

African Judiciaries Research Network (AJRN) newsletter, no. 17, December 2024

If anyone has any **information that they would like included in the next newsletter** (to be circulated the week of 6 January 2025) please email g.lynch@warwick.ac.uk. Similarly, if you have suggestions of people who we should contact about joining the network or would like to unsubscribe from the newsletter please email g.lynch@warwick.ac.uk.

Call for papers: Law in Development, British Institute in Eastern Africa, Nairobi, 1-2 April 2025

Has the idea of development outlived its usefulness? What role has critical scholarship on law in development to play in contemporary contexts? Would it be better to focus on specific social and economic injustices? What is the role of the law and of legal professionals and judicial officers in socio-economic and political development in contemporary Africa? What challenges do civil society organisations encounter when they engage with the law?

To mark the 60th anniversary of the University of Warwick and the Warwick Law School's long history and continuing engagement with law in development scholarship, the AJRN, Department of Politics and International Studies, Warwick Africa Hub, and Warwick Law School are hosting a two-day workshop at the British Institute in Eastern Africa in Nairobi on 1st and 2nd April 2025.

Day 1: Critical engagements with African Law in Development workshop and roundtable. 1 April 2025

This hybrid academic workshop will focus on the evolution, contemporary relevance, and challenges facing the idea of law in and for development in contemporary Africa.

Possible themes include: the potential for law and of legal professionals and judicial officers in pushing forward socio-economic and/or political development; the role of the law and of legal professionals and judicial officers in maintaining the status quo or upholding authoritarianism and injustice; the challenges facing those, including civil society organisations and activists who seek to pursue social, economic and climate justice through legal means; and neo-colonialism and post-coloniality and the law.

The day will conclude with a roundtable discussion of continuities and discontinuities in 'law in development' to be facilitated by Prof. Ambreena Manji (Cardiff University).

If you would like to present a paper at the workshop, please submit a title and 300-word abstract to Gabrielle Lynch (g.lynch@warwick.ac.uk) by **31 December 2024** and indicate whether you intend to participate in person or online. Those selected will need to give a 10 to 15-minute presentation.

Day 2: Early career writing workshop. 2 April 2025

This in-person writing workshop will support early career researchers – from MA students through to those who have completed a PhD in the past five years – to prepare articles for submission to academic journals. Papers are welcomed from legal scholars, but also from anthropologists, historians, and political scientists, whose scholarship focuses on the role of, challenges to, and critiques of law in development.

If you would like to submit a paper for discussion, then please submit a title and 300-word abstract to Gabrielle Lynch (g.lynch@warwick.ac.uk) by **Thursday 31 December 2024**. Those selected will need to submit a full draft of their paper by **28 February 2025**.

We have a small budget to support the travel of researchers from Eastern Africa to attend the writing workshop. When submitting your abstract please indicate whether you would need to apply for a bursary to cover travel and/or subsistence and where you will be travelling from and a breakdown of your travel budget.

AJRN at the European Conference of African Studies (ECAS), Prague, 25-28 June 2025 – call for papers

Sophie Andreeta and Pauline Jarroux are organising a panel at ECAS 2025 on “Judicializing the ‘new threats’: African courts facing transnational issues” and would welcome abstracts. You can submit an abstract via <https://guarant.eu/ecasconference2025/call-for-papers/> by selecting the thematic stream “violence and conflict resolution”. The deadline for abstracts is **15 December 2024**.

Panel abstract:

Trafficking in drugs, human beings and weapons, money laundering, financial crime, illicit exploitation of natural resources and armed violence have been happening for (more than) decades, both on the African continent and worldwide. Yet, due to what is considered as its transnational expansion, organised crime in Africa, now measured by experts and indexes, is increasingly framed as a major concern by national, regional, and international actors and seen as ‘new’ and significant threats to human security and global stability. As a result, numerous transnational projects are developing programmes aimed at training actors in the criminal justice system or at strengthening legal frameworks on the continent. How these ‘new’ forms of crime are addressed and framed by African courts, however, has hardly been studied so far. This panel aims to fill such a gap and welcomes empirical contributions shedding light on questions such as:

- How are national criminal policies and practices being transformed by these ‘new crimes’? What are the political and cultural dynamics involved in the differential management of illegalisms?
 - How do legal professionals deal with these new offenses? Which social, economic, cultural, and political frames do they mobilise when handling cases?
 - How do legal frameworks and standards circulate at regional and transnational levels?
- Through the judicialization of ‘new threats’, this panel eventually aims to reflect on the way African judiciaries deal with new norms and tackle global stakes. It will also contribute to wider scholarship on the place of African courts in global politics.

AJRN at the European Conference of African Studies (ECAS), Prague, 25-28 June 2025 – second panel

The AJRN will then have a second panel at ECAS 2025 on “African Judiciaries”. Panel organised by Gabrielle Lynch (University of Warwick) and Mariam Kamunyu (Cardiff University). Chair, Sophie Andreeta (University of Liège)

African judiciaries are increasingly called upon to decide on matters of the utmost political significance with massive implications for perceptions and realities of equality and justice- from maternal health rights to who has the right to form associations and who wins an

election. This panel looks at the role of African judiciaries in helping to promote- and perhaps also inadvertently undermine- perceptions and realities of equality and justice in contemporary Africa.

Jessica Hickle (Yale University), "Post-election Litigation: Why Losing Candidates Contest Election Results in Court"

Mariam Kamunyu (Cardiff University), "Unveiling the minimum core obligation in maternal health: A feminist reading of Bungoma County v Josephine Oundo Ongwen"

Gabrielle Lynch (University of Warwick), "Ideas of the good judge"

Mikhail Nyamweya (University of Oxford), "Navigating Political Rhetoric and Public Perceptions in African Identities: The Case of Kenya's Judiciary"

African Judges Preventing and Responding to Political Attacks, Queen Mary University of London, 26 February 2024

The Centre for Governance and Democracy at QMUL and AJRN are organising an informal workshop on Wednesday 26 February 2025 at 10am-4pm (UK time) at Queen Mary University of London, Mile End, E1 4NS (and online).

Political attacks on judges have long been a feature of politics in sub-Saharan Africa. In recent years, however, they have become prominent in even more seemingly consolidated democracies with powerful and assertive judiciaries, such as Kenya and South Africa. The main aim of this workshop is not simply to criticise politicians for making these attacks. Instead, it aims to 1) understand why these attacks have surfaced when and where they have, and 2) to ask how judges might therefore best prevent and respond to them. Our answers to the second question will be enriched by listening to experiences from across the continent, where the (in)formal norms governing how judges should engage in public debate have differed enormously between jurisdictions.

Organiser: Peter Brett (p.brett@qmul.ac.uk)

Women in African Judiciaries, University of Witwatersrand, Johannesburg, 17-18 March 2025

The AJRN, International Commission of Jurists (ICJ), and School of Law, University of Witwatersrand are organising a two-day event at the University of Witwatersrand in Johannesburg on 17-18 March 2025. The first day will be an in-person only event and will bring together women judges from across Africa (including a number of ICJ commissioners), state officials, civil society leaders, and academics to discuss women's experiences on the bench and to celebrate the life and work of the late Justice Yvonne Mokgoro (South Africa's first black women judge and an ICJ Commissioner) and appointment of Justice Maya as South Africa's first female Chief Justice. Chief Justice Maya will also give the keynote. The second day will consist of a hybrid academic workshop on women in African judiciaries.

Organisers: ICJ, Cathi Albertyn (cathi.albertyn@wits.ac.za) and Gabrielle Lynch (g.lynch@warwick.ac.uk)

Opportunities to write opinion pieces/blogs on African judiciaries

AJRN has teamed up with Democracy in Africa to launch a series of opinion pieces on African judiciaries and democracy. For details on how to write an article for **Democracy in Africa** go to <http://democracyinafrica.org/join-the-new-african-judiciaries-research-network-ajrn-today/>.

The AJRN has also been in touch with **The Conversation Africa** and **The Elephant** and is happy to report that:

The Conversation Africa welcomes articles on African judiciaries that are based on research. These can be republished anywhere in the world under a Creative Commons licence, giving your work a wider reach and introducing it to new audiences. You can pitch your idea for an article [here](#). You can subscribe to the Conversation Africa newsletter [here](#).

The Elephant welcomes articles of 1,500-3,500 words on African judiciaries. The Elephant is a popular online Kenyan news platform which seeks well researched, honest critiques, critical essays and sharp-eyed perspectives on a broad range of topics addressed from a Pan African lens. For details on how to submit a pitch and write for *The Elephant* see <https://www.theelephant.info/write-for-us/>.

AJRN member profile of the month



Cathi Albertyn is a Professor of Law and South African Research Chair in Equality, Law and Social Justice in the School of Law at the University of the Witwatersrand (Wits), Johannesburg, South Africa. Cathi studied at the University of Cape Town (BA LLB) and Cambridge (MPhil, PHD), qualified as an Attorney of the High Court, and worked at the Centre for Applied Legal Studies, a human rights centre at Wits for fifteen years, between 1992 and 2007. Here she initiated and ran its Gender Project, and was its director for five years before moving to Wits School of Law. At the School of Law, she teaches postgraduate courses on human rights, supervises a cohort of postgraduate students and manages a number of research projects on equality, gender, human rights and constitutional law. She is internationally recognised for her work on equality across a number of fields and publishes widely in this area. Over the years, she has been involved in training judges on South Africa's Equality Act, acted as an expert facilitator for the International Commission of Jurists (ICJ) in meetings of women judges in Africa, and published several book chapters on judicial diversity, the role and effects of women judges, and women in positions of judicial leadership.

Cathi is an editor of the top-rated legal journal in South Africa, the South African Journal on Human Rights, and is on the editorial board of the University of Oxford Human Rights Hub Journal and the South African Judicial Education Journal. In 1997, she was appointed a

Commissioner on the first Commission on Gender Equality and between 2007-2011, she served as Commissioner at the South African Law Reform Commission. She has previously served on the executive of non-government organisations, including the Reproductive Rights Alliance (RRA) and the Coalition for the Advancement of the South Africa Constitution (CASAC).

AJRN webpage

The AJRN has a webpage (<https://warwick.ac.uk/fac/soc/pais/research/ajrn>) where we will be uploading the newsletters as well as information on events, opinion pieces and members. **If you want to be included in the list of network members on the website and future newsletters, then please send a photograph and a bio in the standard format (see below)** with details of positions and institutional/organisational affiliation, up to 5 keywords on relevant research interests, and contact email/Twitter handle to g.lynch@warwick.ac.uk. E.g.

Prof. Gabrielle Lynch, Professor of Comparative Politics, University of Warwick, UK; judicial behaviour, election petitions, Kenya, Uganda, Zambia; g.lynch@warwick.ac.uk; @GabrielleLynch6.

If you have already sent a bio for the newsletter, then please do send a photo for inclusion on the webpage.

Network members

NB: If you want to be included in the list of network members in future newsletters and the website, please send a photo and bio in the standard format (see below) with details of positions and institutional/organisational affiliation, up to 5 keywords on relevant research interests, and contact email/Twitter handle to g.lynch@warwick.ac.uk.

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Thandiwe Daka Oteng, Legal Practitioner with expertise in International Law, International Human Rights Law, Constitutional Law, Corporate law and Governance. Served as Permanent

Secretary in the Ministry of Justice and Director-International Law and Agreements in the Attorney-General's Chambers of Zambia. X: @ThandiweOteng Email: thandiwe_daka@yahoo.co.uk

Prof. J. Jarpa Dawuni, Associate Professor of Political Science at Howard University, Washington D.C; Executive Director of the Institute for African Women in Law; law and development, judicial politics, women and the legal professions, gender and the law, international human rights, democratization and women's civil society organizing; director@africanwomeninlaw.com.

Justice Dorothy A. DeGabriele, Judge of the High Court, Malawi, Current PhD Scholar, University of Warwick, UK; Law and Development, Governance and Electoral Justice, Courts and Politics within SADC, Dorothy.Degabriele@warwick.ac.uk; @a_degabriele.

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