

## Abstracts, week 24 (2016)

### Angola

Foreign direct investment and the transfer of technologies to Angola's energy sector / Albert Edgar Manyuchi. - In: *Africa Spectrum*: (2016), vol. 51, no. 1, p. 55-83 : tab  
Abstract: The relationship between foreign direct investment (FDI) and the transfer of technology is undergoing a great deal of academic scrutiny and policy analysis. A growing body of literature shows that FDI can be a channel by which to transfer and/or acquire technology; however, there is a paucity of empirical studies on this as it relates to African economies. This article seeks to fill some of that gap by focusing on how FDI inflows are contributing to the transfer of technologies specifically into Angola's energy sector. The analysis is based on qualitative research conducted in Angola in 2014 and reveals that energy production and distribution-technology infrastructure, including machinery and human skills, have been developed largely through FDI inflows. There is, however, no evidence that this FDI has enlarged Angola's endogenous scientific and technological research capabilities in the energy sector; therefore, policies that promote these capabilities, especially manufacturing capabilities, should be introduced. Bibliogr., notes, ref., sum. in English and German. [Journal abstract]

### Botswana

Social protection afforded to irregular migrant workers : thoughts on the Southern Africa Development Community (with emphasis on Botswana and South Africa) / Bruno Paul Stefan van Eck and Felicia Snyman. - In: *Journal of African Law*: (2015), vol. 59, no. 2, p. 294-316

Abstract: The majority of migrant workers target those countries in southern Africa that have stronger economies. Irregular migrants are in a particularly vulnerable position, and this article discusses the protection that this category of persons may expect to experience in the southern African region. It traverses the international, continental and regional instruments providing protection to irregular migrants, and considers the constitutional and legislative frameworks in relation to social protection in Botswana and South Africa. The article concludes by recommending that the broader notion of "social protection", rather than the narrower concept of "social security", should be emphasized. Job creation programmes are essential. It suggests that the advantages of the free

movement of people in the region should be explored and encouraged. The article also supports the notion that a regional policy that seeks to balance the flow of migrants in the Southern African Development Community should be adopted. Notes, ref., sum. [Journal abstract]

<http://dx.doi.org/10.1017/S002185531500011X> (Restricted access)

### **Botswana**

Understanding chieftainship in Botswana : the status and powers of chiefs in present day Botswana / Godsglory O. Ifezue. - In: *Journal of African Law*: (2015), vol. 59, no. 2, p. 271-293

Abstract: This article seeks to provide a critical analysis and understanding of the institution of chieftainship in Botswana. It looks at the institution of chieftainship starting from before colonization, right through colonization to the present day, post-colonization. It will be observed that interference with the institution started from colonization and continues to the present day. Consequently, the article weaves a discussion of the justification for such interference through an analysis of the status and powers of chiefs during colonization and their status post-colonization. The chiefs' reaction to the encroachment is also covered, for the chiefs were not simply passive and co-operative while their powers were being taken away. Notes, ref., sum. [Journal abstract]

<http://dx.doi.org/10.1017/S0021855315000157> (Restricted access)

### **Congo (Brazzaville)**

Informal land sale and housing in the periphery of Pointe-Noire / Gabriel Tati. - In: *Africa Spectrum*: (2016), vol. 51, no. 1, p. 29-54

Abstract: This article examines the relations between practices in informal land transactions under customary tenure and spatial differentiation among suburbs in the periphery of the city of Pointe-Noire, Congo-Brazzaville. Urban sprawl is a permanent feature of urbanisation in Congo-Brazzaville that not only propagates slums for low-income dwellers but also entails locally embedded ways of building the city in the absence of state-led planning. The case of Pointe-Noire shows that large tracts of customary land are sold without public control, a process accompanied by the emergence of new suburbs with different stylistic patterns of housing. While suburbanisation does carry the potential to improve the quality of housing by attracting

wealthy residents, it exacerbates spatial fragmentation and the exclusion of certain groups in the population from access to both land for housing in upmarket suburbs and public services. Powerful actors tend to profit most from informality. Bibliogr., notes, ref., sum. in English and German. [Journal abstract]

### **Côte d'Ivoire**

One step forward, two steps back? : Côte d'Ivoires 2015 presidential polls / Giulia Piccolino. - In: *Africa Spectrum*: (2016), vol. 51, no. 1, p. 96-110

Abstract: The 2015 presidential election in Côte d'Ivoire was seen as an important test for the country given the 2010 post-election crisis. Although the 2015 polls were peaceful, they were affected by problems not new to Côte d'Ivoire: lack of competition due to non-participation of major political actors, low voter turnout, mistrust in electoral institutions. The unpreparedness of the Commission Electorale Indépendante (CEI) was also problematic, especially with respect to the revision of the voter list. Due to the boycott of partisans of former president Laurent Gbagbo and because of the support of the Rassemblement des Houphouetistes pour la Démocratie et la Paix (RHDP), President Alassane Ouattara's reelection was essentially a given from the start. With the ruling coalition firmly in control, Côte d'Ivoire appears stable. However, the country's democratic deficit might lead to renewed violence once the RHDP has to pick Ouattara's successor. Bibliogr., notes, ref., sum. in English and German. [Journal abstract]

### **Djibouti**

The eagle's nest in the Horn of Africa : US military strategic deployment in Djibouti / Degang Sun and Yahia H. Zoubir. - In: *Africa Spectrum*: (2016), vol. 51, no. 1, p. 96-110

Abstract: Djibouti is the only country in the world in which US, French, German, Italian, Spanish, and Japanese military forces are stationed simultaneously; China will soon have a presence there as well. The US military deployment in Djibouti has shifted from a soft military presence to an arrangement of significant strategic import, and from a small outpost to a large garrison in the past two decades. The internal dynamics of the US deployment are geopolitical, as the US presence facilitates the carrying out of its strategies regarding antiterrorism, anti-proliferation, the protection of energy investments, and anti-piracy. The external dynamics of the US deployment are geo-economic: the government of Djibouti, as the host nation, reaps economic windfalls

from the US presence in this strategically located country. Given that the United States has failed since 2008 to persuade any country on the continent to host AFRICOM, the base in Djibouti is likely to remain the only one in East Africa. Djibouti may be part of a pattern whereby some small African nations, such as São Tomé and Príncipe, collect revenue through the provision of military bases to big powers. Bibliogr., notes, ref., sum. in English and German. [Journal abstract]

### **Eritrea**

In, out or at the gate? : the predicament on Eritrea's membership and participation status in IGAD / Senai W. Andemariam. - In: *Journal of African Law*: (2015), vol. 59, no. 2, p. 355-379

Abstract: On 27 April 2007 Eritrea notified the Intergovernmental Authority on Development (IGAD) of its decision to "temporarily suspend its membership" and "freeze its activities" in IGAD, followed on 25 July 2011 by its decision to "reactivate its membership". On 24 August 2011 Eritrea's representative to the IGAD Council of Ministers meeting in Addis Ababa was informed that he could not sit in the meeting and was escorted out. Eritrea's representatives have not attended IGAD meetings since. The incident raises the important question of what should be done in the absence of an IGAD rule regulating unilateral temporary suspension and reactivation of membership. The answer should be based on a clear understanding of the laws and practices of withdrawal, suspension, expulsion, membership reactivation and rejoining international/regional organizations. This article discusses how the stalemate regarding Eritrea's status in IGAD should be handled by reference to such laws and practices, and the rules in the Vienna Convention on the Law of Treaties governing the interpretation of treaties. Notes, ref., sum. [Journal abstract]

<http://dx.doi.org/10.1017/S0021855315000091> (Restricted access)

### **Ethiopia**

Land acquisitions, the politics of dispossession, and state-remaking in Gambella, Western Ethiopia / Fana Gebresenbet. - In: *Africa Spectrum*: (2016), vol. 51, no. 1, p. 5-28 : tab

Abstract: This paper argues that development through large-scale land acquisitions (LSLAs) in Gambella, western Ethiopia, belies a state-remaking project under a

dispossessive political economy. This argument is based on fieldwork in Gambella, Addis Ababa, and Minneapolis and is situated within the broader development agenda pursued by Ethiopia's ruling party. The political economy of LSLAs tells us that the deals are not occurring in a predominantly economic manner; rather, extra-economic state intervention clears the way for, facilitates, and ensures sustained accumulation. This political intervention is 'unlocking' and making the lowland resources accessible and extractable by the state, while a concomitant villagisation project is guaranteeing continued accumulation by disempowering the local population by making the community legible, governable, and controllable. Through a combination of these processes, the Ethiopian state is mastering, and building itself in, Gambella's lowlands. App., bibliogr., notes, ref., sum. in English and German. [Journal abstract]

### **Germany**

50 years of 'Africa Spectrum' / Andreas Eckert. - In: *Africa Spectrum*: (2016), vol. 51, no. 1, p. 85-95

Abstract: This article offers a portrait of the journal 'Africa Spectrum' (known through 2008 as 'Afrika Spectrum'), which just celebrated its 50th birthday. The essay outlines both the political and institutional context of its founding and traces its major transformations in format and content. 'Africa Spectrum's' metamorphosis also reflects significant changes and trends in African studies in Germany and beyond. One of the journal's main features has been its strong interdisciplinary character and its geographically wide coverage. Over the last decade, 'Africa Spectrum' has successfully transformed itself from a mainly German enterprise into a highly visible international journal. Bibliogr., notes, ref., sum. in English and German. [Journal abstract]

### **Ghana**

"I want to follow Kwaku" : the construction of self and home by unfree children in the Gold Coast, c. 1941 / Jessica V. Cammaert. - In: *The Journal of African History*: (2015), vol. 56, no. 3, p. 373-388

Abstract: Scholars of children and migration have recently turned their attention to how children mediate home and belonging, especially through contradictory or challenging circumstances. For unfree children in Africa, challenging circumstances of sale or debt-bondage pose particular difficulties. Despite what historians of slavery have noted

of their adaptability for survival, questions remain about how the unfree child constructs self, home, and belonging when transferred over long distances, and when age and size precludes running away as a strategy for survival or return. This article focuses on the transcript involving the testimonies of three young, unfree girls transacted in 1930 and redeemed through a district court of the Northern Territories of the Gold Coast in 1941. Though their testimonies are provided within the arena of a male, colonial district court, Atawa, Kibadu, and Abnofo reveal how their treatment, duration of bondage, and geographical and cultural distance shaped their constructions of self, home, and belonging. Notes, ref., sum. [Journal abstract]

<http://dx.doi.org/10.1017/S002185371500050X> (Restricted access)

### **Greece**

Telling the Sudanese story in Athens through a gender lens / Mary Leontsini and Antigone Lyberaki. - In: *African Identities*: (2015), vol. 13, no. 3, p. 226-240

Abstract: This article analyses the part that gender negotiations are playing in the making of Sudanese identity in Athens at the beginning of the twenty-first century. In an attempt to define the Sudanese version of the Athenian story, Sudanese men and women who undertake collective action rework and differentiate them from newcomers and other Africans. The vindication of Arabness requires boundary work in which women and men perform different tasks in order to get recognition and elaborate their mobility story. The positioning of the Sudanese in the ethnic constellation of Athens is made possible through a gendered division of symbolic and material labor that takes place within the frame of the Sudanese Women's Association. Bibliogr., notes, ref., sum. [Journal abstract]

<http://dx.doi.org/10.1080/14725843.2015.1074539> (Restricted access)

### **Italy**

Re-writing history in the literature of the Ethiopian diaspora in Italy / Sara Marzagora. - In: *African Identities*: (2015), vol. 13, no. 3, p. 211-225

Abstract: The paper offers an overview of the Italian-language literary production by diasporic writers of Ethiopian origin, focusing in particular on Gabriella Ghermandi's 2007 novel 'Regina di fiori e di perle' ('Queen of flowers and pearls'). This output will be contextualized within the field of Italian postcolonial and 'migrant' literature, which

emerged in the 1990s but has yet to receive a proper recognition in Italian academic circles. The exploration of themes such as conflicting identities and multiple belongings is grounded, for Italoophone postcolonial writers, in Italy's inability to critically process its colonial past, and has therefore a prominent historical dimension. The paper will analyse in particular how 'Regina di fiori e di perle' rewrites the historiography of Italian colonialism in the Horn of Africa, and how it engages with earlier literary representations of this history. Central to Ghermandi's literary project is the attempt to create a historical identity able to preserve difference, and contrast forceful assimilationist attempts, but at the same time also able to accommodate similarities, and fight against an essentialization of that difference. Bibliogr., notes, ref., sum. [Journal abstract]  
<http://dx.doi.org/10.1080/14725843.2015.1074538> (Restricted access)

### **Kenya**

The place of the "minimum core approach" in the realisation of the entrenched socio-economic rights in the 2010 Kenyan constitution / Nicholas Wasonga Orago. - In: *Journal of African Law*: (2015), vol. 59, no. 2, p. 237-270

Abstract: The high levels of poverty, inequality and socio-economic marginalisation that bedevilled Kenya for generations led to a struggle for a new constitutional dispensation, which culminated in the promulgation of a new, egalitarian and transformative constitution in August 2010. This constitution entrenched justiciable socio-economic rights within an elaborate Bill of Rights. Though an important step in the process of the egalitarian transformation of the country, the challenge remains to transform these precepts into practice with their scrupulous implementation through legislative, policy and programmatic frameworks, as well as judicial decision-making. This article argues that, in order to achieve the intended egalitarian transformation, Kenya must adopt a strong interpretive approach, with sufficient foundational standards for the translation of these rights into tangible realities for Kenyans. Kenya must therefore explicitly adopt a minimum core approach for the realisation of these rights to transform them into practical realities for the poor, vulnerable and marginalised Kenyans. Notes, ref., sum. [Journal abstract]

<http://dx.doi.org/10.1017/S0021855315000121> (Restricted access)

## Kenya

The unaccountable census : colonial enumeration and its implications for the Somali people of Kenya / Keren Weitzberg. - In: *The Journal of African History*: (2015), vol. 56, no. 3, p. 409-428

Abstract: In 2010, the Kenyan government annulled national census results due to concerns that Somalis in the country had been over-counted. This article traces the genesis of this recent demographic dispute, which held important implications for the distribution of political power. It shows that African leaders inherited long-standing practices laid down by the colonial state, which was unable to obtain a reliable count of the number of people in Kenya or render its Somali subjects into a countable, traceable population. In regions where expansive Somali networks had long predated British rule, colonial authorities only loosely enforced the concept of a permanent population. By yielding to this reality, colonial officials developed governance techniques that should not be mistakenly portrayed as state "failures". These policies call into question the applicability of James C. Scott's concept of "legibility" to Kenya. They also suggest that recent demographic controversies cannot be reductively blamed on "illegal" immigration.

Notes, ref., sum. [Journal abstract]

<http://dx.doi.org/10.1017/S002185371500033X> (Restricted access)

## Namibia

*Von Schelmen und Tatorten : von Literatur und Sprache : Festschrift für Hans-Volker Gretschel / herausgegeben von Marianne Zappen-Thomson and Gertrud Tesmer ; wissenschaftlicher Beirat, Dr. Anne Baker [and 14 others]* - Windhoek : UNAM Press, 2014.

Abstract: In der vorliegenden Festschrift für Hans-Volker Gretschel befassen sich seine ehemaligen KollegInnen mit Themen, die ihm besonders am Herzen liegen. Bernhard Jaumann leitet den ersten Teil, 'Von Schelmen und Tatorten', mit einer Geschichte über einen ganz besonderen Schelmen ein, während sich Kira Schmidt mit der Wiederkehr der Schelme in Ilija Trojanows 'Der Weltensammler' befasst. Bruno Arich-Gerz setzt sich mit 'dem anderen Tatort' auseinander und Kathleen Thorpe schließt den ersten Teil mit einer Untersuchung der Aspekte eines Schelmenromans in Daniel Kehlmanns 'Die Vermessung der Welt' ab. Den Übergang zum zweiten Teil, 'Von Literatur und Sprache', gestaltet Andreas Erb mit seinem sehr persönlichen Beitrag für Volker Gretschel zu Uwe



Timm. Anette Horn geht auf Schrift und Identität in 'Siebenkäs' von Jean Paul ein, indes sich Peter Horn intensiv mit Hölderlin auseinandersetzt. Die 'Verortung der neuen Frau' in der Literatur, von Isabel dos Santos, gehört zu den Themenbereichen, für die sich Volker Gretschel besonders interessiert. Carlotta von Maltzan hingegen untersucht das Konzept der Zielkultur beim Übersetzen aus deutsch-südafrikanischer Perspektive. Unterbrochen wird der akademische Diskurs von Dieter Esslingers Allegorie, die gleichzeitig den Bogen von der Literatur zur Sprache spannt. Beate Gorny, Katrin Hülskötter, Rupprecht Baur und Christoph Chlosta legen ihre Untersuchung zu deutschen Sprichwörtern in Namibia dar, Rolf Annas befasst sich mit dem Deutsch-Sein in Südafrika und Julia Augart geht auf die Herausforderungen und Ergebnisse eines medialen DaF-projekts in Kenia ein. Während Renate du Toit den Deutsch-als-Fremdsprache-Unterricht in Südafrika kritisch unter die Lupe nimmt, schließt Marianne Zappen-Thomson den Band ab mit der Frage, ob das Übersetzen tatsächlich keinen Platz im DaF-Unterricht in Namibia haben sollte. [Zusammenfassung aus Buch]

## **Nigeria**

"Lucumí", "Terranova", and the origins of the Yoruba nation / Henry B. Lovejoy and Olatunji Ojo. - In: *The Journal of African History*: (2015), vol. 56, no. 3, p. 353-372 : krt., tab

Abstract: The etymology of "Lucumí" and "Terranova", ethnonyms used to describe Yoruba-speaking people during the Atlantic slave trade, helps to reconceptualize the origins of a Yoruba nation. While there is general agreement that "Lucumí" refers to the Yoruba in diaspora, the origin of the term remains unclear. The authors argue "Lucumí" was first used in the Benin kingdom as early as the fifteenth century, as revealed through the presence of Olukumi communities involved in chalk production. The Benin and Portuguese slave trade extended the use of "Lucumí" to the Americas. As this trade deteriorated by 1550, "Terranova" referred to slaves captured west of Benin's area of influence, hence "new land". By the eighteenth century, "Nago" had replaced "Lucumí", while the "Slave Coast" had substituted "Terranova" as terms of reference. This etymology confirms the collective identification of "Yoruba" and helps trace the evolution of a transnational identity. App., notes, ref., sum. [Journal abstract]  
<http://dx.doi.org/10.1017/S0021853715000328> (Restricted access)

## South Africa

'The magna hibernia' : Irish diplomatic missions to South Africa, 1921 / Ciaran Reilly. - In: *South African Historical Journal*: (2015), vol. 67, no. 3, p. 255-270

Abstract: In 1921, during the height of the Irish War of Independence, two Irish diplomats were sent to South Africa as representatives of the Provisional government or Dail Éireann. Colonel Maurice Moore and Patrick Little's missions coincided with the zenith of the Irish Republican Association of South Africa (IRASA), a group who had more than 13 branches located throughout the country. The primary motive behind the visit of the Irish envoys was to influence the stance which Jan Christian Smuts would take at the Imperial Conference in London in June of that year. While on the one hand Moore would open up discussions with Smuts and other South African politicians, Little on the other, toured the country informing the Irish diaspora of the situation in Ireland. Moreover, his presence and speeches also pushed the so-called 'Irish question' into South African affairs, if only briefly. Determined to maintain his influence internally, Smuts responded by undertaking a personal visit to Dublin and actively played a role in the Anglo-Irish Treaty negotiations. The visit of Moore and Little, and by extension the role of the IRASA and Smuts, offers a transnational perspective of the Irish revolution. Notes, ref., sum.

[Journal abstract]

<http://dx.doi.org/10.1080/02582473.2015.1074269> (Restricted access)

## South Africa

A discussion of some aspects of the regimes for the regulation of insider dealing in South Africa and the United States of America / Herbert Kawadza. - In: *Journal of African Law*: (2015), vol. 59, no. 2, p. 380-394

Abstract: Global regulators acknowledge the negative economic impact linked to insider dealing and have devised diverse regulatory frameworks aimed at minimizing its prevalence. Although their strategies differ, policy-makers realise that, with the inevitable internationalization of securities markets, the probability of cross-border insider trading escalates. With a view to providing a platform for regulatory re-examination and reform, this article discusses the divergent approaches that the United States and South Africa have adopted to counter the challenge of pervasive insider dealing. A paradox manifested with the US experience is that, while its theoretical prohibition of insider dealing is widely criticized as inadequate and inconsistent, robust enforcement has

nonetheless led to strong institutions and a superior financial markets regime. The article concludes that the attainment of safer financial markets does not depend on the mere existence of superior proscriptions. Rather, it is the effective supervision of the sector and robust enforcement of those laws that enhance deterrence and ensure compliance.

Notes, ref., sum. [Journal abstract]

<http://dx.doi.org/10.1017/S0021855315000145> (Restricted access)

### **South Africa**

Abbot Pfanner, the Glen Grey Act and the Native Question / Philippe Denis. - In: *South African Historical Journal*: (2015), vol. 67, no. 3, p. 271-292

Abstract: In November 1893 Franz Pfanner, a Catholic missionary born in Austria, founder of the Trappist monastery of Mariannhill near Pinetown, sent to two Natal newspapers an article on the Native Question which attracted a fair amount of attention. A more elaborate version of his proposals was published the following year in the form of a pamphlet. Pfanner recommended the establishment of villages in Natal for African people where each of them would receive a plot to build a house and do agricultural work. In May and again in July 1894, 'The Natal Witness' compared Pfanner's article on the Native Question to the Cape Labour Commission's report and to the Glen Grey Act, two attempts at dealing with the issues of land and labour in the Cape Colony. The paper shows that, while affirming the equality of all races and resisting the idea, expressed in the Glen Grey Act, that Africans should be sent far from home to respond to the labour needs of the colony, Pfanner believed that, once trained in the monastery's industrial and agricultural schools, the African converts of his mission station would adapt to colonial life and contribute to the economic development of the colony. Notes, ref., sum. [Journal abstract]

<http://dx.doi.org/10.1080/02582473.2015.1094122> (Restricted access)

### **South Africa**

Africanising Apartheid : identity, ideology, and state-building in post-independence Africa / Jamie Miller. - In: *The Journal of African History*: (2015), vol. 56, no. 3, p. 449-470 : foto's

Abstract: Between 1968 and 1975, the leaders of white South Africa reached out to independent African leaders. Scholars have alternately seen these counterintuitive

campaigns as driven by a quest for regional economic hegemony, divide-and-rule realpolitik, or a desire to ingratiate the regime with the West. This article instead argues that the South African government's outreach was intended to energise a top-down recalibration of the ideology of Afrikaner nationalism, as the regime endeavoured to detach its apartheid programme from notions of colonialist racial supremacy, and instead reach across the colour line and lay an equal claim to the power and protection of African nationalism. These diplomatic manoeuvrings, therefore, serve as a prism through which to understand important shifts in state identity, ideological renewal, and the adoption of new state-building models. Notes, ref., sum. [Journal abstract]  
<http://dx.doi.org/10.1017/S0021853715000316> (Restricted access)

### **South Africa**

Different tracks : ambiguities in the development nexus of coal and rail in the Eastern Cape, 1880-1910 / Pat Gibbs. - In: *South African Historical Journal*: (2015), vol. 67, no. 3, p. 293-315 : graf., krt., tab

Abstract: This article analyses the rise and decline of the Stormberg coal fields situated in the north-eastern Cape colony at the turn of the nineteenth century. These coalfields existed within and were driven by a regional nexus that included the expanding new Cape railway and diamonds (at Kimberley). Indeed, throughout the British Empire, the railway was arguably the single greatest factor in the extension of Victorian capitalism revolutionising transport, communication, urbanisation and economic growth.

Entrepreneurial capital had established the town of Molteno in 1874 and by 1884, the eastern railway line reached Molteno. By 1892, the town was linked to Kimberley. As the chief market for coal, the railway brought progress to the region. However, tensions between its own imperatives and those of mining capital led to the steady decline of the mines. In 1908, the Rand gold mines' demand for labour led to their final demise. Yet, little or nothing is known about this aspect of South Africa's mineral revolution and even less about its relationship with the railway. This article will examine the intersection between the rise and fall of the Stormberg mines and the economic imperatives of the Cape Government Railway between 1880 and 1910. Notes, ref., sum. [Journal abstract]  
<http://dx.doi.org/10.1080/02582473.2015.1075061> (Restricted access)

## South Africa

Judicial answer to the application of a market level adjuster and the broad construction of a complaint under the South African Pension Funds Act / Mtendeweka Mhango. - In: *Journal of African Law*: (2015), vol. 59, no. 2, p. 317-328

Abstract: The jurisdiction of the Adjudicator is one of the most litigated and academically debated subjects in modern pension law in South Africa. This article adds to the debate by discussing a recent case decided by the Supreme Court of Appeal in Mungal. In this case, the court construed the Adjudicator's jurisdiction broadly and, in the process, made some important pronouncements which warrant academic commentary. The article argues that Mungal should be welcomed because it clarified that the Adjudicator has jurisdiction to determine disputes against insurers of underwritten pension fund organizations. The author maintains that, by construing the Adjudicator's jurisdiction broadly, the court empowered the Adjudicator to achieve its mandate of disposing of complaints in a procedurally fair, economical and expeditious manner, and to extend services to lay complainants. Notes, ref., sum. [Journal abstract]  
<http://dx.doi.org/10.1017/S0021855315000078> (Restricted access)

## South Africa

Narratives on trial : ideology, violence and the struggle over political legitimacy in the case of the Delmas Treason Trial, 1985-1989 / Franziska Rueedi. - In: *South African Historical Journal*: (2015), vol. 67, no. 3, p. 335-355

Abstract: The insurrectionary period of the mid-1980s in South Africa reflected contestations between supporters of the anti-apartheid movement and the apartheid regime over the direction and pace of political and social change, symbolising the deepening crisis of political legitimacy of the South African regime. In three major treason trials, the state attempted to legitimise repression and delegitimise extra-parliamentary opposition by portraying it as revolutionary and violent. The largest and longest running of the three treason trials was the Delmas Treason Trial, in which the state aimed to prove that the United Democratic Front (UDF) had conspired with the African National Congress (ANC) in exile and other organisations to overthrow the government by violence. In response, lawyers for the defence divorced protest action from the ideology and strategies of the banned liberation movements and depoliticised collective violence. Both the prosecution and the defence therefore linked political

legitimacy to the absence of violence. Based on the extensive records of the Delmas Treason Trial, the article examines the production of these two narratives. It argues that legal imperatives and political concerns flattened the complexity of political engagements and the plurality of experiences in court. The discursive construction of the events during the trial silenced the voices of women activists, the ANC underground as well as militant youth groups. The article examines these gaps, silences and biases to shed new light on how the records of the Delmas Treason Trial can be used for historical research. Notes, ref., sum. [Journal abstract]

<http://dx.doi.org/10.1080/02582473.2015.1092573> (Restricted access)

### **South Africa**

Remembering my whiteness/imagining my African-ness / Antoinette D'amant. - In: *African Identities*: (2015), vol. 13, no. 3, p. 173-183 : ill

Abstract: This article comprises of reflections on an artwork created during a research exercise using visual methodologies to explore various aspects of identity within the context of autobiographical studies. It interrogates aspects of meaning and identity as a white person in post-apartheid South Africa and post-colonial Africa and traces the author's journey of critical reflection through an interactive process where the visual text, research on predominant theorists in areas related to the white hegemonic gaze, and collaborative comment of colleagues revealed embedded commentary and cultural critique. The author's critical reflections about notions of representation, appropriation, colonialism, essentializing discourses, postmodernism and hybridity are included in this article. Throughout these reflections emerged the constant need to be mindful of not reinforcing whiteness as normative and to be aware of forms of moral distancing and moral superiority. Such critical self-reflection is vital to the author's roles as teacher educator and researcher within the discipline of social justice in education. Although often uncomfortable, the author confronts and remembers her privileged racial identity, fashioned in a divided and exclusive past. She considers what it is she has become and what it is she no longer want to be, and has the audacity of spirit to imagine and reposition herself beyond her white socialization. She recognizes and struggles for the possibility of new frames of understanding and new identities, new social spaces and new communities, beyond the historical differences which keep up separated and

alienated. Bibliogr., notes, ref., sum. [Journal abstract]

<http://dx.doi.org/10.1080/14725843.2015.1023257> (Restricted access)

### **South Africa**

Shifting grounds : A.I. Kajee and the political quandary of 'moderates' in the search for an Islamic school site in Durban, 1943-1948 / Goolam Vahed and Thembisa Waetjen. - In: *South African Historical Journal*: (2015), vol. 67, no. 3, p. 316-334

Abstract: This article examines the attempts in the 1940s of A.I. Kajee and the Orient Islamic Educational Institute to secure a site for a world-class, modern boarding school for Muslim children in Durban. While the Institute would eventually build a school in 1959 that fell far short of its original vision, their struggles highlight several key issues related to Indian minority politics and the racialised South African state in the 1940s. In a context where anti-apartheid historiography is dominated by those aligned to Congress traditions, this article explores the motivations and actions of 'accommodationists', who sought concessions from the state through conciliation at a time when their relationship with the central state conceded ground to rising populist politics around white fears of 'Indian penetration'. Kajee's increasingly frustrated efforts to employ a once-successful cooperative strategy reveal the uneven course of change in the ideologies of racial rule in South Africa, from an incorporationist imperial paternalism to an expulsory race nationalism. The case also exposes competing interests between the different levels of government in the quest for a unified white nation-state, with pressure for segregation more virulent at local level than articulated by the Smutsian cabinet. It offers insight into the experiences of leaders whose basis of authority in politics, rooted in a tradition of patronage, was waning. Struggles for civic recognition were moving towards an emergent new leadership of professionals and trade unionists, who increasingly garnered support from a nascent urban working class. Notes, ref., sum. [Journal abstract]

<http://dx.doi.org/10.1080/02582473.2015.1081972> (Restricted access)

### **South Africa**

Shifting race and class in student construction of identities at a South African university / Tasmeeera Singh and Deevia Bhana. - In: *African Identities*: (2015), vol. 13, no. 3, p. 199-210

Abstract: The changing social and economic condition in South Africa has resulted in the rising number of middle-class Africans. These changing class dynamics have also seen the changes in the higher education environment, ensuring the intake of more African students into university. Race and class continues to mark student identity construction which has implications for social cohesion. This paper discusses how class troubles an essentialist construction of student racialised identities. The authors argue that whilst there are shifts in student relations fuelled by the changing class dynamics in society, there are also continuities - and yet these continuities do not proliferate in homogenous ways. The paper discusses the construction of African student identities and the role that class plays in marginalising same-race relations within the higher education environment. Class is illuminated through the urban/rural divide, the role of language and through a discourse of taste. This paper focuses on the constructions of a select group of African students who come from working-class and middle-class backgrounds at a South African institution situated at the nexus of social transformation. The analysis draws attention to class, and the subversion of power relations and hegemonic practices through the mobilisation of agency in students' talk and action. This paper is important in highlighting changing student relations fuelled by the changing class dynamics and their implications for social cohesion. Bibliogr., notes, ref., sum. [Journal abstract]  
<http://dx.doi.org/10.1080/14725843.2015.1074537> (Restricted access)

### **South Africa**

The participation of the "amicus curiae" institution in human rights litigation in Botswana and South Africa : a tale of two jurisdictions / Obonye Jonas. - In: *Journal of African Law*: (2015), vol. 59, no. 2, p. 329-354

Abstract: It has become a standard feature of litigation for amici to appear before courts, acting as the vindicator of rights for the politically powerless and marginalized. Their appearance has thus contributed to the promotion and protection of human rights before municipal courts and international tribunals. They have done this through the submission of briefs that seek to broaden perspectives of cases and by advancing innovative legal and factual viewpoints, thus assisting the courts in reaching appropriate conclusions. In Botswana, amicus curiae participation is still at a nascent stage. This is largely due to inflexible rules of standing and the general lack of knowledge of the potential usefulness of the institution by the judiciary. This article argues that, to enhance amicus participation



in litigation, thereby enhancing the epistemological quality of its public law jurisprudence, Botswana must pay close attention to the practices and experiences of South Africa where amicus participation has resulted in the phenomenal growth of constitutional jurisprudence. Notes, ref., sum. [Journal abstract]

<http://dx.doi.org/10.1017/S0021855315000108> (Restricted access)

### **Subsaharan Africa**

*Numéro spécial : Arbitrage et médiation en Afrique / [prés. par Alain Fénéon; contrib. de Moussa Samb ... et al.]* - Paris : Éditions juris Africa, 2016.

Abstract: Adopté le 11 mars 1999, l'Acte uniforme relatif au droit de l'arbitrage s'applique depuis cette date dans tous les États membres de l'OHADA. Ce numéro spécial est consacré exclusivement aux thèmes de l'arbitrage et de la médiation en droit OHADA.

Contributions: À propos de la résurgence de la médiation comme mode alternatif de résolution des conflits sociaux en Afrique (Moussa Samb); Contrariétés entre jugements étatiques et sentences arbitrales dans l'espace OHADA (Béatrice Castellane); La renonciation au recours en annulation des sentences arbitrales en droit de l'OHADA (Alain Michel Ebele Dikor); La confidentialité dans la procédure arbitrale dans l'espace OHADA (Cédric Carol Tsafack Djoumessi); L'éthique dans l'arbitrage OHADA : étude à la lumière de la pratique internationale (Aurélia Sylvia Mafongo Kamga); Vers la prévalence de l'irresponsabilité arbitrale en droit OHADA ? (Raymond Mafo Diffo); La médiation post-arbitrale (Alain Fénéon). [Résumé ASC Leiden]

### **Tanzania**

Socialism on safari : wildlife and nation-building in postcolonial Tanzania, 1966-77 / Julie M. Weiskopf. - In: *The Journal of African History*: (2015), vol. 56, no. 3, p. 429-447 : tab

Abstract: This article examines the fraught history of officials' innovative uses of wildlife in socialist Tanzania, as they pursued both international and domestic agendas with the country's wild fauna. Internationally, officials sought to enhance Tanzania's reputation and gain foreign support through its conservation policies and diplomatic use of wild animals. Domestically, officials recognized the utility of wildlife for a number of nation-building agendas, ranging from national identity to economic development. However, internal contradictions riddled the wildlife economy, creating difficulty for government officials and party leaders when balancing socialist commitments with an

effective, market-driven industry. Notes, ref., sum. [Journal abstract]  
<http://dx.doi.org/10.1017/S0021853715000341> (Restricted access)

### **Uganda**

Accountability in Northern Uganda : understanding the conflict, the parties and the false dichotomies in international criminal law and transitional justice / Janet McKnight. - In: *Journal of African Law*: (2015), vol. 59, no. 2, p. 193-219

Abstract: The conflict in northern Uganda presents a unique study in comparing international, domestic and traditional responses to justice and stability amid prolonged conflict. This article explains the colonial and political background of the country and the emergence of the parties to the fighting, and describes the violations of international humanitarian and human rights law committed by all armed groups. It examines the various responses to these violations, focusing on Uganda's Amnesty Act, International Criminal Court indictments, the Juba peace talks, and traditional conflict resolution and reconciliation ceremonies, and explores how these mechanisms for negotiating peace and instilling justice are facilitating or interfering with each other. Overall, it attempts to discover how this interplay between international idealism, regional and national politics, cultural influences and logistical feasibility not only presents important lessons concerning the conflict in Uganda, but also reflects and informs false dichotomies in international criminal law and transitional justice. Notes, ref., sum. [Journal abstract]  
<http://dx.doi.org/10.1017/S002185531500008X> (Restricted access)

### **Uganda**

The impact of internal conflict on customary institutions and law : the case of Uganda / Joanna R. Quinn. - In: *Journal of African Law*: (2015), vol. 59, no. 2, p. 220-236

Abstract: Customary institutions are used successfully in some Ugandan communities, but not in others. There may be several explanations for this. First, the nature of social institutions clearly changes over time; it is likely that the utility of traditional practices has also changed accordingly. Secondly, the presence of protracted civil conflict in various parts of the country has altered the manner in which people are able to live and deal with conflict. Thirdly, the scope of conflict may have caused traditions to become dislocated or modified beyond any recognizable or useful form, which may have caused traditional mechanisms to become less useful or entirely obsolete. Fourthly, societies in Uganda

are stratified very differently; this organization has had a major role to play in whether and how such mechanisms are used. Fifthly, the homogeneity of the population could be a key factor in whether, and whose, "traditions" are used in a given community. Notes, ref., sum. [Journal abstract]

<http://dx.doi.org/10.1017/S0021855315000042> (Restricted access)

### **West Africa**

"Stealing the way" to Mecca : West African pilgrims and illicit Red Sea passages, 1920s-50s / Jonathan Miran. - In: *The Journal of African History*: (2015), vol. 56, no. 3, p. 389-408 : krt., tab

Abstract: West African participation in the pilgrimage to Mecca (hajj) grew considerably throughout the first half of the twentieth century. This article examines the causes and consequences of failed British and Saudi efforts to channel, regulate, and control the trans-Saharan flow of pilgrims and enforce a regime of mobility along the Sahel and across the Red Sea. Focusing specifically on Red Sea "illicit" passages, the study recovers the rampant and often harrowing crossings of dozens of thousands of West African pilgrims from the Eritrean to the Arabian coasts. It examines multiple factors that drove the circumvention of channeling and control measures and inscribes the experiences of West African historical actors on multiple historiographic fields that are seldom organically tied to West Africa: Northeast African regional history, the colonial history of Italian Eritrea, and the Red Sea as a maritime space connecting Africa with Arabia. Notes, ref., sum. [Journal abstract]

<http://dx.doi.org/10.1017/S0021853715000304> (Restricted access)

### **Zimbabwe**

Whitelier than white? : inversions of the racial gaze in white Zimbabwean writing / Cuthbert Tagwirei and Leon de Kock. - In: *African Identities*: (2015), vol. 13, no. 3, p. 184-198

Abstract: This article looks at inscriptions of whiteness in selected white Zimbabwean narratives. Through a reading of Andrea Eames' 'The Cry of the Go-Away Bird' (2011), Alexandra Fuller's 'Don't Let's Go to the Dogs Tonight' (2003) and John Eppel's 'Absent: the English Teacher' (2009), the argument proposes that white Zimbabwean narratives situate whiteness within the context of change and marginality in Zimbabwe. The

narratives deal with experiences of change and apprehensions of lived reality marked by the transfer of power from white minority to black majority rule. The authors' reading of 'The Cry of the Go-Away Bird' examines how whiteness in the postcolonial Zimbabwean state is perceived through an outsider's gaze, resulting in a kind of double consciousness within the (racialized, white) subject of the gaze. It is argued that the text depicts whites as torn between two unreconciled streams of possibility, reinforcing their sense of alienation. Fuller's 'Don't Let's Go to the Dogs Tonight' represents whiteness as a thoroughly ephemeral experience. The meaning of whiteness is mediated through perpetual physical movement as whites travel from one point to another. Eppel's 'Absent: the English Teacher' affords a rethinking of whiteness as an unstable form of identity contingent on historical and political factors. Bibliogr., notes, ref., sum. [Journal abstract]

<http://dx.doi.org/10.1080/14725843.2015.1023256> (Restricted access)