African Judiciaries Research Network (AJRN) newsletter, no. 18, January 2025

If anyone has any **information that they would like included in the next newsletter** (to be circulated the week of 3 February 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.

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)

Law in Development workshop, 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 will consist of a hybrid academic workshop and on Day 2 there'll be a writing workshop to support early career researchers participating in the workshop to prepare their paper for publication.

Recent publications by network members

Maraire, W. (2024) Systematic barriers to unfairness: Access to justice in Zimbabwe and beyond. Revista Direitogv.
https://preprints.scielo.org/index.php/scielo/preprint/view/10153/18677

Maraire, W. (2024) The Pursuit of an Appropriate Dispute Resolution Philosophy for Africa. *Journal of African Law*. Published online 2024:1-19. doi:10.1017/S0021855324000251. https://www.cambridge.org/core/journals/journal-of-african-law/article/pursuit-of-an-appropriate-dispute-resolution-philosophy-for-africa/7A4F20403D74637C2CE299632C20EF27.

Recent grant success by network members

Gabrielle Lynch (University of Warwick) was awarded a three-year Leverhulme Major Research Fellowship for a project on judges' off-bench activities (Title: Judges as (in)visible political actors: Theory and evidence from Africa) to start in October 2025.

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

Duncan Okello is a political scientist, a lawyer, and an international relations specialist. His career and professional history are multi-disciplinary, multi-sectoral, and multi-institutional- a triad of politics, policy, and the law. He has extensive experience in government, civil society, and policy research institutions. His research interest is on how the law, policy, and institutions, interface to mediate and influence state and citizen relations.

He presently serves as a ***Commissioner,*** Kenya Law Reform Commission (KLRC), and as ***Deputy Director*** at the Kenya Judiciary Academy (KJA). He has previously served as the first ***Chief of Staff*** in the Office of the Chief Justice & President of the Supreme Court of Kenya; the founder ***Executive Director*** of the National Council on the Administration of Justice (NCAJ) – a multi-agency statutory body that coordinates the entire justice sector; ***Director of Programs*** at the Institute of Economic Affairs (IEA) – Kenya's premier independent policy and research think tank; and ***Regional Director***, Society for International Development (SID), Eastern & Southern Africa.

From 2011 to 2018 when he joined the Judiciary as Chief of Staff in the Office of the Chief Justice, he was part of the team that developed and implemented the ***Judiciary Transformation Framework (JTF), 2012-2016*** and ***Sustaining Judiciary Transformation: A Service Delivery Agenda, 2017 - 2021.*** He was appointed by the Chief Justice as ***Chair*** of the ***Judiciary Inauguration and Swearing-in Committee for the President of the Republic of Kenya and Governors (2017),*** and as ***Advisor*** *to the Swearing-in Committee (2022).*

He was part of the team that designed the Ministry of Justice's ***Interim Governance, Justice, Law and Order Sector Program (GJLOS)*** and the ***GJLOS Policy Framework Paper*** in 2010. While serving at the Institute of Economic Affairs (IEA) in 2001, he led the program that drafted the policy and the law that established the ***Parliamentary Budget Office (PBO),*** and provided technical and research support to the Constitution of Kenya Review Commission (CKRC) for the Chapters on Public Finance and Devolution. The ***Privatization Bill*** that was eventually enacted into law was also a product of his IEA programmatic leadership, in partnership with the African Academy of Sciences (AAS).

In the last two decades, he has researched, written, and worked extensively on policy, legal, political and development processes, with a focus on governance and institutional reform for societies in transition. Some of his published works include four books which he has co-edited: ***Beacons of Judiciary Transformation*** (co-edited with Prof. Sylvia Kang'ara and Kwamchetsi Makokha, 2021); ***Kenya: The Struggle for a New Constitutional Order*** (co-edited with Dr. Godwin Murunga and Dr. Anders Sjogren, 2014); ***Tensions and Reversal in Democratic Transitions: the 2007 General Elections*** *(co-edited with Prof. Karuti Kanyinga, 2010);* ***Readings on Inequality in Kenya: Sectoral Dynamics and Perspectives*** *(co-edited with Mr. Gitau Mburu, 2007);* ***Towards Sustainable East African Community: Voices and Visions,*** *KAF, 1999); Civil Society in the Third Republic (NGO Council, 2003)*. He has also written several book chapters including *The Constitution and Public Finance* (Centre for Law and Research International, CLARION, 2005); *The Socio-Economic Context of Governance in Kenya,* (co-authored with Mr. Kwame Owino, African Centre for Economic Growth (ACEG), 2005)*; Emerging Discourses on*

Inequality in Kenya and Implications for Policy and Politics: A Preliminary Account', DPMF, 2009)*; Democratic Change and Political Transition in Kenya, 2003 – 2007: An Examination of Civil Society Effect on the Culture of Governance,* IDS, Sussex, United Kingdom , 2010)*; Mediating Kenya's Post-Poll Conflict: Limits of Power Sharing as a Device for Managing Structural Conflicts, (*co-authored with Prof. Bernard Sihanya, IDS, University of Nairobi/SID, 2010); *The Socio-Economic Context of Devolution: A Political Economy Inquiry and Emerging Jurisprudence* (JTI/IDLO/Katiba Institute)*; A Survey of Public Finance Laws and Institutions in Kenya, Care Kenya, 2002); Seven Years of Waste: A Review of the Report of the Controller and Auditor General, CGD Policy Digest, 1999.*

He has coordinated the preparation and publication of several scholarly works including the 10 *SID Constitution Working Paper Series, 2010; the IEA-SID Kenya Scenarios Project, 2002;* the *Privatisation Bill* that appeared in the African Academy of Sciences book, ***The Context of Privatisation in Kenya,*** which became a forerunner to the ultimate privatization law in Kenya.

He holds a Bachelor of Arts degree in Political Science; and a Bachelor of Laws degree (LL.B.), both from the University of Nairobi. He also holds a Master of Arts degree in International Relations from the University of Kent, at Canterbury, United Kingdom, where he studied as a Chevening Scholar. His Masters' thesis was on ***UN Peace-Keeping in Post-Cold War Intra-State Conflicts: A Comparative Study of the Principle of Subcontracting of NATO in Yugoslavia and ECOWAS in Liberia.*** He occasionally dabbles in poetry and holds an unpublished anthology

AJRN webpage

The AJRN has a webpage (https://warwick.ac.uk/fac/soc/pais/research/ajrn) where you can find past 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/social media 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/social media handle to g.lynch@warwick.ac.uk.

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