

# Editorial

This Eighth Volume of the *Strathmore Law Journal* (SLJ) reflects a breadth of topics on some of the pertinent issues pressing the legal systems in Africa and how they have been tackled over the years. From insightful analyses of more established topics such as justice systems to emerging frontiers in global health and environmental governance, this edition exemplifies and edifies the growing richness and sophistication of homegrown scholarship on the continent.

Layla Latif's piece sets the stage for this edition as she explores important answers within an emerging frontier. In her work, Latif tackles the global health financing structure, postulating that it currently, likewise historically, disparately impacts the Global South. With the employ of an adept historical analysis, Latif draws a direct connection between colonial-era policies and procedures and the persistent inequities in resource allocation for addressing global diseases. Cognisant of the ongoing multilateral discussions on restructuring the global financial system for equity, particularly regarding Africa, Latif ultimately concludes that only a comprehensive restructuring of the financing system can achieve true global health equity.

Next, Macharia Kaguru pivots the discussion towards the realisation of environmental rights in the contemporary era of constitutionalism. Through a case study of Kenya and South Africa, her contribution addresses the enduring implementation gap between the enshrinement of environmental rights in national constitutions and material environmental protection. Gray advocates for a 'harmonised' approach grounded in a deeper appreciation and understanding of fundamental values to actualise environmental rights both in substance and in form.

The subsequent section presents a series of articles pertinent to the administration of justice. Three distinguished authors contribute insightful analyses drawn from their experiences within three distinct jurisdictions.

Maurice Okech-Owiti, Albert Mumma, and Professor Kariuki Muigua take the baton and delve into the work of Kenya's judicial task force on alternative justice systems. Amidst increasing reliance on such systems, Okech-Owiti *et al.* highlight the ambiguity surrounding fundamental concepts on alternative justice systems, terming this a 'conceptual minefield', and illuminating the challenges this presents for the administration of justice.

Rounding off this section is Odunsi and Odunsi's contribution which takes a wide view of a collection of issues affecting the administration of justice in Nigeria. Centring their analysis on the constraints of a positivist approach, the authors explore the degree to which narrow constructivist applications meet the principles of justness and equity.

The final section of this edition contains three articles on varying topical matters across the African legal landscape.

Within the domain of criminal justice, Fasilat Olalere, Eti Herbert, and Ademola Ojekunle undertake a critical interrogation into the causes of wrongful convictions in Nigeria, through an inter-jurisdictional analysis. From flawed investigative process to inadequate judicial scrutiny of evidence at the trial stage, the authors argue that the undue reliance on confessional statements risks jeopardising access to justice, and therefore ought to be mitigated by intelligence gathering and forensic evidence.

Addressing administrative challenges in public procurement, Dare Ayinde examines Nigeria's emergency procurement framework exposing its vulnerability to corruption. Ayinde advocates for targeted reforms aimed at closing existing loopholes. Among his most critically recommended transformation includes giving procuring entities the options of competitive negotiation and framework agreements, as well as strengthening reporting mechanisms and audits once emergency procurement processes are completed.

The issue closes with a debate on regional responses to coups/overthrows of constitutionally established governments in post-independence Africa. Tayewo Adewumi and Oluwayemi Ogunkorode spotlight the recent case of Niger and investigate whether the Economic Community of West African States (ECOWAS) can reconcile its authority to intervene with respect for state sovereignty, and the rule of law. The authors conclude that ECOWAS's mediation mechanism is more appropriate and can meet the goal of taking decisive action against coup/overthrow instigators, while protecting human life.

In this eighth issue of *Strathmore Law Journal*, we are deeply appreciative of the many blind peer reviewers who have been a critical part of the editorial process for this publication. We extend our deepest gratitude to them, and, to our copy editor(s) and language editor who completed this work. As we look to our tenth year, we continue in our purpose to enable knowledge production and scholarship on African law and the law in Africa amidst the evolving African landscape.

Mukami Wangai  
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