

the collective dimensions of the right to life, while ordinary justice deals with its individual dimension. Because of this, the Court found no violation of the *ne bis in idem* rule in a case where ordinary adjudicators heard a case already resolved by Indigenous adjudicators. The reasoning of the Court was flawed and it appears to contradict the purposes of the inclusion of the *ne bis in idem* rule. Finally, the rule is not absolute, and there are certain cases in which it is not applicable, mainly because the first trial demonstrated serious deficiencies or there was no real intention to bring the defendant to justice. In such cases, there is apparent *res judicata* and it is possible to order a second trial. The Constitutional Court did not explore the non-absolute nature of the rule, which demands a case-by-case analysis. Instead, it passed a general prohibition against Indigenous adjudicators hearing future cases related to the right to life. Whether the Court limited the jurisdiction of Indigenous adjudicators beyond what is possible or desirable in a legally pluralistic society is a topic that deserves further research. For the purposes of this article, the Court's decision fits awkwardly with the *ne bis in idem* rule.

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