

## ABSTRACTS

SARKIN, JEREMY, The tension between justice and reconciliation in Rwanda: politics, human rights, due process and the role of the *Gacaca* Courts in dealing with the genocide, *Journal of African Law* 45 (2001): 143–172

Rwanda, since the genocide of 1994, has had immense difficulty in dealing with the past. It has pursued the model of prosecutions without being able to bring many of the alleged perpetrators before the courts. The article examines why this is so, as well as the political situation in Rwanda in the context of the country's human rights record, to determine whether sufficient weight is being given to truth, reconciliation, peace and stability. The proposed new *gacaca* community courts are examined to determine whether the stated government intention of using these structures to deal with genocide cases outweighs the potential problems they may cause. The article suggests that as so many years have elapsed since the genocide of 1994 that the authorities cannot, and should not, seek to prosecute all those accused of participating in the slaughter because attempting to prosecute all those in detention may cause more harm than good.

OCHEJE, PAUL D., Law and social change: a socio-legal analysis of Nigeria's Corrupt Practices and Other Related Offences Act, 2000, *Journal of African Law* 45 (2001): 173–195

This article is in two parts. The first part analyses, and largely applauds, the Corrupt Practices and Other Related Offences Act, 2000, the latest in a series of enactments designed to curb corruption in Nigeria over the last thirty years. The second part looks at the social environment within which corruption operates. It points out that in the past the environment was such that anti-corruption measures were bound to fail, but it concludes, in optimistic vein, that the recent return to civilian rule has created a climate in which the new Act is likely to have an effect in the fight against corruption.

VOGT, GRETE S., Non-discrimination on the grounds of race in South Africa—with special reference to the Promotion of Equality and Prevention of Unfair Discrimination Act, *Journal of African Law* 45 (2001): 196–209

The Promotion of Equality and Prevention of Unfair Discrimination Act in South Africa seeks to make the constitutional prohibition of discrimination as effective as possible. The achievement of this aim is, however, likely to be frustrated by several factors, including the legacy of apartheid, deficiencies in the formal statutory guarantees and the judicial interpretation of these, and the lack of effective enforcement mechanisms. As a result, the attempt to clamp down on racial discrimination has removed from the constitutional guarantee much of its potential force.