Editorial

Building on precedent yet maintaining an ever-evolving brand is a difficult feat, yet the Strathmore Law Review has managed it with a grace and innovativeness that underscores the latest review. This is the third volume and the first to be curated without the Founding Board Members. Their core values have been maintained and exemplified in each of the articles all the while expansion of content has been introduced.

The articles in this year’s review question and criticise contemporary issues in law in line with the theme; ‘Law towards a Better Society’.

In The East African Court of Justice and Human Rights Jurisdiction: Drawing the Line Liza Chula challenges the assumption that the East African Court of Justice has express jurisdiction to deal with human rights cases. The author delves into the court’s history and tackles case law that challenged its jurisdiction coming to the conclusion that while it is implied, a clearer statement on the court’s jurisdiction to deal with human rights matters needs to be established to avoid grey areas that may impede access to justice.

Arnold Neiko’s Ignorance of the Law is no Defence: Street Law as a Means to Reconcile this Maxim with the Rule of Law offers the argument that the increased legislation and its complex nature provides a counter to the maxim that ignorance of the law is no defence. The author proffers a simplified method of relating the law to the common man in an attempt, chiefly, to keep him in the loop and to protect him from the aforementioned maxim. Further, he insists that the contribution of the African student in this regard cannot be overlooked.

A Game of Code: Challenges of Cyberspace as a Domain of Warfare tackles the rapidly evolving and majorly unregulated area of cyber warfare. The author, Christopher Nyabuto, argues that there is a need to insist on the application of the current International Humanitarian Law framework to the warfare instead of drafting a new set of laws, and a greater commitment by States to consistent legal review of weapons.

This third volume introduces the first recent developments section. Cecil Yongo’s essay Building an African Academic Law Journal: Some Reflections, examines
the history and inner workings of the Strathmore Law Review. He shares the reasoning behind the philosophies developed in the review which could possibly inspire the establishment of more student journals in Africa.

In *The Problem of Sports Betting in Kenya: Striking a balance between Private Profit and Public Good*, Victoria Nyawira delves into the recent phenomenon of sports betting in Kenya and the difficulties faced in regulating it. While the medium has become widely popular and economically beneficial, it carries with it great risks of loss and the potential to have ordinary citizens manipulated by the large betting operations. The author recommends a balance between the positive traits of the phenomenon and the government’s fiduciary duty to protect Kenyan citizens from the ill-effects of betting.

Lastly, the third edition also introduces the first book review section. Maxwel Miyawa’s review on *The Contested Empowerment of Kenya’s Judiciary, 2010-2015: A Historical Analysis* by James Thuo Gathii and Melissa Mungai’s review of *When Courts do Politics: Public Interest Law and Litigation in East Africa* by J Oloka-Onyango bring to the fore the often-trivialised might of the judiciary in Kenya and East Africa respectively. Both celebrate the development of judicial empowerment and anticipate more robust pronouncements from the courts that culminate in social change.

My gratitude goes out to the authors and expert reviewers in this volume namely Harrison Mbori, Emmah Senge, Gabrielle Lynch, Victor Brobbey, Santiago Legarre, Raphael Ng’etich, Allan Munyao, Francis Khayundi and Smith Otieno. To Grace Diida, Kas Musyoka, Sandra Bucha and Alex Ndegwa your assistance during our final stages gave us that much-needed push. Special thanks to Martyn Drakard for your input on the manuscript. I would be remiss if I failed to recognise Dr Franceschi and Dr Ambani for their undying support to student authorship. In a special way, Emmanuel Nzaku for the motivation since my journey as a student editor began three years ago.

To the editorial team, the twists and turns of this arduous endeavour would be unbearable without your incredible industry. Mitchel Ondili deserves specific mention. She has served the Strathmore Law Review since she began law school, rose to the position of peer review editor for this volume and left her final mark in the drafting of this editorial.

I wish the incoming Board the very best. Without a doubt, you will propel this student journal to greater unimaginable heights.
In all, this volume is a testament to the commitment to excellence in academic writing, set down by the pioneer board and carried forward by the current one. The values expressed are the cornerstone of the legacy the Board intends to build and will continue to strive for.

Melissa Mungai – Editor-in-Chief