In most post-conflict states, a strong level of legal pluralism is the norm, particularly in regions of Africa and Asia where between 80 and 90 per cent of disputes are resolved through non-state legal mechanisms. The international community, in particular the United Nations, persistently drives the re-establishment of the rule of law in war-torn areas where, traditionally, customary law is prevalent. Laura Grenfell traces the international community’s evolving understanding of the rule of law in such regions, and explores the implications of strong legal pluralism for the rule-of-law enterprise. Using the comparative examples of two unique case studies, South Africa and Timor-Leste, Promoting the Rule of Law provides insight into the relationship between the rule of law and legal pluralism. Alongside these studies, the book offers a comprehensive introduction to the conceptual framework of the rule of law in the context of approaches taken by the international community.

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PROMOTING THE RULE OF LAW IN POST-CONFLICT STATES

LAURA GRENFELL
CONTENTS

Acknowledgments vi

PART I 1

1 Introduction 3

2 A globalised view of the rule of law and legal pluralism 14

3 The conceptual relationship between legal pluralism and the rule of law in post-conflict states 59

PART II 91

4 ‘One law for one nation’: how the rule of law and legal pluralism figure in South Africa’s constitutional dispensation 93

5 Can the rule of law and legal pluralism assist ‘the most vulnerable groups’ in South Africa? 130

PART III 181

6 Founding a legal system in post-conflict Timor-Leste 183

7 Timor-Leste’s first decade of independence 214

8 Conclusion 265

Bibliography 274

Index 316
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