

# CENTRE FOR COMPARATIVE LAW IN AFRICA

NEWSLETTER DECEMBER 2017



## PUBLICATIONS:

### Journal of Comparative Law in Africa

The CCLA continues to successfully run the Journal of Comparative Law in Africa, for which a steady flow of contributions, both in English and French, has been secured.

The seventh and eighth editions of the Journal of Comparative Law in Africa (JCLA) were published in January 2017 and May 2017 respectively. See the Call for Papers as well as the Editor's Guide on the home page of CCLA website

[www.comparativelaw.uct.ac.za](http://www.comparativelaw.uct.ac.za).



## LLM in Comparative Law in Africa

The LLM programme in Comparative Law in Africa was offered in 2017, continuing to add to the Law Faculty postgraduate course offerings. The two core courses for the LLM in Comparative Law in Africa in 2017 were Comparative Legal Systems and African Law, while electives offered by the CCLA include Civil Law, Common Law, Chinese Law and Investments in Africa. Other courses taught by CCLA staff were Law and Regional Integration in Africa and Law of International Trade.

## CONFERENCES:

### Law and Development Conference



The Law and Development Conference 2017 co-convoked by Professor YS Lee and Dr Ada Ordor successfully held in Belmont Square, Cape Town, South Africa on 7th and 8th September 2017.

**Professor Salvatore Mancuso:**

“Legal literature of Somalia: A bibliographic essay”, in *Annual Review of Islam in Africa*, Issue No. 12/13 (2015-2016), p. 77-91.

“How does and should one compare law?” , in Samantha Besson and Lukas Heckendorn Urschler (eds.) *Comparing Comparative Law*, Zurich, Schulthess (2017)

**Professor Faizel Ismail:**

Ismail, F. 2017. “Advancing Regional Integration in Africa through the Continental Free Trade Area (CFTA)”, *Law and Development Review* (2017) (published online - to be published in the next hard copy edition of the Journal)

Ismail, F. 2017. “The changing global trade architecture: implications for Africa’s regional integration and development”, *Journal of World Trade* 51, no. 1 (2017): 1-22.

Ismail, F. 2017. “The AGOA Extension and Enhancement Act of 2015, the SA-US AGOA negotiations and the Future of AGOA”, *World Trade Review* (2017), 0: 0, 1–18

**Associate Prof Ada Ordor:**

Yinka Omorogbe and Ada Ordor (Eds) *Ending Africa’s Energy Deficit and the Law: Achieving Sustainable Energy for All* (Oxford University Press, forthcoming edited volume)

Yinka Omorogbe and Ada Ordor “Achieving Effective Law and Policy Frameworks for Access to Sustainable Energy in Africa – A Multidimensional Effort” in Yinka Omorogbe and Ada Ordor (Eds) *Ending Africa’s Energy Deficit and the Law: Achieving Sustainable Energy for All* (Oxford University Press, forthcoming edited-volume)

**Dr Anthony Diala:**

AC Diala, “The concept of living customary law: A critique” *Journal of Legal Pluralism and Unofficial Law* 30 May 2017 pp. 143-165

JC Diala and AC Diala, “Child marriage, bridewealth, and legal pluralism in Africa” (2017) 4(2) *Journal of Comparative Law in Africa* pp. 77-104.

AC Diala, “The protection of traditional cultural expressions in Africa: Book review” (2017) 4(2) *Journal of Comparative Law in Africa* pp. 200-203.

**Meet the 2017 Fellows**

The conference was jointly organised by the Law and Development Institute (LDI) and Centre for Comparative Law in Africa (CCLA) on the broad theme: Law and Development from African Perspectives. Over forty leading scholars and experts from Africa, North and South Americas, Asia, and Europe presented papers over the two days. Selected conference papers will be published in the 2018 Special Issue of *Law and Development Review* ([www.degruyter.com/ldr](http://www.degruyter.com/ldr)) published by DeGruyter.

**CCLA-NIALS joint conference**

A one-day conference was successfully co-hosted by UCT's Centre for Comparative Law in Africa (CCLA) and the Nigerian Institute of Advanced Legal Studies (NIALS) on Friday 8th December 2017 in Lagos, Nigeria. The Lagos conference was used to present the inaugural research project conducted under the CCLA-NIALS partnership. The project output is a book titled *Ending Africa’s Energy Deficit and the Law: Achieving Sustainable Energy for All in Africa* to be published by Oxford University Press in February 2018. The research collaboration between these two research centres is supported by the TY Danjuma Fund for Law and Policy Development in Africa, endowed at UCT. The event was attended by the project funder, General TY Danjuma GCON, UCT's Deputy Vice-Chancellor Professor Hugh Corder, the Director-General of the Nigerian Institute of Advanced Legal Studies, project leaders Professor Yinka Omorogbe and Dr Ada Ordor, leading scholars who were members of the research project team as well as numerous distinguished guests.

**PROJECTS:****Olu Akinkugbe Business Law in Africa Fellowships**

The Olu Akinkugbe Business Law in Africa Fellowship is an all-expenses paid visiting fellowship of eight weeks, generously endowed by Chief Olu Akinkugbe CON which commenced in 2014. The fellowship supports short-term visits by two Law academics annually from universities in African countries to the CCLA for the purpose of carrying out research on various aspects of business law in Africa for the production of a paper for publication in a peer-reviewed academic journal or book. The 2017 fellowship period was from 2nd October to 2nd December 2017. 2017 Fellows were Advocate Shandukani Muthugulu-Ugoda from the University of Fort Hare, South Africa and Dr Adekunle Adebisi Aina from the University of Ibadan, Nigeria.

**2017 Visiting Scholars**

Professor Erika George from the University of Utah, USA was a visiting Professor at the Centre from April to June 2017, during which time she co-convoked the course on the Law of International Trade.

On Wednesday 15th November, the fellows presented their research at an in-house seminar at the CCLA. Advocate Muthugulu-Ugoda presented on “Identifying the missing link in S81(i)(d)(iii) of the Companies Act 71 of 2008: A case for innovative approach to dealing with companies overwhelmed by deadlock” and Dr Aina presented on, “Advancing towards a more effective stakeholder engagement by multinational companies in Nigeria”. For more information on the Olu Akinkugbe Fellowship, see info document on the CCLA website.

**EVENTS ATTENDED:**

In addition to events on the UCT Campus, CCLA researchers have been involved in a number of events in other parts of the world.

In July 2017 Prof Mancuso attended the 5th Juris Diversitas Conference in Lyon, France as the Vice-President (Events) of the association; In February 2017, Prof Mancuso, Prof Andrew Hutchison and James Leach participated in the launch of the Human Centre in Italy, Rome.

In August 2017, a proposal jointly submitted by Dr Ada Ordor and Dr Ilyayambwa Mwanawina of the University of North West was accepted for a multi-disciplinary research project co-ordinated by the Tanzania-German Centre for East African Studies. In October 2017, a methodology workshop, held in Dar-es-Salaam, Tanzania, kicked off the research project. At the workshop, Drs Ordor and Mwanawina presented their proposals on two topics: Examination of decision-making procedures of African RECs and Recognition and enforcement of foreign judgments within RECs.

From February to March 2017, CCLA postdoctoral fellow, Dr Anthony Diala, conducted fieldwork on indigenous market laws in seven states in southern Nigeria as part of his book project on rethinking legal pluralism in sub-Saharan Africa. In July, Dr Diala presented a paper titled ‘Indigenous Market Laws in Southern Nigeria: Past, Present, and Future’ at the 5th Juris Diversitas Conference in Lyon, France. From October to November, he provided training on empirical legal research at the University of Hargesia, Somaliland.

**PROSPECTS FOR 2018:**

- To mark the fifth anniversary of the Olu Akinkugbe Business Law in Africa Fellowship which was endowed in 2013 and the 90th birthday of the benefactor of the fellowship, Chief Olu Akinkugbe CFR, with a reunion conference in December in Lagos, Nigeria.
- Publish two issues of JCLA (May and December).
- To commence CCLA research partnership activities with the Centre for Trade and Regional Industrialisation (CTRI).