Indigenous Justice Systems and Transitional Peacebuilding in Africa: Toward a Hybrid and Decolonial Framework

Maureen Ngozi Ndu[1], Oluchukwu Thaddeus Itodo[2]

[1]Department of Theatre Arts, Madonna University Nigeria, Nigeria

[2]Department of Philosophy, Madonna University Nigeria

[1]https://orcid.org/0009-0006-7223-0421

[2]https://orcid.org/0009-0004-0972-095X

[*]**Corresponding Author**

DOI: https://doi.org/10.51244/IJRSI.2026.1311000118

Received: 04 November 2026; Accepted: 09 November 2026; Published: 25 November 2026

ABSTRACT

Contemporary transitional justice debates increasingly question whether state-centered and rule-based legal frameworks can adequately address the social, moral, and relational injuries that follow mass violence in African post-conflict societies. In many African contexts, formal mechanisms introduced through colonial and postcolonial governance have struggled to secure local legitimacy, repair communal relations, or accommodate indigenous understandings of accountability, reconciliation, and healing. This paper examines the relevance of selected African indigenous justice systems to transitional peacebuilding, focusing on Umuada in southeastern Nigeria, Rwanda's Gacaca courts, and Ubuntu-informed restorative models. From a decolonial framework, supported by cultural studies, restorative justice and legal pluralism/hybrid peace governance, the study reads these mechanisms as living repositories of relational ethics that privilege dialogue, truth-telling, restitution, reintegration, communal participation, and moral accountability over punitive retribution alone. The central argument is that indigenous justice systems can provide culturally resonant pathways for rebuilding trust, restoring damaged relationships, and fostering sustainable peace where purely formal approaches have proven socially narrow or institutionally insufficient. At the same time, these mechanisms are not normatively flawless or institutionally self-sufficient; their effectiveness is constrained by gender exclusion in some settings, political manipulation, weak enforcement, modernization pressures, and the risk of partial or selective justice. The paper therefore contends that the most promising model for African transitional peacebuilding is not the rejection of formal law, but a context-specific hybrid framework in which indigenous and state institutions interact through complementarity, safeguards, and local ownership.

Keywords: Indigenous Justice Systems, Transitional Peacebuilding, Transitional justice, Umuada Gacaca, Ubuntu

INTRODUCTION

Transitional justice in Africa has often been organized around courts, commissions, and legal procedures derived from state-centered and externally validated models of justice (Dupuis, 2018; Rebecka, 2025). Scholarship around this subject increasingly argues that such frameworks often fail to address the communal, relational, and culturally embedded dimensions of post-conflict recovery in African societies (Adisa & Akanni, 2025; Mekonnen, 2011; Rebecka, 2025). A major strand of scholarship now treats indigenous justice not as a residual custom but as a continuing source of social leg intimacy, truth-telling, healing, and reparation (Mekonnen, 2011; Rebecka, 2025). These systems are described as communal, participatory, adaptable, and oriented toward restoring victims, repairing relationships, and reintegrating offenders rather than punishing them in isolation (Luc et al., 2021; Elechi et al., 2010; Schoeman, 2016).

This restorative orientation is most clearly theorized through Ubuntu, which is described as a humanist and communitarian worldview grounded in interdependence, dignity, empathy, solidarity, and reconciliation (Elechi et al., 2010; Funes, 2025). Ubuntu-informed justice emphasizes equal participation, consensus, accountability through repair, and the restoration of damaged social bonds, making it especially relevant to societies emerging from collective trauma (Elechi et al., 2010; Funes, 2025). Empirically, Gacaca is seen as one of the most ambitious attempts to translate indigenous or hybrid justice into a national transitional framework (Mokoena & Nshimiyimana, 2025; Clark, 2010; Rettig, 2008). Gacaca expanded participation, enabled truth-telling, reduced prison overcrowding, and created community-level accountability in the aftermath of genocide, largely because the formal judicial system lacked the capacity to process the scale of atrocity (Mokoena & Nshimiyimana, 2025; Musengimana, 2025). Yet the evidence on Gacaca is mixed rather than uniformly affirmative (Rettig, 2008; Loyle, 2017; Mokoena & Nshimiyimana, 2025). Scholars identify procedural inconsistency, the absence of lawyers, local bias, retraumatization, silence and half-truths, and concerns about victor's justice, especially where some categories of violence were excluded from scrutiny (Mokoena & Nshimiyimana, 2025; Clark, 2010; Rettig, 2008; Loyle, 2017).

Existing scholarship on Umuada shows that women-led indigenous institutions remain active in conflict mediation, arbitration, reconciliation, and social regulation in southeastern Nigeria (Onyesoh, 2021; Ayeni& Ben, 2025; Abah & Adum-Kyeremeh, 2024). Umuada mediates domestic, kinship, and land disputes, extracts facts, imposes fines or symbolic reparations, secures pardon and forgiveness, and demonstrates that indigenous justice can also be a site of women's authority within otherwise patriarchal social orders (Onyesoh, 2021; Obasi & Nnamani, 2015). This women-centered dimension is important because it also warns against romanticizing indigenous institutions (Adisa & Akanni, 2025; Mokoena & Nshimiyimana, 2025; Ayeni& Ben, 2025). Some mechanisms face declining authority under urbanization, Western education, religious change, and state neglect, while others remain vulnerable to coercive practices, uneven recognition, and weak formal enforcement (Ayeni& Ben, 2025; Amaechi, 2018; Obasi & Nnamani, 2015).

The paper therefore starts from a double premise. Indigenous justice systems matter because they preserve African epistemologies of repair that colonial legal orders marginalized, and because they continue to provide locally intelligible resources for peacebuilding after violence. But their contemporary value lies less in replacing formal law than in informing hybrid transitional peacebuilding that combines local legitimacy with procedural safeguards, inclusion, and accountability. Against this background, the paper asks three questions. How do African indigenous justice systems conceptualize justice after rupture? What can Umuada, Gacaca, and Ubuntu contribute to transitional peacebuilding in societies marked by violence, displacement, and social fragmentation? And what normative and institutional limits must be confronted if such systems are to be integrated into contemporary post-conflict governance?

This study argues that indigenous justice systems can contribute to transitional peacebuilding in African post-conflict societies by providing culturally grounded forms of legitimacy, communal participation, accountability and relational restoration that may be inadequately addressed by formal justice institutions alone. However, their contribution should not be understood through an uncritical celebration of tradition or a rejection of state-centred justice. Drawing on a decolonial framework, restorative justice and legal pluralism, the study demonstrates that the peacebuilding potential of indigenous justice depends on its capacity to recognise historically marginalised knowledge, address wrongdoing, protect vulnerable groups and operate within accountable institutional arrangements. Through a comparative examination of Umuada in southeastern Nigeria, Rwanda's Gacaca courts and Ubuntu-informed restorative models in southern Africa, the paper advances context-specific hybrid peacebuilding as a framework for combining indigenous legitimacy and relational repair with procedural fairness, human-rights protection and institutional accountability.

CONCEPTUAL FOUNDATION: DECOLONIALITY, INDIGENOUS JUSTICE AND TRANSITIONAL PEACEBUILDING

This study adopts a decolonial framework to examine the relationship between indigenous justice systems and transitional peacebuilding in African post-conflict societies. Decoloniality is understood as a critical intellectual and political orientation that interrogates the continuing influence of colonial power relations on

ISSN No. 2321-2705 | DOI: 10.51244/IJRSI | Volume XIII Issue XI November 2026

knowledge production, institutional authority, social identity and the organisation of justice. Rather than treating colonialism as a historical episode that ended with political independence, decolonial scholarship examines how colonial hierarchies continue to shape contemporary understandings of law, governance, knowledge and social relations. It consequently challenges the assumption that Western-derived institutional arrangements constitute universal or neutral models of justice.

The conceptual foundation of this approach is the recognition that colonialism produced not only political and economic domination but also hierarchies of knowledge through which European legal, cultural and epistemological traditions were elevated above indigenous systems of thought. Quijano (2000) conceptualises this enduring relationship through the notion of the coloniality of power, demonstrating how colonial structures of classification and domination continue to influence modern institutions and social relations. Mignolo (2011) similarly argues that decoloniality involves confronting the epistemic consequences of colonial modernity and recognising knowledge traditions that have historically been marginalised. Applied to justice, this perspective raises questions about whose knowledge determines the meaning of accountability, reconciliation, punishment and social restoration. It challenges the assumption that formal criminal justice institutions, particularly those developed through colonial legal traditions, provide the only legitimate framework for addressing conflict and historical violence. Instead, it directs attention to indigenous institutions, community-based practices and culturally situated ethical traditions that may offer alternative understandings of justice.

However, a decolonial approach does not require the rejection of formal legal institutions or the assumption that indigenous practices are inherently emancipatory. Its central concern is the critical examination of the historical conditions under which particular systems of knowledge and authority become dominant, as well as the consequences of that dominance for communities affected by violence. Decoloniality therefore involves both epistemic recognition and institutional critique. It seeks to recover marginalised knowledge while examining the power relations, exclusions and limitations that may exist within indigenous systems themselves. This distinction is particularly important for transitional peacebuilding in Africa. Transitional justice has developed largely through institutional frameworks concerned with criminal accountability, truth commissions, reparations, reconciliation and guarantees of non-repetition. Although these mechanisms can provide important responses to mass violence, their application may become limited when they privilege individualised legal responsibility while neglecting the communal, historical and relational dimensions of injustice.

Maddison and Shepherd (2014) demonstrate that transitional justice can reproduce postcolonial limitations when it treats transition as a bounded process following political violence while overlooking historical structures of domination and the continuing effects of colonial injustice. Their argument challenges transitional justice scholarship to reconsider how historical violence, political transformation and justice are connected. Similarly, Balint, Evans and McMillan (2014) argue that transitional justice requires a stronger engagement with structural injustice and historical harm. Their contribution demonstrates the importance of extending justice beyond the immediate prosecution of perpetrators to address the conditions through which exclusion, dispossession and inequality are reproduced.

These arguments are relevant to the present study because indigenous African justice systems cannot be adequately understood solely as alternative mechanisms for resolving individual disputes. They also represent culturally situated practices through which communities interpret wrongdoing, negotiate responsibility, reconstruct relationships and maintain social continuity. Their significance lies partly in their ability to connect justice with collective memory, cultural identity, communal obligations and locally recognised forms of authority.

Decoloniality as a Framework for Indigenous Justice

Within this framework, indigenous justice is conceptualised as a set of culturally embedded institutions, practices and ethical traditions through which communities address conflict, wrongdoing and social disruption. It includes customary mediation, community-based adjudication, restitution, reconciliation, reintegration and other practices whose legitimacy derives partly from locally recognised social relationships and normative

traditions. Nevertheless, indigenous justice is not treated as a homogeneous or historically unchanged category. Indigenous institutions differ across communities, historical periods and political contexts. Their authority may be contested, their practices may change over time, and their operation may reproduce inequalities associated with gender, class, age or political power. A decolonial approach therefore requires critical engagement with indigenous institutions rather than their unqualified celebration.

The study consequently adopts critical decoloniality, understood as the recognition of indigenous knowledge and institutional agency alongside an examination of the power relations and limitations within indigenous and formal justice systems. This conceptual position provides the foundation for examining Umuada, Gacaca and Ubuntu-informed restorative practices as different expressions of culturally situated justice and peacebuilding.

Decoloniality and Transitional Peacebuilding

Transitional peacebuilding refers in this study to the processes through which societies affected by conflict, mass violence or institutional breakdown seek to establish sustainable peace, address historical wrongdoing, rebuild relationships and transform conditions that contribute to violence. The relationship between transitional justice and peacebuilding is not necessarily straightforward. Justice mechanisms may contribute to peace by establishing accountability, recognising victims and strengthening institutional legitimacy. However, justice processes may also generate new tensions when they exclude particular experiences, reproduce political inequalities or fail to address the social and economic conditions underlying conflict.

Baker and Obradovic-Wochnik (2016) demonstrate that transitional justice and peacebuilding frequently intersect around questions of local legitimacy, everyday experiences of violence and the relationship between justice and peace. Their analysis highlights the importance of examining how local communities understand justice rather than assuming that externally designed mechanisms automatically reflect local priorities. A decolonial approach extends this argument by examining how the design and implementation of peacebuilding institutions may privilege particular epistemologies and political interests. It asks whether transitional justice mechanisms recognise indigenous practices, whether communities participate meaningfully in decision-making and whether the resulting institutions address historical and structural inequalities. Within this study, decoloniality therefore provides the overarching analytical orientation through which indigenous justice systems are examined as potential contributors to transitional peacebuilding.

THEORETICAL FRAMEWORK

The study is anchored in a decolonial framework, supported by cultural studies, restorative justice and legal pluralism/hybrid peace governance. These perspectives are analytically connected rather than treated as independent theoretical explanations. Decoloniality establishes the overarching critical orientation; cultural studies examines the cultural meanings and legitimacy of justice; restorative justice provides the framework for analysing accountability and relational repair; and legal pluralism and hybrid peace governance explain the coexistence and possible complementarity of indigenous and formal institutions. This combination is appropriate because the study investigates three cases that differ in institutional structure but share a concern with culturally meaningful responses to wrongdoing, social disruption and the restoration of relationships.

Decolonial theory provides the overarching framework for examining how colonial histories and hierarchies of knowledge shape contemporary understandings of justice and peacebuilding. Quijano (2000) argues that coloniality continues to organise power and knowledge beyond the formal end of colonial rule. Mignolo (2011) similarly emphasises the need to confront the epistemic consequences of colonial modernity and recognise knowledge traditions that have been historically marginalised. In this study, decoloniality is used to interrogate the assumption that formal, state-centred legal institutions constitute the universal standard for justice. It directs attention to the historical marginalisation of indigenous institutions and culturally situated practices of conflict resolution. The framework also requires a critical examination of indigenous institutions themselves. It does not assume that customary authority is inherently inclusive, impartial or emancipatory. Rather, it examines how indigenous justice systems establish legitimacy, exercise authority and respond to inequalities within their own social contexts. This framework is particularly relevant to Umuada because it foregrounds women's indigenous authority, to Gacaca because it examines the transformation of local practices

through state institutionalisation, and to Ubuntu because it recognises relational ethics as a source of African philosophical knowledge.

Cultural studies provide the analytical perspective through which justice is examined as a culturally embedded practice rather than a neutral institutional procedure. Its relevance lies in the recognition that concepts such as justice, reconciliation, responsibility and social restoration acquire meaning through particular cultural and historical contexts. Institutions do not simply apply universal rules; they also interpret wrongdoing, determine legitimate authority and establish acceptable forms of accountability. Within this study, cultural studies examine how indigenous justice mechanisms are shaped by communal memory, kinship, cultural identity, social obligations and local understandings of moral responsibility. This perspective is particularly important because the three cases derive legitimacy from different cultural and institutional sources. Umuada operates through indigenous kinship and women's collective authority; Gacaca combines community participation with state-regulated adjudication; and Ubuntu provides a relational ethical vocabulary through which justice and reconciliation are interpreted. The cultural studies perspective therefore helps explain why the same justice procedure may be understood differently across communities and why institutional legitimacy cannot be established exclusively through formal legal recognition. It also provides a critical basis for examining cultural exclusion. A practice may be culturally meaningful to some members of a community while marginalising others. The study consequently evaluates cultural legitimacy alongside gender inclusion, political accountability and the protection of individual rights.

Restorative justice provides the principal analytical framework for examining how the three cases respond to wrongdoing and social disruption. Unlike approaches that define justice primarily through the punishment of offenders, restorative justice emphasises the consequences of wrongdoing for victims, offenders and affected communities. It considers how accountability can be connected to acknowledgement, restitution, rehabilitation and the restoration of relationships. Zehr (2002) conceptualises restorative justice as an approach that shifts attention from the violation of rules alone to the harm experienced by people and relationships. This perspective is particularly relevant to the present study because its cases involve culturally situated practices that seek to address conflict through community participation and relational restoration. However, restorative justice should not be equated with the absence of punishment or the unconditional prioritisation of reconciliation. Accountability remains central, and the rights of victims and accused persons must be protected.

Legal pluralism provides the framework for understanding the coexistence of different justice systems within the same social and political environment. Griffiths (1986) challenges the assumption that law exists exclusively as a unified system controlled by the state. His conceptualisation of legal pluralism directs attention to the coexistence of different normative orders and forms of authority. This perspective is relevant to African transitional peacebuilding because customary institutions, state courts, religious authorities and community-based mechanisms may operate simultaneously. Their relationships may involve cooperation, competition, conflict or institutional adaptation. The study therefore uses legal pluralism to examine how indigenous justice mechanisms interact with formal legal institutions and how such interactions influence legitimacy, accountability and institutional effectiveness.

Hybrid peace governance extends this analysis by examining the practical possibilities and limitations of institutional complementarity. It asks how different forms of authority can contribute to peacebuilding while ensuring that justice mechanisms remain accountable and rights-protective. In this study, hybrid peace governance is not understood as the automatic integration of customary institutions into state structures. Nor does it assume that institutional hybridity necessarily produces better outcomes. Rather, it provides a framework for examining the conditions under which indigenous mechanisms and formal institutions may complement one another. The framework is particularly relevant to Gacaca, which combined community participation with statutory regulation, and to Umuada, whose customary authority operates within a wider environment of formal legal institutions. Ubuntu provides a complementary ethical orientation but requires institutional translation before it can function as a practical justice mechanism.

ISSN No. 2321-2705 | DOI: 10.51244/IJRSI | Volume XIII Issue XI November 2026

METHODOLOGY

This study adopts a qualitative, interpretive and comparative research design. A qualitative approach is appropriate because the inquiry examines culturally situated meanings of justice, legitimacy, memory, accountability, healing and relational repair. These dimensions cannot be adequately understood through procedural or quantitative analysis alone. The interpretive orientation enables the study to examine how justice institutions and ethical traditions understand wrongdoing, establish authority, recognise victims and pursue social restoration. It also allows attention to the historical and political contexts within which indigenous practices are maintained, transformed or incorporated into formal justice arrangements. The study employs comparative textual analysis supported by secondary sources. It examines scholarly publications, academic books, institutional reports and relevant legal documents concerning indigenous justice, transitional justice, restorative justice and African peacebuilding. The comparative design is appropriate because the three cases represent different institutional and philosophical expressions of culturally grounded justice. Rather than assuming that they constitute equivalent institutions, the study compares their contributions to transitional peacebuilding through shared analytical dimensions. The research is therefore interpretive and analytical rather than statistical. Its purpose is to identify recurring principles, contextual variations, institutional tensions and potential contributions to hybrid peacebuilding.

Case Selection and Comparative Justification

The study employs purposive case selection. The three cases were selected because they illuminate different but related dimensions of indigenous and culturally grounded justice in African peacebuilding. The comparison is theoretically purposive rather than institutionally symmetrical. The cases do not represent three equivalent judicial systems. Instead, they provide contrasting analytical perspectives through which the study examines culturally situated authority, restorative accountability and institutional hybridity.

Umuada is selected as a case of indigenous women's authority and community-based conflict mediation. Its relevance lies in the relationship between kinship, gender, customary authority and communal peacebuilding. The case allows the study to examine how women exercise indigenous political agency, how community legitimacy is established and how customary mediation contributes to conflict management. It also provides an opportunity to investigate the limitations of indigenous authority, including uneven institutional recognition, gendered customary structures and the relationship between customary sanctions and formal legal jurisdiction.

Gacaca is selected as a case of state-regulated community-based transitional justice following mass violence. Its relevance lies in its institutional scale, public participation, truth-telling objectives and combination of community practices with statutory judicial procedures. The case allows the study to examine how indigenous practices were transformed through institutionalisation and how community participation interacted with procedural fairness, political authority and selective accountability. Gacaca is particularly important for analysing the opportunities and risks of hybrid justice because it demonstrates that community-based institutions can be integrated into state transitional justice while still producing serious concerns about impartiality and human-rights protection.

Ubuntu is selected as a case of indigenous African ethical philosophy informing restorative justice and reconciliation. Unlike Umuada and Gacaca, Ubuntu is not a single judicial institution. Its relevance lies in its philosophical contribution to understanding human interconnectedness, dignity, responsibility and relational restoration. The case allows the study to examine how indigenous ethical traditions influence transitional peacebuilding and how philosophical principles may be translated into institutional practices. The South African Truth and Reconciliation Commission provide an important institutional context for examining the relationship between Ubuntu, restorative accountability and reconciliation. However, the study distinguishes Ubuntu as an ethical orientation from the formal procedures and outcomes of the TRC.

The comparative analysis does not assume that all cases perform equally across these dimensions. Instead, it examines how their institutional characteristics and historical contexts shape their respective strengths and limitations. The study also recognises that indigenous justice systems are internally diverse and historically dynamic. The analysis of Umuada cannot be generalised to every Igbo community, while the Rwandan Gacaca

experience cannot be treated as representative of all African transitional justice programmes. Similarly, Ubuntu-informed practices differ across institutional and cultural contexts. The comparative findings are consequently analytical rather than statistically representative.

Transitional Justice Debates

African transitional justice emerged within broader post-Cold War reconstruction efforts tied to democratization, truth-telling, and social cohesion, but countries adopted markedly different approaches ranging from truth commissions to political compromise without formal transitional mechanisms (Opongo, 2021). This diversity has produced sustained debate about whether conventional liberal models adequately fit African post-conflict settings, particularly where universalist and individualist assumptions weaken local legitimacy and communal repair (Awoh & Nkwi, 2017; Opongo, 2021).A recurring argument is that many African communities continue to rely on customary institutions because they are more accessible, culturally relevant, and socially embedded than formal courts, which often remain expensive, delayed, and geographically distant (Sunday, 2026; Monday, 2026; Olawale et al., 2024). Legal pluralist scholarship therefore argues that neither customary systems nor formal courts are sufficient alone, and that justice delivery in African contexts often requires negotiated coexistence between the two (Sunday, 2026; Olarte Delgado, 2025; Szpak, 2018).Thus, there is a need for a hybrid justice system drawn from traditional peace models and legal justice system. The fruits and the balance the hybrid model will introduce will be able to address the lacks in both the traditional model and legal model.

Indigenous Justice Principles

A strong strand of the literature describes African indigenous justice as relational and restorative, emphasizing communal healing, truth-telling, dialogue, consensus, compensation, and reintegration rather than punitive retribution alone (Adisa&Akanni, 2025; Monday, 2026; Ajibade, 2025; Rebecka, 2025; Odubajo, 2021). These systems are commonly presented as living institutions grounded in communal values, moral authority, and participatory processes that treat wrongdoing as a rupture in social balance requiring repair (Monday, 2026; Aasoglenang et al., 2023; Rebecka, 2025).

Umuada demonstrates indigenous adjudication, mediation, and reconciliation anchored in women's authority (Onyesoh, 2021; Abah&Adum-Kyeremeh, 2024).

Ubuntu is especially prominent as a normative language of interdependence, shared humanity, and collective responsibility; often summarized in the idea that personhood is constituted through relations with others (Ajibade, 2025; Teleki&Kamga, 2020; Metz, 2025). Within this framework, justice is tied to restoring victims, reintegrating offenders, and rebuilding social harmony rather than isolating guilt at the level of the autonomous individual (Schoeman, 2016; Awoh&Nkwi, 2017; Mbebe, 2025).Case studies repeatedly show that indigenous mechanisms can carry substantial local legitimacy because they are generated by communities and embedded in lived cultural experience (Awoh&Nkwi, 2017; Olawale et al., 2024; Aasoglenang et al., 2023). They are also described as adaptable and resilient, with relevance that extends from precolonial governance into contemporary conflict resolution and post-conflict reconstruction (Olawale et al., 2024; Teleki&Kamga, 2020; Odubajo, 2021).

Gacaca is the most extensively discussed example of indigenous transitional justice in Africa, typically described as a public, community-based process that encouraged confession, participation, forgiveness, and reintegration after the Rwandan genocide (Szpak, 2018; Ajibade, 2025; Aasoglenang et al., 2023). At the same time, the evidence is mixed on Gacaca's restorative character, because some accounts praise it as a paradigm of healing while others argue it became a politically managed form of selective or victor's justice (Nagel, 2021; Odubajo, 2021).

Ubuntu-informed models are often linked to South Africa's TRC and broader restorative ethics, where truth-telling and acknowledgment were used to support coexistence and healing after apartheid (Ajibade, 2025; Awoh&Nkwi, 2017; Teleki&Kamga, 2020). However, recent scholarship argues that equating Ubuntu with forgiveness can distort its meaning, since Ubuntu is more plausibly grounded in accountability, restitution, and

relational integrity than in obligatory victim forgiveness (Mbebe, 2025).Beyond Rwanda and South Africa, indigenous and intercultural justice research in Colombia, Somalia, Ethiopia, Ghana, and broader rural African settings reinforces the view that legitimacy depends on participation, cultural fit, and institutional coordination (Olarte Delgado, 2025; Hassan, 2025; Genbezo et al., 2025; Aasoglenang et al., 2023).

To avoid romanticizing indigenous justice, Commonly identified constraints include weak enforcement, lack of codification, human-rights concerns, gender exclusion, the marginalization of youth and minorities, and vulnerability to political manipulation (Adisa&Akanni, 2025; Sunday, 2026; Monday, 2026; Genbezo et al., 2025). Several studies also show that attempts to link formal and traditional systems often fail because of mistrust, state encroachment, low institutional recognition, and unequal power between legal orders (Olawale et al., 2024; Aasoglenang et al., 2023; Olarte Delgado, 2025). For thisreason,the paper therefore contends that the most promising model for African transitional peacebuilding is not the rejection of formal law, but a context-specific hybrid framework in which indigenous and state institutions interact through complementarity, safeguards, and local ownership.

CASE STUDY ANALYSIS

Umuada: Indigenous Women's Authority and Communal Conflict Resolution in Southeastern Nigeria

The Umuada institution represents an important expression of indigenous conflict resolution and community-based peacebuilding in Igbo society in southeastern Nigeria. Comprising daughters of a particular community, including married women who retain affiliations with their natal communities, Umuada occupy a distinctive sociopolitical position within traditional Igbo governance structures. Their authority derives from kinship, cultural identity, collective organisation and the moral recognition accorded to women as daughters of the community. Unlike formal judicial institutions, whose authority is primarily grounded in statutory provisions and state enforcement, Umuada exercise influence through communal legitimacy, negotiation, cultural obligations and collective action. Their intervention in disputes demonstrates how indigenous institutions can mobilise social relationships and culturally recognised authority to address conflicts before they escalate into prolonged hostility (Onyesoh, 2022).

Onyesoh (2022), in her study, Umuada: A Sociopolitical Institution for Peacebuilding and Conflict Management in Nigeria, identifies Umuada as an important resource for peacebuilding and reconciliation in Igboland. Her analysis challenges the conventional representation of women as passive participants in conflict resolution and demonstrates how women exercise collective agency through indigenous institutions. Umuada's activities extend beyond domestic mediation to include community disputes, family disagreements, social tensions and broader questions of communal development. Their authority is particularly significant because they occupy a position that connects different households and generations while maintaining a recognised relationship with their ancestral communities. This position can provide them with moral leverage in mediating disputes involving individuals and families.

From the perspective of restorative justice, the significance of Umuada lies in their emphasis on dialogue, acknowledgement of wrongdoing, reconciliation and the restoration of social relationships. Conflict is not necessarily approached as an offence requiring the immediate punishment of an individual; rather, it is understood as a disruption of relationships that may affect the wider family and community. Consequently, mediation seeks to establish the circumstances surrounding a disagreement, encourage the parties to acknowledge their responsibilities and negotiate an acceptable resolution. Depending on the nature of the dispute and the customs of the particular community, resolutions may involve apologies, restitution, compensation, reconciliation rituals or other culturally recognised sanctions.

This approach reflects an important characteristic of restorative justice: the recognition that wrongdoing produces consequences beyond the immediate victim and offender. The community may also experience social fragmentation, mistrust and weakened relationships. Consequently, the restoration of communal harmony becomes an important objective of conflict resolution. Elechi, Morris and Schauer (2010), in their examination of African justice through the concept of Ubuntu, similarly emphasise victim restoration, offender reintegration, stakeholder participation and the reconstruction of social relationships as significant dimensions

ISSN No. 2321-2705 | DOI: 10.51244/IJRSI | Volume XIII Issue XI November 2026

of African justice-making. Although their study does not constitute direct empirical evidence about every Umuada community, it provides a useful comparative framework for understanding the restorative orientation of indigenous African justice practices.

The cultural studies perspective further reveals that the effectiveness of Umuada is connected to the cultural meanings attached to women's identity and their relationship with the ancestral community. Their authority cannot be adequately understood through formal legal categories alone because it is embedded in indigenous understandings of kinship, obligation, belonging and communal responsibility. The institution demonstrates that cultural authority can provide an alternative source of legitimacy for conflict management, particularly in communities where formal judicial procedures may be expensive, inaccessible or socially distant.

An additional dimension of the Umuada institution concerns its implications for gender and political authority. Its existence challenges the assumption that precolonial African women were entirely excluded from public decision-making and community governance. Through collective organisation, women exercise forms of authority that may not be captured by conventional descriptions of political leadership. However, this should not lead to the conclusion that traditional Igbo institutions were uniformly gender-equal. The authority exercised by Umuada exists within wider patriarchal structures, and the extent of their influence may differ across communities, depending on local customs, historical experiences and contemporary social conditions.

Amadi-Nche and Anga-Nyanabo (2020) similarly identify women in southeastern Nigeria, particularly through the Omurinya/Umuada institution, as important agents of peace and social development. Their work reinforces the argument that women's contributions to indigenous peacebuilding have historically been more substantial than representations of women as exclusively domestic or subordinate actors. Nevertheless, the restorative capacity of Umuada must be evaluated critically. First, its authority is culturally situated and may not enjoy equal recognition across all communities. Second, its effectiveness depends partly on the willingness of disputing parties to recognise its authority and comply with negotiated outcomes. Third, its customary sanctions should not automatically be equated with the coercive enforcement powers of state courts. Although collective pressure, reputational consequences and community sanctions can encourage compliance, the institution does not possess universal statutory jurisdiction or unrestricted authority to prosecute serious criminal offences.

Furthermore, the inclusion of women in an indigenous institution does not automatically eliminate gendered inequalities within the wider community. The question of whose interests are represented, whose testimony is recognised and whether vulnerable individuals can challenge customary decisions remains important. These limitations make it necessary to distinguish between the institution's potential for women's empowerment and the broader structural inequalities that may continue to shape its operations.Onyesoh's (2022) account is particularly valuable because it presents Umuada not as an institution frozen in precolonial history but as an organisation that has adapted to changing social and political circumstances. This adaptability is significant to legal pluralism because it illustrates how customary institutions continue to negotiate their position alongside modern governance structures. Umuada therefore demonstrates the potential of culturally grounded, women-led mediation to contribute to peacebuilding, while also showing why indigenous authority requires institutional recognition, accountability and appropriate human-rights safeguards.

Rwanda's Gacaca Courts: Community Participation, Transitional Justice and the Limits of Reconciliation

Rwanda's Gacaca courts constitute one of the most significant experiments in community-based transitional justice in contemporary Africa. Established following the 1994 genocide against the Tutsi, the courts emerged in response to the enormous challenge of prosecuting individuals suspected of participating in genocide-related crimes. The genocide devastated Rwanda's judicial infrastructure, resulted in the deaths of hundreds of thousands of people and left the country with an extensive backlog of criminal cases. Conventional courts lacked the institutional and human resources required to process the large number of suspects within a reasonable period. Against this background, the Rwandan government introduced a modified Gacaca system that combined elements of customary community dispute resolution with statutory criminal procedures.It is important, however, to distinguish the contemporary Gacaca courts from the earlier customary institution.

Traditional Gacaca was principally associated with the settlement of relatively minor community disputes through deliberation and reconciliation. The post-genocide version was substantially reconstructed through legislation and state administration to address crimes of extraordinary gravity. It was therefore neither an unchanged continuation of customary practice nor simply an extension of conventional criminal courts. Rather, it represented a hybrid socio-legal institution in which indigenous practices were adapted to serve the objectives of transitional justice (Clark, 2010).

Phil Clark's (2010) extensive study, The Gacaca Courts, Post-Genocide Justice and Reconciliation in Rwanda, provides an important empirical examination of this institutional transformation. Drawing on more than six years of fieldwork and nearly 500 interviews, Clark investigates how Gacaca operated, how participants interpreted its objectives and how the process contributed to the wider challenges of post-genocide reconstruction. He demonstrates that the institution pursued multiple objectives, including establishing the truth about genocide crimes, accelerating prosecutions, addressing prison overcrowding, promoting accountability and encouraging reconciliation.One of the most significant contributions of Gacaca was its capacity to extend justice proceedings into local communities. According to Human Rights Watch (2011), more than 12,000 community-based Gacaca courts had tried approximately 1.2 million cases by 2011. This figure illustrates the extraordinary administrative reach of the programme and its capacity to process cases on a scale that would have been difficult for Rwanda's conventional judicial system to achieve within the same period. Community members participated by providing testimony, identifying suspects, recounting experiences and contributing information about crimes committed within their localities.

This extensive participation is significant from the perspective of cultural studies and restorative justice. It relocated important aspects of transitional justice from distant legal institutions to the communities directly affected by the genocide. In doing so, Gacaca created opportunities for victims and survivors to disclose experiences obtain information about missing relatives and establish a public record of violence. Some survivors reported that the proceedings helped them discover the locations of murdered relatives and provide them with proper burials. Others regarded the hearings as opportunities to obtain acknowledgement of their suffering and understand the circumstances surrounding the deaths of family members (Human Rights Watch, 2011).

Clark (2010) similarly demonstrates that truth-telling within Gacaca had multiple meanings. It was not restricted to the judicial determination of guilt; it also involved the recognition of suffering, the disclosure of previously concealed information and the restoration of historical knowledge within affected communities. This distinction is important because transitional societies require more than the conviction of perpetrators. They also require processes through which victims' experiences become publicly acknowledged and communities confront the histories that continue to shape their relationships.From the perspective of restorative justice, Gacaca attempted to connect accountability with the possibility of reintegration. Confession, acknowledgement of wrongdoing and cooperation with the proceedings could influence sentencing and create opportunities for convicted persons to return to their communities. In some circumstances, community service formed part of the sentencing arrangements. Such practices reflected an attempt to combine punishment with the rehabilitation of offenders and the reconstruction of social relationships.

Nevertheless, the relationship between participation and reconciliation was considerably more complicated than the programme's official objectives suggested. The participation of community members did not necessarily mean that all participants felt safe, represented or equally empowered to speak. Survivors, accused persons and witnesses entered the proceedings with different experiences, interests and vulnerabilities. The public character of the hearings could facilitate disclosure, but it could also expose participants to intimidation, retaliation and psychological distress. Clark (2010) acknowledges these tensions, arguing against both the wholesale dismissal of Gacaca as illegitimate and its romanticisation as an automatically acceptable indigenous institution. His analysis is particularly relevant to the present study because it demonstrates that the legitimacy of a community-based justice system cannot be established simply by invoking its cultural origins. Its actual legitimacy must also be assessed through the experiences of the people who participate in it.

Human Rights Watch's (2011) report, Justice Compromised: The Legacy of Rwanda's Community-Based Gacaca Courts, provides further evidence of the institutional limitations of the process. The report documents serious concerns relating to inadequate legal representation, inconsistent judicial practices, corruption, intimidation of witnesses, false accusations and miscarriages of justice. It also identifies weaknesses in the protection of defendants' rights, including the absence of lawyers in official Gacaca proceedings and insufficient safeguards against partiality.These limitations raise important questions about the relationship between communal participation and procedural justice. Although local knowledge may contribute to the discovery of information and the identification of perpetrators, familiarity with the parties can also produce bias, personal retaliation and conflicts of interest. The assumption that community participation will automatically guarantee impartiality is therefore problematic. A restorative process must protect both victims and accused persons because the pursuit of communal reconciliation cannot legitimately be achieved through the violation of fundamental rights.

Another significant limitation concerns the selective scope of accountability. Human Rights Watch (2011) documents that crimes committed by members of the Rwandan Patriotic Front (RPF) were excluded from the jurisdiction of Gacaca following amendments to the relevant legislation. The report also discusses the limited avenues available to victims of those crimes for obtaining redress. This exclusion raises a fundamental problem for transitional justice: accountability becomes weakened when the justice system does not apply consistently to all alleged perpetrators, irrespective of political affiliation or identity. The exclusion of RPF crimes also illustrates the dangers of political manipulation in community-based justice. When the boundaries of accountability are determined by political considerations, the restorative potential of the process may be undermined. Victims whose experiences fall outside the officially recognised narrative may feel marginalised, while the selective recognition of suffering can reproduce mistrust rather than overcome it. Human Rights Watch (2011) records divergent community experiences, including survivors who considered Gacaca valuable for revealing information and others who remained dissatisfied with the incomplete disclosure of events.

The implications of Gacaca for legal pluralism and hybrid peace governance are therefore particularly significant. Its institutional structure demonstrates that indigenous practices can be adapted to address challenges that exceed the capacity of conventional judicial institutions. However, it equally demonstrates that such adaptation requires safeguards against political interference, inconsistent application of law and the denial of procedural rights. The central lesson from Rwanda is not that customary justice should replace formal criminal justice, but that community participation can strengthen transitional justice when supported by appropriate legal protections. Gacaca's achievements in processing a substantial number of cases, generating local testimony and providing opportunities for acknowledgement must be considered alongside its shortcomings in due process, impartiality and inclusive accountability. Consequently, the Rwandan experience supports a context-specific hybrid approach in which community-based mechanisms contribute local knowledge, participation and social legitimacy, while formal judicial institutions retain responsibility for protecting fundamental rights, investigating serious crimes and ensuring accountability without political discrimination.

Ubuntu: Relational Justice, Human Dignity and Reconciliation in Southern Africa

Ubuntu offers a distinct but complementary perspective on indigenous African justice and transitional peacebuilding. Unlike Umuada, which operates as a recognisable sociopolitical institution, or Gacaca, which functioned as a legally established community-based judicial programme, Ubuntu is primarily a philosophical and ethical orientation grounded in human interconnectedness, mutual responsibility, dignity and communal belonging. Its relevance to restorative justice lies in the understanding that individual well-being is inseparable from the well-being of the wider community. The philosophical significance of Ubuntu is captured in the widely recognised expression that a person becomes a person through other persons. This understanding challenges exclusively individualistic approaches to justice by emphasising the relational consequences of wrongdoing and the importance of restoring damaged human relationships. Under this conception, justice is not exhausted by the punishment of an offender. It also involves recognising victims' suffering, restoring dignity, encouraging accountability and creating conditions for peaceful coexistence.

Elechi, Morris and Schauer (2010), in their article Restoring Justice (Ubuntu): An African Perspective, identify victim restoration, offender reintegration, community participation and the reconstruction of social harmony as important dimensions of African justice-making. Their analysis provides a conceptual foundation for understanding Ubuntu as a restorative ethical framework rather than a particular judicial institution. It also highlights the importance of recognising the interests of victims, offenders and affected communities in processes of conflict resolution. The practical relevance of Ubuntu became particularly visible in post-apartheid South Africa through the Truth and Reconciliation Commission (TRC). Established under the Promotion of National Unity and Reconciliation Act 34 of 1995, the TRC was mandated to investigate gross human-rights violations committed during apartheid, provide opportunities for victims to narrate their experiences, establish a public account of past atrocities and facilitate national reconciliation.

The Commission's approach represented an attempt to address historical injustice through public truth-telling, acknowledgement and conditional amnesty rather than relying exclusively on conventional criminal prosecution. Its hearings created spaces in which victims could describe the violence they experienced and perpetrators could disclose their involvement in politically motivated human-rights violations. In this respect, the TRC reflected aspects of restorative justice by recognising the importance of public acknowledgement, human dignity and the reconstruction of relationships within a deeply divided society. Desmond Tutu (1999), in No Future Without Forgiveness, provides an influential account of the ethical and spiritual significance of Ubuntu in South Africa's reconciliation process. As chairperson of the TRC, Tutu presents reconciliation as an undertaking that requires confronting historical violence rather than suppressing or denying it. His interpretation emphasises human interconnectedness and the possibility of rebuilding relationships without reproducing the logic of revenge.

However, the relationship between Ubuntu and the TRC must not be interpreted as evidence that the Commission fully achieved restorative justice. The experience also reveals tensions between the ethical ideals of reconciliation and the political compromises involved in transitional governance. White and Ntlapo (2022), in their article Ubuntu Justice and the South African Truth and Reconciliation Commission: An African Missiological Response, examine the relationship between Ubuntu, justice and reconciliation through the experiences of the TRC. They argue that Ubuntu provides an ethical framework that recognises the rehabilitation of both victims and perpetrators. Their analysis emphasises that genuine reconciliation requires perpetrators to acknowledge the humanity and dignity of those they have harmed. Reconciliation, therefore, cannot be reduced to the restoration of outward social harmony; it requires moral responsibility and recognition of the experiences of victims.From the perspective of restorative justice, this distinction is important. The restoration of relationships cannot be achieved simply by encouraging victims to forgive perpetrators. Forgiveness, where it occurs, must remain a personal decision rather than an institutional obligation. Similarly, reconciliation cannot legitimately be used to displace the responsibility to provide reparations or establish accountability for serious violations. This concern is explored in a recent contribution by Mbebe (2025), titled Ubuntu Does Not Require Forgiveness: A Critique of the TRC's Pressure on Apartheid Victims to Forgive Their Perpetrators. Mbebe argues that the TRC's interpretation of Ubuntu risked instrumentalising forgiveness by treating it as a moral obligation for victims. According to this critique, the political emphasis on national unity sometimes placed undue pressure on victims to forgive perpetrators and accept emotional closure, even where accountability and restitution remained incomplete.

The argument is particularly important because it challenges the romanticisation of Ubuntu as an uncomplicated philosophy of harmony. Ubuntu does not necessarily require victims to abandon their demands for justice, nor should its emphasis on interconnectedness be used to silence legitimate grievances. Rather, its ethical foundations should be understood in relation to accountability, human dignity, restitution and the restoration of relationships on terms that recognise the rights and experiences of those affected. The South African experience also raises questions about the limitations of reconciliation without adequate material reparation. Public acknowledgement of past atrocities may provide symbolic recognition, but it cannot independently reverse the economic, social and institutional inequalities produced by apartheid. Where victims continue to experience structural disadvantage, the promise of national reconciliation may remain incomplete. A restorative approach informed by Ubuntu must therefore extend beyond interpersonal forgiveness to include

material redress, institutional transformation and the reconstruction of conditions that enable equal participation in society.

From the cultural studies perspective, Ubuntu represents a situated African ethical vocabulary that challenges the assumption that justice must be understood exclusively through individual punishment and formal legal procedures. Its emphasis on communal responsibility, relational identity and human dignity offers an alternative framework for interpreting the objectives of transitional justice. Nevertheless, Ubuntu's ethical flexibility should not be confused with institutional completeness. As a philosophical orientation, it does not independently provide the procedural structures required to investigate serious crimes, determine criminal responsibility, enforce reparations or protect vulnerable individuals. Its practical effectiveness depends on how its principles are translated into concrete institutional arrangements. Consequently, Ubuntu is most useful to transitional peacebuilding when it informs the ethical foundations of justice institutions without displacing the requirements of accountability, legal protection and material reparation. Its significance lies in providing a relational philosophy through which justice can be understood as both an individual and a collective responsibility.

Comparative Analysis: Indigenous Justice, Restorative Accountability and Hybrid Peacebuilding

A comparison of these cases reveals several important similarities and differences. First, communal legitimacy and cultural relevance constitute important sources of authority. Umuada derives its legitimacy from kinship relationships, indigenous institutions and the recognition of women's authority within their communities. Gacaca drew on local participation and community knowledge, although its legitimacy was also shaped by statutory intervention and state political authority. Ubuntu, in contrast, derives its significance from an ethical understanding of human interconnectedness and communal responsibility. These cases demonstrate that justice mechanisms become socially meaningful when their procedures and objectives are intelligible to the communities they serve (Onyesoh, 2022; Clark, 2010; Elechi et al., 2010).

Second, restorative justice requires more than reconciliation. All three cases demonstrate the importance of restoring relationships, but they also reveal that reconciliation cannot be separated from accountability. Umuada emphasises negotiated resolution and the restoration of communal relationships. Gacaca sought to combine public truth-telling with the identification and punishment of genocide perpetrators. Ubuntu emphasises human dignity, mutual recognition and the rehabilitation of victims and offenders. However, the South African experience demonstrates that reconciliation becomes problematic when victims are expected to forgive without adequate accountability or restitution (Ntlapo & White, 2022; Mbebe, 2025).

Third, communal participation must be accompanied by safeguards against exclusion and manipulation. Although community involvement can strengthen legitimacy, it does not automatically guarantee impartiality. The experience of Gacaca demonstrates how local political interests, intimidation and inadequate procedural protections can compromise justice. Umuada similarly requires critical examination of the gender relations and customary power structures within which its authority operates. Ubuntu also requires protection against political appropriation, particularly where the language of communal harmony is used to suppress legitimate demands for justice.

Fourth, the three cases demonstrate different relationships between justice and enforcement. Umuada exercises customary authority through negotiation, collective pressure and community-recognised sanctions, although its enforcement capacity is neither uniform nor equivalent to statutory criminal jurisdiction. Gacaca possessed legally established judicial powers, but its operation was affected by procedural deficiencies and selective accountability. Ubuntu, as a philosophical framework, does not independently possess enforcement powers; its principles must be translated into institutional practices capable of securing accountability and reparation.

The comparative significance of these differences is that culturally grounded justice should not be evaluated solely according to its capacity to punish offenders. Its contribution must also be assessed through the extent to which it recognises victims, encourages responsibility, restores damaged relationships and protects individuals from further injustice.

CONCLUSION

These cases support that indigenous justice systems can rebuild trust, restore relationships, and deepen legitimacy where formal transitional justice is socially narrow or institutionally weak. They also show that the decisive advantage of these systems is not simply that they are traditional, but that they are socially intelligible to affected communities and oriented toward dialogue, reintegration, and communal repair. That is why inclusive participation and culturally grounded practice repeatedly emerge as conditions of legitimacy across transitional settings.At the same time, the study rejectsromanticizing indigenous systems. Customary mechanisms can exclude, be manipulated, lack codified safeguards, or fall short on human-rights protections. The most defensible position is therefore a hybrid model in which state institutions provide legal certainty, recognition, and procedural protections, while indigenous mechanisms contribute legitimacy, participation, and relational repair.

The case studies support the conclusion that African indigenous justice systems are most valuable when treated as complementary peacebuilding resources, not as substitutes for formal law. Umuada shows the continuing power of culturally rooted mediation and women's agency, Gacaca shows both the rich and the risks of large-scale community justice, and Ubuntu supplies the relational ethic that ties restoration, accountability, and coexistence together.

The conclusion for the paper is that context-specific hybridity is the strongest model for transitional peacebuilding in African post-conflict societies. Indigenous institutions contribute local ownership and moral resonance, but durable justice requires safeguards against exclusion, politicization, and selective accountability.

REFERENCES

1. Aasoglenang, T. A., Bonye, S. Z., & Yiridomoh, G. Y. (2023). Framework for building synergies of the traditional and formal political adjudicatory institutions in conflict resolution in north-western Ghana. *Cogent Social Sciences, 9*. https://doi.org/10.1080/23311886.2023.2268974
2. Abah, D., & Adum-Kyeremeh, K. (2024). Umu-Ada (Ama'oma-Ada) women institution in Igala and Igbo Nsukka communities: a comparative socio-cultural analysis. African Identities, 24, 263 - 274. https://doi.org/10.1080/14725843.2024.2365656
3. Adisa, O. O., &Akanni, A. A. (2025).Hybrid Peace Governance and African Traditional Conflict Resolution Mechanisms: Reclaiming Indigenous Pathways For Sustainable Peace. International Journal of African Research Sustainability Studies. https://doi.org/10.70382/caijarss.v8i2.038
4. Ajibade, E. O. (2025). Biblical Ethics and African Approaches to Social Justice and Reconciliation. *Abuja Journal of Humanities*. https://doi.org/10.70118/tajh0010
5. Akinola, A., & Uzodike, U. O. (2018). Ubuntu and the Quest for Conflict Resolution in Africa. Journal of Black Studies, 49, 113 - 91. https://doi.org/10.1177/0021934717736186
6. Amadi-Nche, C.H. and Anga-Nyanabo, I.O. (2020). Women as agents of peace and social development in the South-Eastern Nigeria. International Journal of African and Asian Studies, 69, pp. 37–42. https://doi.org/10.7176/JAAS/69-05.
7. Amaechi, L. N. (2018). The Use of Masquerade Cult and Umu-Ada Fraternity (Igbo Daughters) for Peace and Conflict Resolution in Eastern Nigeria (Igbo Land). https://doi.org/10.30845/aijss.v7n2a10
8. Awoh, E. L., & Nkwi, W. (2017). South Africa and Rwanda: Truth and Reconciliation Commissions, Peacebuilding, Religious and Local African Authorities in Conflict Situations. 20-33. https://doi.org/10.24193/csq.20.2
9. Ayeni, Q., & Ben, A. O. (2025). "Her-Storical" Conceptualization of the "Umuada" Traditional Institution of Eastern Nigeria. *The Gender Truth Journal*. https://doi.org/10.53982/gtj.2025.0201.06-j
10. Baker, C. and Obradovic-Wochnik, J. (2016). Mapping the nexus of transitional justice and peacebuilding. Journal of Intervention and Statebuilding, 10(3), pp. 281–301. https://doi.org/10.1080/17502977.2016.1199483.

11. Balint, J., Evans, J. and McMillan, N. (2014). Rethinking transitional justice, redressing indigenous harm: A new conceptual approach. International Journal of Transitional Justice, 8(2), pp. 194–216. https://doi.org/10.1093/ijtj/iju004.
12. Clark, P. (2010). The Gacaca Courts, Post-Genocide Justice and Reconciliation in Rwanda: Bibliography. https://doi.org/10.1017/cbo9780511761584.015
13. Dupuis, P. (2018). Peacebuilding and Transitional Justice in Sub-Saharan Africa's Post-Conflict Societies: The Role of Traditional Forms of Justice in Post-Civil War Sierra Leone.
14. Elechi, O.O., Morris, S.V.C. and Schauer, E.J. (2010).Restoring justice (Ubuntu): An African perspective. International Criminal Justice Review, 20(1), pp. 73–85. https://doi.org/10.1177/1057567710361719.
15. Funes, M. (2025). The Ubuntu Approach to Building Restorative Justice. *International Journal of Science, Technology and Society*. https://doi.org/10.11648/j.ijsts.20251304.12
16. Genbezo, D. G., Gatiso, M. M., &Adafre, M. T. (2025). Cultural Pathways to Reconciliation and Harmony: Indigenous Conflict Resolution Mechanisms and Peace Formation Practices Among the Dawuro Ethnic Group of Southwest Ethiopia. *Conflict Resolution Quarterly*. https://doi.org/10.1002/crq.70004
17. Griffiths, J. (1986). What is legal pluralism? Journal of Legal Pluralism and Unofficial Law, 18(24), pp. 1–55. https://doi.org/10.1080/07329113.1986.10756387.
18. H. Innocent, M. (2025). Interreligious Dialogue for Peacebuilding: A Hermeneutical-philosophical Approach to the Ethics of Understanding in a Post-Conflict Africa. *Asian Research Journal of Arts & Social Sciences*. https://doi.org/10.9734/arjass/2025/v23i8748
19. Hassan, W. H. S. (2025). Balancing Retributive and Restorative Justice in Post Conflict Somalia: Implications for Social Cohesion and Peacebuilding. *Mogadishu University Journal*. https://doi.org/10.70457/muj00111
20. Human Rights Watch (2011). Justice Compromised: The Legacy of Rwanda's Community-Based Gacaca Courts. 31 May. Available at: https://www.hrw.org/report/2011/05/31/justice-compromised/legacy-rwandas-community-based-gacaca-courts.
21. Kurtz, M. M. (2022). Ubuntu as Peacebuilding. *Encyclopedia of Violence, Peace, & Conflict*. https://doi.org/10.1016/b978-0-12-820195-4.00305-8
22. L., H., & M. (2021). Traditional justice and reconciliation after violent conflict. Learning from African experiences.
23. Loyle, C. (2017). Rwanda's Gacaca Courts. 73-89. https://doi.org/10.4324/9781351295000-3
24. Maddison, S. and Shepherd, L.J. (2014). Peacebuilding and the postcolonial politics of transitional justice. Peacebuilding, 2(3), pp. 253–269. https://doi.org/10.1080/21647259.2014.899133.
25. Mbebe, K. (2025). Ubuntu does not require forgiveness: A critique of the TRC's pressure on apartheid victims to forgive their perpetrators. Phronimon, 26(1), 1-17
26. Mekonnen, D. (2011). Indigenous legal tradition as a supplement to African transitional justice initiatives. African Journal on Conflict Resolution, 10, 101-122. https://doi.org/10.4314/ajcr.v10i3.63322
27. Metz, T. (2025). Cross-cultural and Applied Ethics in the Light of a Relational Moral Theory. *Ethical Theory and Moral Practice*. https://doi.org/10.1007/s10677-025-10520-0
28. Mignolo, W.D. (2011). The Darker Side of Western Modernity: Global Futures, Decolonial Options. Durham, NC: Duke University Press.
29. Mokoena, J.-P., & Nshimiyimana, E. (2025). Traditional Conflict Resolution in Modern Peacebuilding: Gacaca Courts in Post-Genocide Rwanda. Culture, Society, Economy, Politics, 5, 23 - 37. https://doi.org/10.2478/csep-2025-0003
30. Monday, A. E. (2026). Traditional Conflict Resolution Mechanisms in Modern African States. *International Journal of Research and Innovation in Social Science*. https://doi.org/10.47772/ijriss.2026.10100276
31. Musengimana, J. (2025). Restorative Justice and Post-Genocide Reconciliation: Ethical Implications and Community Healing in Rwanda. Journal of Ethics in Higher Education. https://doi.org/10.26034/fr.jehe.2024.6897
32. Nagel, M. (2021). Transitional justice in Rwanda and South Africa. *The Routledge International Handbook of Penal Abolition*. https://doi.org/10.4324/9780429425035-45

33. Ndiema, W. K. (2025). The Role of Traditional Institutions in Peace building: Lessons from Rwanda's Gacaca Courts. *Editon Consortium Journal of Arts, Humanities and Social Studies*. https://doi.org/10.51317/ecjahss.v7i1.636
34. Obasi, C. O., & Nnamani, R. (2015). The Role of Umuada Igbo in Conflict Management and Development in Nigeria. *The Open Journal of Political Science, 05*, 256-263. https://doi.org/10.4236/ojps.2015.54027
35. Odubajo, T. (2021). Africa's Transitionssal Justice System in a Changing Global Order: The "Allure" of Rwanda's Gacaca Transitional Justice System. *The Palgrave Handbook of Africa and the Changing Global Order*. https://doi.org/10.1007/978-3-030-77481-3_40
36. Olarte Delgado, A. M. (2025). Attempts in Strengthening Indigenous Justice Systems in Colombia Through Transitional Justice. *International Journal for Crime, Justice and Social Democracy*. https://doi.org/10.5204/ijcjsd.3905
37. Olawale, F. E., Hooi, K. Y., &Balakrishnan, K. S. (2024). The dynamics of African traditional justice systems: Perspectives and prospective. *African Security Review, 33*, 229 - 244. https://doi.org/10.1080/10246029.2023.2301089
38. Onyesoh, J. (2021). Umuada: A Sociopolitical Institution for Peacebuilding and Conflict Management in Nigeria. *Revue internationale de politique de development*. https://doi.org/10.4000/poldev.4675
39. Opongo, E. (2021). Transitional justice discourse in post-conflict societies in Africa: introduction. 1-7. https://doi.org/10.5871/jba/009s2.001
40. Quijano, A. (2000). Coloniality of power, Eurocentrism, and Latin America. Nepantla: Views from South, 1(3), pp. 533–580.
41. Rebecka, W. (2025). Africa as a Healer: Reclaiming Indigenous African Systems of Justice and Restoration. African Journal of Economics, Politics and Social Studies. https://doi.org/10.15804/ajepss.2025.2.06
42. Rettig, M. (2008). Gacaca: Truth, Justice, and Reconciliation in Postconflict Rwanda? *African Studies Review, 51*, 25 - 50. https://doi.org/10.1353/arw.0.0091
43. Schoeman, M. (2016). The African Concept of Ubuntu and Restorative Justice. 311-330. https://doi.org/10.4324/9781315604053-25
44. Sunday, C. (2026). Customary Justice Systems Vs. Formal Courts: Bridging Gaps in Rural Conflict Resolution. *International Journal of Research and Scientific Innovation*. https://doi.org/10.51244/ijrsi.2026.1305000008
45. Szpak, A. (2018). Indigenous Mechanisms of Transitional Justice as Complementary Instruments to State Justice Systems: Cases of matooput in Uganda, bashingantahe Councils in Burundi and Navajos' Custom of naat'aani. 55-70. https://doi.org/10.15804/ppsy2017204
46. Teleki, M., & Kamga, S. (2020). Recognizing the Value of the African Indigenous Knowledge System: The Case of Ubuntu and Restorative Justice. 303-327. https://doi.org/10.1007/978-3-030-34304-0_16
47. Tutu, D. (1999). No Future Without Forgiveness. New York: Doubleday.
48. White, P., &Ntlapo, H.S. (2022). Ubuntu justice and the South African Truth and Reconciliation Commission: An African missiological response. Stellenbosch Theological Journal, 8(1), pp. 1–19. https://doi.org/10.17570/stj.2022.v8n1.a12
49. Zehr, H. (2002). The Little Book of Restorative Justice. Intercourse, PA: Good Books.