Factory (Merits) (1928) PCIJ, Series A, no 17, 29

Corfu Channel Case 1949 ICJ Reports

Effect of Awards of Compensation Made by the UN Administrative Tribunal 1954 ICJ Reports 47

Fisheries (United Kingdom v Norway) Case 1951 ICJ Reports

International Status of South West Africa Case 1966 ICJ Reports 298

JH Rayner v Department of Trade and Industry (1990) AC 418

Lena Goldfields Arbitration (1930) 5 AD 3

Nicaragua v United States (Merits) 1986 ICJ Reports 14

North Sea Continental Shelf (Federal Republic of Germany/Netherlands; Germany/Denmark) Cases ICJ Report 1969

Re Manitoba Language Rights case (1985) 1 RCS 721

Reparations for Injuries Suffered in the Service of the United Nations case (1949) ICJ Reports 174

Social and Economic Rights Action Center (SERAC) and the Center for Economic and Social Rights (CESR) v Nigeria (Communication 155/96, case no ACHPR/COMM/A044/1)

State v Dosso (1958) PLD 530

Temple of Preah Vihear case (1962) ICJ Reports 6

The Asylum (Columbia v Peru) Case 1950 ICJ Reports 266

Uganda v Commissioner of Prison, ex parte Matovu (1966) EALR 514



### **INTERNET SOURCES**

- 'Africa's Ten Largest Economies in 2007' ClickAfrique.com at http://www.clickafrique.com/Magazine/ST014/CP0000002788.aspx (accessed on 1 May 2010)
- 'Africa's Outdated Colonial Boundaries Must be Redrawn' by Wole Soyinka in Plain Dealer Editorial of September 26, 1994, available at University of Pennsylvania website at http://www.africa.upenn.edu/Articles\_Gen/colon\_bound.html (accessed on 26 December 2009)
- 'African Charter on the Rights and Welfare of the Child' at http://www.africa-union.org/Official\_documents/Treaties\_%20Conventions\_%20Protocols/List/African %20Charter%20on%20the%20Rights%20and%20Welfare%20of%20the%20Child.p df (accessed on 6 June 2010)
- 'ANC 52<sup>nd</sup> National Conference: Resolutions', available on the ANC website at http://www.anc.org.za/show.php?include=docs/res/2007/resolutions.html&ID=2536 (accessed on 8 October 2010)
- 'Anti-xenophobia Committee Finalising Post Cup Plans' at http://www.defenceweb.co.za/index.php?option=com\_content&view=article&id=87 28:zz&catid=3:Civil%20Security&Itemid=113 (accessed on 2 July 2010)
- 'Asari-Dokubo Arrives PH, vows to Continue Struggle', available at http://allafrica.com/stories/200706170006.html (accessed on 30 July 2010)
- 'Conflicts in Africa', Global Issues Website at http://www.globalissues.org/Geopolitics/Africa/DRC.asp (accessed on 7 May 2008)
- 'Courts in South Africa' at http://www.capegateway.gov.za/eng/pubs/public\_info/C/32303/ (accessed on 24 May 2010)
- 'Energy Information Administration: Country Analysis Briefs', available at http://www.eia.doe.gov/cabs/Nigeria/Full.html (accessed on 29 July 2010)
- 'Gas Flaring Senate Passes Prohibition Bill' ThisDay 3<sup>rd</sup> of July 2009 http://allafrica.com/stories/200907030119.html (accessed on 22 April 2010) from
- 'John Locke' Stanford Encyclopedia of Philosophy at http://plato.stanford.edu/entries/locke/ (accessed on 17 October 2009)



'Jonathan Becomes Nigeria's President' at http://234next.com/csp/cms/sites/Next/Home/5565071-146/jonathan\_becomes\_nigerias\_president\_\_.csp (accessed on 29 May 2010)

'Jonathan is Acting President', available at http://234next.com/csp/cms/sites/Next/Home/5524744-146/jonathan\_is\_acting\_president\_\_.csp (accessed on 29 May 2010)

'JSC to appeal Hlophe Ruling', available at http://www.newstoday.co.za/index.php/news/sanews/4254-jsc-to-appeal-hlophe-ruling.html (accessed on 6 June 2010)

'Law and Ideology' at Stanford Encyclopedia of Philosophy at http://www.illc.uva.nl/~seop/entries/law-ideology/ (accessed on 30 October 2010)

'Mixed reaction to JSC decision to drop Hlophe charges', SABCNEWS on 28<sup>th</sup> August 2009, available at http://www.sabcnews.com/portal/site/SABCNews/menuitem.5c4f8fe7ee929f602ea12 ea1674daeb9/?vgnextoid=4ae210086a163210VgnVCM10000077d4ea9bRCRD&vg nextfmt=default (accessed on 6 June 2010)

'No Irregularities in Malema Tenders Contracts' at http://www.iol.co.za/news/politics/no-irregularities-in-malema-tender-contracts-1.673142 (accessed on 9 October 2010)

'Ogbulafor faces N100m fraud charge', available at http://234next.com/csp/cms/sites/Next/Home/5560273-146/ogbulafor\_faces\_n100m\_fraud\_charge.csp (accessed on 27 April 2010)

'Oil and Gas in Nigeria – An Overview', available at http://www.mbendi.com/indy/oilg/af/ng/p0005.htm (accessed on 22 April 2010)

'Power without Responsibility – the Media Appeals Tribunal' by Thabani Khumalo, posted on Allafrica.com at http://allafrica.com/stories/201008030432.html (accessed on 5 August 2010)

'Remembering Ken Saro-Wiwa', by Bill Kovarik, available at http://www.radford.edu/wkovarik/misc/blog/17.wiwa.html (accessed on 29 of November 2009)

'Shaik, Zuma relationship 'corrupt'', 1 June 2005 Mail&GuardianOnline at http://www.mg.co.za/article/2005-06-01-shaik-zuma-relationship-corrupt (accessed on 27 May 2010)

'Soccer City Scam' Sunday Times of 25th April 2010

'South Africa: Constitutional Development in the 1990s', ConstitutionNet, available at http://www.constitutionnet.org/en/countrysouth-Africa (accessed on 6 of May 2010)



'Squires never used *generally corrupt* phrase', available at http://www.iol.co.za/index.php?set\_id=1&click\_id=13&art\_id=qw1163318760847B 263 (accessed on 27 May 2010)

'Statement of President Thabo Mbeki at the Joint Sitting of Parliament on the Release of Hon Jacob Zuma from his responsibilities as Deputy President', 14 June 2005, available as Institute for Security Studies (ISS) Resource Centre publication on http://www.ipocafrica.org/index.php?option=com\_content&view=article&id=70&Ite mid=67 (accessed on 27 May 2010)

'The Industrial Revolution of the 18<sup>th</sup> Century', available at http://www.wsu.edu//~dee/ENLIGHT/INDUSTRY.HTM (accessed on 9 November 2008)

'The Ogoni Struggle' at http://remembersarowiwa.com/background/the-ogoni-struggle/ (accessed on 7 August 2009)

'The Social Contract Theory: Hobbes v Rousseau, An Analysis' at http://www.scribd.com/doc/2910336/The-Social-Contract-Theory (accessed on 2 October 2009)

'Top Militants Accept Nigeria's Amnesty Offer', Wall Street Journal website at http://online.wsj.com/article/SB125461198947462111.html (accessed on 1 December 2009)

'Zille: Dropping the charges against Zuma is Irrational and Unlawful' at http://www.da.org.za/newsroom.htm?action=view-news-item&id=6584 (accessed on 31 May 2010)

'Zuma Charged with Corruption, Fraud', available at Mail & Guardian Online at http://www.mg.co.za/article/2007-12-28-zuma-charged-with-corruption-fraud (accessed on 27 May 2010)

'Zuma rejects Vavi's call for lifestyle audits', Business Day of 24<sup>th</sup> of February 2010 at http://www.businessday.co.za/articles/Content.aspx?id=94571 (accessed on 4 June 2010)

'512 Kidnappings in Nigeria this Year', available at http://www.naijafeed.com/naijafeed/2009/7/23/512-kidnappings-in-nigeria-this-year.html (accessed on 18 June 2010)

'How Malema made his millions', Front page, Sunday Times 21st February 2010

'1961 Republic of South Africa Constitution Act No 32' at http://www.nelsonmandela.org/omalley/index.php/site/q/03lv01538/04lv01828/05lv0 1829/06lv01904.htm (accessed on 5 May 2010)

1987 Report of the Nigerian Law Reform Commission titled, 'Report of the Review of Pre-1900 English Statutes in force in Nigeria', Volumes 1 & 2 available at



http://www.nlrc.gov.ng/publications/EnglishStatuesinForceinNIG\_VolumeI\_00001.p df (accessed on 14 April 2010)

'Address by President Jacob Zuma on the Occasion of the Presidency Budget Vote for 2010/2011', available from the Parliamentary Monitoring Group website at http://www.pmg.org.za/briefing/20100512-presidency-ministers-budget-speech (accessed on 15 May 2010)

African Mutinies, available at http://www.britains-smallwars.com/RRGP/Tanganyika.htm (accessed in June 2007)

African Social Forum Report, Bamako Mali 11-12, available at http://www.worldsummit2002.org/texts/AfricanSocialForum.pdf (accessed in May 2010)

African Union website at http://www.africa-union.org (accessed on 29 November 2009)

ANC 52<sup>ND</sup> National Conference 2007 – Resolutions at http://www.anc.org.za/ancdocs/history/conf/conference52/index.html (accessed on 14 June 2010)

ANC NGC 2010 Discussion Document - Media Diversity and Ownership, available on the ANC website at http://www.anc.org.za/events.php?t=National General Council-2010 (accessed on 8 October 2010)

APRM Country Report on Nigeria, 2009, available on the APRM website at http://www.nepadaprmnigeria.org/ (accessed on 14 March 2010)

APRM Country Review Report on South Africa, 2007, available on the APRM website at http://www.aprm.org.za/docs/SACountryReviewReport5.pdf (accessed on 14 June 2010)

Beall J & Ngonyama M (2009) 'Indigenous Institutions, Traditional Leaders and Elite Coalitions for Development: The Case of Greater Durban, South Africa', Crisis States Research Centre Working Paper No. 55 (series 2), available at http://www.crisisstates.com/download/wp/wpSeries2/WP55.2.pdf (accessed on 17 May 2010)

Bellamy R and Castiglione D 'Legitimising the Euro-Polity and its Regime: The 'Normative Turn' in European Studies', available at http://www.iccr-international.org/europub/docs/ws1-castigbell.pdf (accessed on 3 August 2010)

Bing-Pappoe A (March 2010) 'Reviewing Africa's Peer Review Mechanism: A Seven Country Survey', available at http://www.pacweb.org/Documents/APRM/APRM\_Seven\_countries\_March2010-E.pdf (accessed on 12 August 2010)

Bond 'NEPAD, the APRM and South African sub-imperialism: Civil society cooption or resistance?' (2008) 2(1) *Critical Dialogue* 42-48 at 46, available at



http://cpp.org.za.dedi279.your-server.de/attachments/124\_art7-CDVol2-No1.pdf (accessed on 2 June 2010)

Cilliers 'NEPAD's peer review process' Occasional paper 64 Nov 2002, Institute for Security Studies, available at www.iss.co.za.pubs/papers/64/paper64.html (accessed on 15 April 2009)

CNN Interview titled 'Rehabilitation for Niger Delta Militants', at http://edition.cnn.com/2010/WORLD/africa/04/14/nigeria.jonathan/index.html?iref=allsearch (accessed on 15 April 2010)

Collier P (2004) 'Natural Resources and Conflict in Africa' on Crimes of War Project, available at http://www.crimesofwar.org/africa-mag/afr\_04\_collier.html (accessed on 27 August 2007)

Constitution Review in Nigeria: Enriching the debate process', available at http://www.peoplesconstitutionng.org/constitutional\_history\_of\_nigeria.htm (accessed on 23 July 2010)

De Havilland N 'The Rule of Law and the Independence of the National Prosecuting Authority', available at http://www.nmmu.ac.za/documents/law/zumaopinion2.pdf (accessed on 31 May 2010)

De Klerk Foundation website for the full speech, titled 'Opening of 2<sup>nd</sup> Session of 9<sup>th</sup> Parliament of the Republic of South Africa', available at https://www.givengain.com/cgi-bin/giga.cgi?cmd=cause\_dir\_news\_item&cause\_id=2137&news\_id=73749&cat\_id=1595 (accessed on 5 May 2010)

Dike V 'Corruption in Nigeria: A New Paradigm for Effective Control', available at http://www.africaneconomicanalysis.org/articles/gen/corruption-dike/htm.html (accessed on 22 April 2010)

Ebrahim H (1998) *The Soul of a Nation: Constitution-Making in South Africa* Cape Town, South Africa: Oxford University Press. Also available at http://www.sahistory.org.za/pages/library-resources/online%20books/soul-of-nation-constitution/soul-of-nation-index.htm (accessed on 7 May 2010)

Encyclopaedia II – State: Philosophies of the State, available at http://www.experiencefestival.com/a/State\_Philosophies\_of\_the\_state/id/5157401 (accessed on 9 November 2009)

Esogbue E, 'Oil in Nigeria: Curse of Blessing'? ArticlesBase Website, available at http://www.articlesbase.com/politics-articles/oil-in-nigeria-a-curse-or-blessing-325091.html (accessed on 24 June 2009)

Federal Research Division, Library of Congress Country Studies: *Nigeria* at http://memory.loc.gov/frd/cs/ngtoc.html#top (accessed in May 2008)



Fombad C & Inegbedion NA 'Presidential Term Limits and Their Impact on Constitutionalism in Africa', in Fombad C & Murray C (ed) (2010) *Fostering Constitutionalism in Africa* Pretoria University Law Press (PULP): Pretoria, South Africa, available online at http://www.pulp.up.ac.za/pdf/2010\_09/2010\_09.pdf

Geographic Map, *History of Nigeria*, available at http://www.iss.co.za/af/profiles/Nigiera/Politics.html (accessed on 28 May 2008)

Global Security website 'Nigeria – Niger Delta', available at http://www.globalsecurity.org/military/world/war/nigeria-2.htm (accessed on 22 April 2010)

Grimm S & Katito G 'African Developments: Continental Integration in Africa – AU, NEPAD and the APRM' *German Development Institute Briefing* Paper April 2010, available at http://www.diegdi.de/CMSHomepage/openwebcms3.nsf/(ynDK\_contentByKey)/AN ES-82JKD8/\$FILE/BP%204.2010.pdf (accessed in May 2010)

Gruzd S 'African Peer Review: A Progress Update', available at http://www.saiia.org.za/index.php?view=article&catid=62%3Agovernance-aprmopinion&id=1199%3Aafrican-peer-review-a-progress-update&tmpl=component&print=1&layout=default&page=&option=com\_content&I temid=159 (accessed on 24 June 2010)

Guardian Newspaper Eitorial of 30 April 2010, available at http://www.ngrguardiannews.com/editorial\_opinion/article01/300410?pdate=300410 &ptitle=Yerima's%20alleged%20marriage%20to%20girl-child (accessed on 30 June 2010)

Hanson S (2007) 'MEND: The Niger Delta's Umbrella Militant Group' Council on Foreign Relations at http://www.cfr.org/publication/12920/#p6 (accessed on 27 April 2010)

Hanson S, *MEND: the Niger Delta's Umbrella Militant Group* Council on Foreign Relations website, available at http://www.cfr.org/publication/12920/ (accessed on 1 December 2009)

Heyns C 'Where is the Voice of Africa in our Constitution?' *Occasional Paper 8*, (1996) Centre for Human Rights, University of Pretoria, available at http://www.chr.up.ac.za/centre\_publications/occ\_papers/occ8.html on 13th May 2010 (accessed on 13 May 2010)

Imomoh EU 'The Global Effect of Supply Disruption on Crude Oil' paper presented at the Nigerian Extractive Industry Transparency Initiative (NEITI) Workshop in Abuja, Nigeria on the 17<sup>th</sup> February 2005, available at http://www.neiti.org.ng/publications/The%20Global%20Effect%20of%20supply%20 disruptions%20on%20prices1.pps (accessed on 26 April 2010)

INFO COMM: Market information in commodities area on the United Nations Conference on Trade and Development (UNCTAD), website at



http://www.unctad.org/infocomm/anglais/cocoa/market.htm (accessed on 17 December 2009).

International Crisis Group Africa Report No 113 of July 2006, titled 'Nigeria: Want in the Midst of Plenty, available at

http://www.crisisgroup.org/~/media/Files/africa/west-

africa/nigeria/Nigeria%20Want%20in%20the%20Midst%20of%20Plenty.ashx (accessed on 29 June 2009)

International Crisis Group Africa Report No 119, dated 25<sup>th</sup> October 2006, *Nigeria's Faltering Federal Experiment*, available at

http://www.chr.up.ac.za/indigenous/documents/Nigeria/Report/Nigerias\_faltering\_fe deral\_experiment.pdf (accessed on 20 June 2009)

International Peace Academy (IPA) joint report delivered by the permanent missions of Algeria, Nigeria, Egypt, Senegal and South Africa on the 16<sup>th</sup> July 2002 in New York, *NEPAD: African initiative, new partnership?*, available at www.ipacademy.org/publication/publications.html (accessed on 16 August 2005)

Issa Shivji 'Pan Africanism or Imperialism? Unity and Struggle Towards a New Democratic Africa', an excerpt of a chapter from his new book, 'Where is Uhuru? Reflections on the Struggle for Democracy in Africa', lecture delivered at the Second Billy Dudley Memorial Lecture Series at the University of Nigeria, Nsukka, July 2005, available from Pambazuka News at http://www.pambazuka.org/en/category/features/55473/print (accessed on 28 January 2010)

Jinadu A 'The African Peer Review Process in Nigeria' July 2008, available at http://www.uneca.org/aprm/Documents/Guidelines%20for%20Countries%20to%20P repare%20for%20and%20Participate%20in%20APRM.pdf (accessed on 6 August 2010)

Jowell Jeffrey 'How Secure is the Rule of Law in South Africa?', TimesOnline of March 5, 2009, available at http://business.timesonline.co.uk/tol/business/law/article5840634.ece (accessed on 24 May 2010)

Kura SY (2005) 'Globalisation and Democracy: A Dialectical Framework for Understanding Democratization in Nigeria', *Globalisation*, available at http://globalization.icaap.org/content/v5.1/kura.html (accessed on 2 July 2009)

Levy JT *Montesquieu's Constitutional Legacies*, available on the Social Science Research Network website at

http://papers.ssrn.com/sol3/papers.cfm?abstract\_id=1117087 (accessed on 12 May 2010)

Litigation Release No. 20897A / February 11, 2009 - Securities and Exchange Commission v. Halliburton Company and KBR, Inc., 4:09-CV-399, S.D. Tex. (Houston), available at http://www.sec.gov/litigation/litreleases/2009/lr20897a.htm (accessed on 22 April 2010)



Mail & Guardian at http://www.mg.co.za/tag/protection-of-information-bill (accessed on 5 August 2010)

Matshiqi A (2007) *Undamaged Reputations: Implications for the South African Criminal Justice System of the Allegations against and prosecution of Jacob Zuma*, (a research report written for the Centre for the Study of Violence and Reconciliation), available at http://www.csvr.org.za/index.php?option=com\_content&task=view&id=362 (accessed on 2 June 2010)

Merriam-Webster's Dictionary of Law, Merriam-Webster, Inc., available at http://dictionary.reference.com/browse/interntional\_law (accessed on 11 September 2009)

Metz HC (1991) (ed) *Nigeria: A Country Study*, Library of Congress, available at http://countrystudies.us/nigeria/67.htm (accessed 30 March 2010)

Mpshe 'Statement of the National Director of Public Prosecutions on the matter S v Zuma and Others', available at

http://www.mg.co.za/uploads/2009/04/06/statement.pdf (accessed on 29 May 2010)

Newspaper 'Lawmakers approve harmonised constitution amendment', 4 June 2010, available at http://234next.com/csp/cms/sites/Next/Home/5576192-146/story.csp (accessed on 12 August 2010)

Nigerian Law Reform Commission, available at http://www.nlrc.gov.ng/projects.php?id=1 (accessed on 14 April 2010)

Nsibambi A 'The Effects of Globalization on the State in Africa: Harnessing the Benefits and Minimizing the Costs' United Nations General Assembly (UNGA) 2<sup>nd</sup> Committee Panel Discussion on Globalisation and the State, 2 Nov 2001, available at http://pdfcast.org/pdf/the-effects-of-globalization-on-the-state-in-africa (accessed on 2 November 2009)

Okoye SE (2004) 'Globalisation and the Political Future of Nigeria', Nigeriaworld Feature Article, available at http://nigeriaworld.com/articles/2004/oct/131.html (accessed on 23 May 2009)

Opening of 2<sup>nd</sup> Session of 9<sup>th</sup> Parliament of the Republic of South Africa', available at https://www.givengain.com/cgi-bin/giga.cgi?cmd=cause\_dir\_news\_item&cause\_id=2137&news\_id=73749&cat\_id=1595 (accessed on 5 May 2010)

Report of the United Nations Security Council mandated International Commission of Enquiry for Burundi, 2002 available at http://www.usip.org/files/file/resources/collections/commissions/Burundi-Report.pdf (accessed on 1 October 2010)



Roland J (1994), *The Social Contract and Constitutional Republics*, available at http://www.constitution.org/soc/const.htm (accessed on 27 October 2009)

Senate muzzles opposition to Yerima's marriage', 234next on Wednesday 28 April 2010, available at

http://234next.com/csp/cms/sites/Next/News/National/5560909-

146/senate\_muzzles\_opposition\_\_to\_yerimas.csp (accessed on 30 June 2010)

Shell Nigeria – 'Gas Flare Out', Shell website available at http://www.shell.com/home/content/nigeria/about\_shell/issues/gas\_flaring/gasflare.ht ml (accessed on 15 August 2009)

Slave Trade data at http://www.slavevoyages.org/tast/assessment/estimates.faces (assessed on 1 June 2011)

South African Institute of Race Relations Survey Report 1996 – 1997, 600, available at http://www.sairr.org.za/services/publications

South African Law Reform Commission (SALRC) Project 90 – The Harmonization of the Common Law and the Indigenous Law: Report on Customary Marriages (August 1998) 19, available at

http://www.justice.gov.za/salrc/reports/r\_prj90\_cstm\_1998aug.pdf (accessed on 22 May 2010)

South African Law Reform Commission (SALRC) Project 90 – *The Harmonization of the Common Law and the Indigenous Law: Report on the Conflict of Laws* (September 1999), Chap 1, available at

http://www.justice.gov.za/salrc/reports/r\_prj90\_conflict\_1999sep.pdf (accessed on 17 May 2010)

South African Law Reform Commission website, at http://www.justice.gov.za/salrc/index.htm (accessed on 21 May 2010)

SouthAfrica.Info, South Africa's geography, at

http://www.southafrica.info/about/geography/geography.htm (accessed on 26 January 2010)

Tafel HL 'Regime Change and the Federal Gamble: Negotiating Federal Institutions in Brazil, Russia, South Africa, and Spain' (2010) *Publius: The Journal of Federalism* 1 available at

http://0-publius.oxfordjournals.org.oasis.unisa.ac.za/

content/early/2010/05/06/publius.pjq015.full.pdf+html?sid=0705203c-449b-48fc-8042-b1a31a8b2653 (accessed on 13 June 2010)

The Guardian, 'London Slow to Act over Missing Billions' 4 October 2001, available at http://www.guardian.co.uk/2001/oct/04/london (accessed on 26 April 2010)

Transparency International Corruption Perception Index (CPI) Survey 2009, available at



http://www.transparency.org/policy\_research/surveys\_indices/cpi/2009 (accessed on 26 April 2010)

Transparency International CPI survey 2009, available at http://www.transparency.org/policy\_research/surveys\_indices/cpi/2009/cpi\_2009\_ta ble (accessed on 26 April 2010)

Transparency International CPI survey, 2000 available at http://www.transparency.org/policy\_research/surveys\_indices/cpi/previous\_cpi/2000 (accessed on 26 April 2010)

Umukoro BE, 'Gas Flaring, Environmental Corporate Responsibility and the Right to a Healthy Environment: The Case of the Niger Delta', available at http://www.scribd.com/doc/17914659/Gas-Flaring (accessed on 8 August 2009)

UNDP Human Development Report (2002) *Deepening Democracy in a Fragmented World*, report available at

http://hdr.undp.org/en/media/HDR\_2002\_EN\_Complete.pdf (accessed on 28 October 2010)

United Nations Public Administration Network (2002) *The Challenges of Globalization in Africa: what Role for Civil Society and Other Stakeholders*, at http://unpan1.un.org/intradoc/groups/public/documents/CAFRAD/UNPAN008264.P DF (accessed on 27 April 2010)

Wangome (1985) 'Military Coups in Africa: The African 'Neo-Colonialism that is Self-Inflicted', available at

www.globalsecurity.org/military/library/report/1985/WJ.htm (accessed on 2 October 2008)

Whaley J 'Oil in Nigeria - Curse or Blessing?', Geo-Expro Website available at http://www.geoexpro.com/country\_profile/nigeria/ (accessed on 24 June 2009)

Yakubu JA 'Colonialism, Customary Law and Post-Colonial State in Africa: The case of Nigeria', a paper presented at the 10<sup>th</sup> CODESRIA General Assembly, at http://www.codesria.org/Archives/ga10/Abstracts%20GA%201-5/colonialism\_Yakubu.htm (accessed on 3 August 2009)



### NEWSPAPER ARTICLES, MAGAZINES, REPORTS

'23 Days that shook our World' 28 April 2006 Mail & Guardian

'Auditor, Public Protector probes Limpopo tenders' 29 March 2010 The Times

'Constitutional Debate Committee recommends adoption of 1979 Constitution' 1 January 1999 *PostExpress* 

Amnesty International (1994) 'Ken Saro-Wiwa, Writer and President of the Movement for the Survival of the Ogoni People (MOSOP)', 24 May 1994 *Urgent Action* 

Amnesty International (1994) 'Nigeria: Military Government Clampdown on Opposition', 11 November 1994

Hazen JM *et al*, (2007) 'Small Arms, Armed Violence, and Insecurity in Nigeria: The Niger Delta in Perspective', *Occasional paper* of the Small Arms Survey Group: Geneva Institute of International Studies: Geneva

Human Rights Watch/Africa (1995) 'The Ogoni Crisis: A Case-Study of Military Repression in Southeastern Nigeria', *Human Rights Watch/Africa*, July, 7(5) 14

Osipitan T *An Autochthonous Constitution for Nigeria: Myth or Reality*, Inaugural Lecture held at the University of Lagos, 24 November 2004

Professor Motala 'Dignity should be protected' 7 November 2010 Sunday Times Review 1

UNDP Human Development Report 1999, New York: Oxford University Press

Van de Walle N (2001) African Economies and the Politics of Permanent Crisis, 1979-1999 New York: Cambridge University Press

West Africa, no 4089 (March 4-10, 1996) 328

Deputy Director, Federal Ministry of Agriculture and Water Resources Kidnapped' 11 January 2009 *ThisDay* 



### ACADEMIC RESEARCH COMPONENTS, THESES AND OTHERS

Adedipe B *Impact of Oil on Nigeria's Economic Policy Formulation* 2004, paper presented at a conference organised in collaboration with the Nigerian Economic Summit Group, on the theme 'Nigeria: Maximising Pro-poor Growth: Regenerating the Socio-Economic Data', 16 & 17 June 2004

Britannica Concise Encyclopaedia, 1994 – 2008, Encyclopaedia Britannica, Incorporated

MENA Development Report (2004) Unlocking the Employment Potential in the Middle East and North Africa: Towards a New Social Contract Washington, US: World Bank Publications

National Centre for Economic Management & Administration (NCEMA), Technical proposal titled 'Structural Adjustment Programme in Nigeria: Causes, Processes and Outcomes'

Olivier ME International Law in South African Municipal Law: Human Rights Procedure, Policy and Practice (LLD dissertation 2002 Unisa)



### TABLE OF STATUTES (Nigeria)

1963 Republican Constitution of Nigeria

African Charter on Human and Peoples' Rights (Ratification and Enforcement) Act of Nigeria, Cap 10 Laws of the Federation of Nigeria 1990

Associated Gas Re-Injection (Continued Flaring of Gas) Regulations of 1984

Associated Gas Re-Injection Act of 1979, Cap A25 Laws of the Federation of Nigeria (LFN) 2004

Constitution of the Federal Republic of Nigeria, 1999

Constitution of the Federal Republic of Nigeria (Promulgation) Decree No. 24 of 1999

Constitution of the Federal Republic of Nigeria, 1979

Constitution of the Federation of Nigeria, 1960 (also referred to as Independence Constitution)

Decree No 1 of 1966 of Nigeria

English Matrimonial Causes Act 1965

Evidence Act, Cap E14 Laws of the Federation of Nigeria 2004

Gas Flaring (Prohibition and Punishment) Bill of 2009

Insurance (Miscellaneous Provisions) Act Cap 183 Laws of the Federation of Nigeria 1990

Labour Act Cap 198 Laws of the Federation of Nigeria, 1990

Land Use Act of 1978

Law (Miscellaneous Provisions) Act of 1964 of Nigeria

Minerals Act of Nigeria of 1946

Minerals and Mining Decree of Nigeria of 1999

Mines and Works Act of 1911

Nigeria and Cameroons (Imperial Statues Extension) Order in Council

Northern Nigeria Native Courts Law of 1956 Oil Pipelines Act of Nigeria of 1956



Petroleum Act of 1969

Petroleum Production and Distribution (Anti-Sabotage) Act of 1990

Regional Courts (Federal Jurisdiction) Act of 1958 [Cap 177] of Nigeria

Rights of the Child Act (RCA) of 2003

Statute of General Application of 1900

State Security (Detention of Persons) Decrees Nos 1-15 of 1966

State Security (Detention of Persons) (Decree No. 2 of 1984)

Supremacy and Enforcement of Powers (Decree No. 13 of 1984)

Supreme Court of Judicature Acts 1873 and 1875

Supreme Court Ordinance of Nigeria, 1914

The British Law Ascertainment Act of 1859

The Carriage by Air (Non-International Carriage) Order of 1953

The Clifford Constitution of 1922

The Colonial Air Navigation Order 1953

The Constitution (Suspension and Modification) (No 5) Decree of 1966 of Nigeria

The Constitution of the Colony and Protectorate of Nigeria 1914

The Foreign Law Ascertainment Act of 1861

The Lyttleton Constitution 1954

The MacPherson Constitution of 1951

The Nigerian (Constitution) Order in Council of Sept 1960

The Nigerian (Tribunal & Inquiry) Order in Council 1956

The Richards Constitution of 1946



#### TABLE OF STATUTES (South Africa)

50<sup>th</sup> Ordinance of the Cape (South Africa) of 1828

Abolition of Slavery Act of 1833

Apprenticeship Act 26 of 1922

Black Administration Act 38 of 1927

Black (Native) Laws Amendment Act 46 of 1937

Black (or Native) Land Act 27 of 1913

Children's Act 38 of 2005

Constitution of the Republic of South Africa 1996

Drugs and Drugs Trafficking Act 140 of 1992

Emancipation Law of 1834

General Laws Amendment Act 76 of 1962 (Sabotage Act)

Group Areas Act 41 of 1950

Immorality (Amendment) Act 21 of 1950

Industrial Conciliation Act 11 of 1924

Intestate Succession Act 81 of 1987

Law of Evidence Amendment Act 45 of 1988

Medicines and Related Substances Control Act 108 of 1996

Natives (Urban Areas) Act 21 of 1923

Population Registration Act 30 of 1950

Prohibition of Mixed Marriages Act 55 of 1949

Promulgation of the Abolition of the Slave Trade Act of 1807

Recognition of Customary Marriages Act 120 of 1998

Republic of South Africa Constitution Act 32 of 1961

Reservation of Separate Amenities Act 49 of 1953



Riotous Assemblies Act 17 of 1956

South Africa Constitutional Act 1983 (Act 110 of 1983)

Suppression of Communism Act 44 of 1950

Terrorism Act 83 of 1967

Unlawful Organisations Act 34 of 1960



#### INTERNATIONAL INSTRUMENTS AND OTHER DOCUMENTS

African Charter on the Rights and Welfare of the Child (ACRWC), 1990

African Charter on Human and Peoples' Rights, 1981

**APRM Base Document** 

Convention on the Elimination of All Forms of Discrimination against Women, 1979 (CEDAW)

Declaration 1 (XXXVII) of the OAU Lusaka Summit in 2001

Geneva Protocol of 1925

Hague Convention IV of 1907

Hague Conventions of 1899 and 1907,

International Convention on the Elimination of All Forms of Racial Discrimination, 1965 (CERD)

International Covenant on Civil and Political Rights, 1966 (ICCPR)

International Covenant on Economic, Social and Cultural Rights, 1966 (ICESCR)

International Law Association Report of the 52<sup>nd</sup> Conference in 1966

Kyoto Protocol to the UN Climate Change Convention 1997

Resolution AHG/Decl 1 (XXXVII) of the OAU

Supreme Court Ordinance of the Gold Coast of 1876

The General Treaty for the Renunciation of War of 1928

**United Nations Charter 1945** 

United Nations Convention on the Rights of the Child (CRC), 1989

UN.Doc.HR/GEN/1/Rev1 at 6 (1994)

UN General Assembly (UNGA) Resolution 217A (III) of 1948

UN Human Rights Committee, General Comment No. 6: The Right to Life

UNGA Resolution 1248 (XIII) of 1958

Universal Declaration on Human Rights (UNDR), 1948



Vienna Convention on the Law of Treaties between States and International Organisations or Between International Organisations, 1986

Vienna Convention on the Law of Treaties of 1969

Vienna Declaration and Program of Action, 1993



# **ANNEXURES**

# Table 1

List of cases brought by African countries before the ICJ (or in which African Countries have appeared before the ICJ).

Year	Title of Case	Parties before the Court
1960	South West Africa	Ethiopia v South Africa
1960	South West Africa	Liberia v South Africa
1961	Northern Cameroons	Cameroon v United Kingdom
1978	Continental Shelf	Tunisia v Libyan Arab Jamahiriya
1982	Continental Shelf	Libyan Arab Jamahiriya v Malta
1983	Frontier Dispute	Burkina Faso v Republic of Mali
1984	Application for Revision and Interpretation of the Judgement in the case of Continental Shelf (Tunisia v Libyan Arab Jamahiriya)	Tunisia v Libyan Arab Jamahiriya
1989	Territorial Dispute	Guinea Bissau v Senegal
1990	Territorial Dispute	Libyan Arab Jamahiriya v Chad
1991	Maritime Delimitation between Guinea Bissau and Senegal	Guinea Bissau v Senegal
1992	Questions of Interpretation and Application of 1971 Montreal Convention arising from Aerial Incident at Lockerbie	(Libya Arab Jamahiriya v USA)
1994	Land and Maritime Boundary between Cameroon and Nigeria	Cameroon v Nigeria: Equatorial Guinea Intervening
1996	Kasikili / Sedudu Island	Botswana / Namibia
1998	Request for Interpretation of Judgement of 11 June 1998 in case of Land and Maritime Boundary between Cameroon and Nigeria	Cameroon v Nigeria
1998	Preliminary Objections (Nigeria v Cameroon)	



1998	Ahmadou Sadio Diallo	Republic of Guinea v Democratic
		Republic of Congo
1999	Armed Activities on the Territory of	Democratic Republic of Congo v
	the Congo	Uganda
1999	Armed Activities on the Territory of	Democratic Republic of Congo v
	the Congo	Rwanda
2000	Arrest Warrant of 11 April 2000	Democratic Republic of Congo v
		Belgium
2002	Frontier Dispute	Benin v Niger
2002	Armed Activities on the Territory of	Democratic Republic of Congo v
	the Congo (New Application: 2002)	Rwanda
2003	Certain Criminal Proceedings in	Democratic Republic of Congo v
	France	France
2010	Frontier Dispute	Burkina Faso v Niger



<u>Table 2</u>
Corruption Perception Index Of 2009

Rank	Country/Territory	CPI 2009 Score	Surveys Used	Confidence Range
1	New Zealand	9.4	6	9.1 - 9.5
2	Denmark	9.3	6	9.1 - 9.5
3	Singapore	9.2	9	9.0 - 9.4
3	Sweden	9.2	6	9.0 - 9.3
5	Switzerland	9.0	6	8.9 - 9.1
6	Finland	8.9	6	8.4 - 9.4
6	Netherlands	8.9	6	8.7 - 9.0
8	Australia	8.7	8	8.3 - 9.0
8	Canada	8.7	6	8.5 - 9.0
8	Iceland	8.7	4	7.5 - 9.4
11	Norway	8.6	6	8.2 - 9.1
12	Hong Kong	8.2	8	7.9 - 8.5
12	Luxembourg	8.2	6	7.6 - 8.8
14	Germany	8.0	6	7.7 - 8.3
14	Ireland	8.0	6	7.8 - 8.4
16	Austria	7.9	6	7.4 - 8.3
17	Japan	7.7	8	7.4 - 8.0
17	United Kingdom	7.7	6	7.3 - 8.2
19	United States	7.5	8	6.9 - 8.0
20	Barbados	7.4	4	6.6 - 8.2
21	Belgium	7.1	6	6.9 - 7.3
22	Qatar	7.0	6	5.8 - 8.1
22	Saint Lucia	7.0	3	6.7 - 7.5
24	France	6.9	6	6.5 - 7.3
25	Chile	6.7	7	6.5 - 6.9
25	Uruguay	6.7	5	6.4 - 7.1
27	Cyprus	6.6	4	6.1 - 7.1
27	Estonia	6.6	8	6.1 - 6.9
27	Slovenia	6.6	8	6.3 - 6.9



Rank	Country/Territory	CPI 2009 Score	Surveys Used	Confidence Range
30	United Arab Emirates	6.5	5	5.5 - 7.5
31	Saint Vincent and the Grenadines	6.4	3	4.9 - 7.5
32	Israel	6.1	6	5.4 - 6.7
32	Spain	6.1	6	5.5 - 6.6
34	Dominica	5.9	3	4.9 - 6.7
35	Portugal	5.8	6	5.5 - 6.2
35	Puerto Rico	5.8	4	5.2 - 6.3
37	Botswana	5.6	6	5.1 - 6.3
37	Taiwan	5.6	9	5.4 - 5.9
39	Brunei Darussalam	5.5	4	4.7 - 6.4
39	Oman	5.5	5	4.4 - 6.5
39	Korea (South)	5.5	9	5.3 - 5.7
42	Mauritius	5.4	6	5.0 - 5.9
43	Costa Rica	5.3	5	4.7 - 5.9
43	Macau	5.3	3	3.3 - 6.9
45	Malta	5.2	4	4.0 - 6.2
46	Bahrain	5.1	5	4.2 - 5.8
46	Cape Verde	5.1	3	3.3 - 7.0
46	Hungary	5.1	8	4.6 - 5.7
49	Bhutan	5.0	4	4.3 - 5.6
49	Jordan	5.0	7	3.9 - 6.1
49	Poland	5.0	8	4.5 - 5.5
52	Czech Republic	4.9	8	4.3 - 5.6
52	Lithuania	4.9	8	4.4 - 5.4
54	Seychelles	4.8	3	3.0 - 6.7
55	South Africa	4.7	8	4.3 - 4.9
56	Latvia	4.5	6	4.1 - 4.9
56	Malaysia	4.5	9	4.0 - 5.1
56	Namibia	4.5	6	3.9 - 5.1
56	Samoa	4.5	3	3.3 - 5.3
56	Slovakia	4.5	8	4.1 - 4.9
61	Cuba	4.4	3	3.5 - 5.1



Rank	Country/Territory	CPI 2009 Score	Surveys Used	Confidence Range
61	Turkey	4.4	7	3.9 - 4.9
63	Italy	4.3	6	3.8 - 4.9
63	Saudi Arabia	4.3	5	3.1 - 5.3
65	Tunisia	4.2	6	3.0 - 5.5
66	Croatia	4.1	8	3.7 - 4.5
66	Georgia	4.1	7	3.4 - 4.7
66	Kuwait	4.1	5	3.2 - 5.1
69	Ghana	3.9	7	3.2 - 4.6
69	Montenegro	3.9	5	3.5 - 4.4
71	Bulgaria	3.8	8	3.2 - 4.5
71	FYR Macedonia	3.8	6	3.4 - 4.2
71	Greece	3.8	6	3.2 - 4.3
71	Romania	3.8	8	3.2 - 4.3
75	Brazil	3.7	7	3.3 - 4.3
75	Colombia	3.7	7	3.1 - 4.3
75	Peru	3.7	7	3.4 - 4.1
75	Suriname	3.7	3	3.0 - 4.7
79	Burkina Faso	3.6	7	2.8 - 4.4
79	China	3.6	9	3.0 - 4.2
79	Swaziland	3.6	3	3.0 - 4.7
79	Trinidad and Tobago	3.6	4	3.0 - 4.3
83	Serbia	3.5	6	3.3 - 3.9
84	El Salvador	3.4	5	3.0 - 3.8
84	Guatemala	3.4	5	3.0 - 3.9
84	India	3.4	10	3.2 - 3.6
84	Panama	3.4	5	3.1 - 3.7
84	Thailand	3.4	9	3.0 - 3.8
89	Lesotho	3.3	6	2.8 - 3.8
89	Malawi	3.3	7	2.7 - 3.9
89	Mexico	3.3	7	3.2 - 3.5
89	Moldova	3.3	6	2.7 - 4.0
89	Morocco	3.3	6	2.8 - 3.9
89	Rwanda	3.3	4	2.9 - 3.7



Rank	Country/Territory	CPI 2009 Score	Surveys Used	Confidence Range
95	Albania	3.2	6	3.0 - 3.3
95	Vanuatu	3.2	3	2.3 - 4.7
97	Liberia	3.1	3	1.9 - 3.8
97	Sri Lanka	3.1	7	2.8 - 3.4
99	Bosnia and Herzegovina	3.0	7	2.6 - 3.4
99	Dominican Republic	3.0	5	2.9 - 3.2
99	Jamaica	3.0	5	2.8 - 3.3
99	Madagascar	3.0	7	2.8 - 3.2
99	Senegal	3.0	7	2.5 - 3.6
99	Tonga	3.0	3	2.6 - 3.3
99	Zambia	3.0	7	2.8 - 3.2
106	Argentina	2.9	7	2.6 - 3.1
106	Benin	2.9	6	2.3 - 3.4
106	Gabon	2.9	3	2.6 - 3.1
106	Gambia	2.9	5	1.6 - 4.0
106	Niger	2.9	5	2.7 - 3.0
111	Algeria	2.8	6	2.5 - 3.1
111	Djibouti	2.8	4	2.3 - 3.2
111	Egypt	2.8	6	2.6 - 3.1
111	Indonesia	2.8	9	2.4 - 3.2
111	Kiribati	2.8	3	2.3 - 3.3
111	Mali	2.8	6	2.4 - 3.2
111	Sao Tome and Principe	2.8	3	2.4 - 3.3
111	Solomon Islands	2.8	3	2.3 - 3.3
111	Togo	2.8	5	1.9 - 3.9
120	Armenia	2.7	7	2.6 - 2.8
120	Bolivia	2.7	6	2.4 - 3.1
120	Ethiopia	2.7	7	2.4 - 2.9
120	Kazakhstan	2.7	7	2.1 - 3.3
120	Mongolia	2.7	7	2.4 - 3.0
120	Vietnam	2.7	9	2.4 - 3.1
126	Eritrea	2.6	4	1.6 - 3.8
126	Guyana	2.6	4	2.5 - 2.7



Rank	Country/Territory	CPI 2009 Score	Surveys Used	Confidence Range
126	Syria	2.6	5	2.2 - 2.9
126	Tanzania	2.6	7	2.4 - 2.9
130	Honduras	2.5	6	2.2 - 2.8
130	Lebanon	2.5	3	1.9 - 3.1
130	Libya	2.5	6	2.2 - 2.8
130	Maldives	2.5	4	1.8 - 3.2
130	Mauritania	2.5	7	2.0 - 3.3
130	Mozambique	2.5	7	2.3 - 2.8
130	Nicaragua	2.5	6	2.3 - 2.7
130	Nigeria	2.5	7	2.2 - 2.7
130	Uganda	2.5	7	2.1 - 2.8
139	Bangladesh	2.4	7	2.0 - 2.8
139	Belarus	2.4	4	2.0 - 2.8
139	Pakistan	2.4	7	2.1 - 2.7
139	Philippines	2.4	9	2.1 - 2.7
143	Azerbaijan	2.3	7	2.0 - 2.6
143	Comoros	2.3	3	1.6 - 3.3
143	Nepal	2.3	6	2.0 - 2.6
146	Cameroon	2.2	7	1.9 - 2.6
146	Ecuador	2.2	5	2.0 - 2.5
146	Kenya	2.2	7	1.9 - 2.5
146	Russia	2.2	8	1.9 - 2.4
146	Sierra Leone	2.2	5	1.9 - 2.4
146	Timor-Leste	2.2	5	1.8 - 2.6
146	Ukraine	2.2	8	2.0 - 2.6
146	Zimbabwe	2.2	7	1.7 - 2.8
154	Côte d'Ivoire	2.1	7	1.8 - 2.4
154	Papua New Guinea	2.1	5	1.7 - 2.5
154	Paraguay	2.1	5	1.7 - 2.5
154	Yemen	2.1	4	1.6 - 2.5
158	Cambodia	2.0	8	1.8 - 2.2
158	Central African Republic	2.0	4	1.9 - 2.2
158	Laos	2.0	4	1.6 - 2.6



Rank	Country/Territory	CPI 2009 Score	Surveys Used	Confidence Range
158	Tajikistan	2.0	8	1.6 - 2.5
162	Angola	1.9	5	1.8 - 1.9
162	Congo Brazzaville	1.9	5	1.6 - 2.1
162	Democratic Republic of Congo	1.9	5	1.7 - 2.1
162	Guinea-Bissau	1.9	3	1.8 - 2.0
162	Kyrgyzstan	1.9	7	1.8 - 2.1
162	Venezuela	1.9	7	1.8 - 2.0
168	Burundi	1.8	6	1.6 - 2.0
168	Equatorial Guinea	1.8	3	1.6 - 1.9
168	Guinea	1.8	5	1.7 - 1.8
168	Haiti	1.8	3	1.4 - 2.3
168	Iran	1.8	3	1.7 - 1.9
168	Turkmenistan	1.8	4	1.7 - 1.9
174	Uzbekistan	1.7	6	1.5 - 1.8
175	Chad	1.6	6	1.5 - 1.7
176	Iraq	1.5	3	1.2 - 1.8
176	Sudan	1.5	5	1.4 - 1.7
178	Myanmar	1.4	3	0.9 - 1.8
179	Afghanistan	1.3	4	1.0 - 1.5
180	Somalia	1.1	3	0.9 - 1.4

Source: Transparency International Corruption Perception Index (CPI) at http://www.transparency.org/policy\_research/surveys\_indices/cpi/2009/cpi\_2009\_ta ble



Table 3

List of Sanctions against South Africa between 1960 – 1989

	Military	Trade	Finance
MULTILATERAL			
UN General Assembly	1962-63; 1983	1962, 1965	1966, 1969
UN Security Council	1977, 1984	1985 voluntary	1985 voluntary
Commonwealth	1971	1985-86	1985-86
European Community	1985	1986	1986
Nordic Countries	1977, 1985	1985-87	1979, 1985-86
Organisation of African	1963	1963	1963
Unity			
BILATERAL			
United States	1963, 1977	1978, 1985-86	1985-87
	1985, 1986		
Britain	1985	1986	1985-87
West Germany	1986	1977	1977 informal
France	1985-86	1986	1985
Japan	1986	1986 informal	1969, 1985-86

Source: Klotz, 5