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Editor's Note

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Editor's Note

Courts, for good or ill, develop and shape the law in ways that at times, may not easily be predictable. It is often through the courts that citizens experience the law in action and its impact on their lives and the life of the country. How have the Zambian and African Courts fared in this regard?

We are very glad to present *Volume 3: Issue 1* of the SCR 2020. The current issue features nine case reviews covering various branches of law, such as human rights, constitutional law, criminal law, labour law, and environmental law. The first case is that of *Daniel Mwale v Njolomole Mtonga and Another*. The case was one of several cases in 2019 when the Supreme Court ran riot in exercise of its power to cite persons for contempt of court. The second case, *Ethel Dlamini v Prince Chief GasawaNgwane*, takes us to Eswatini (formerly Swaziland) and deals with the issue of women's rights and systemic gender discrimination.

The next four cases deal with constitutional matters. In the case of *Law Association of Zambia and Chapter One Foundation Limited v Attorney General*, the Constitutional Court dealt with the issue of the power of courts to review the constitution making process. The case of *Chishimba Kambwili v Attorney General* dealt with the issue of constitutional remedies following the unconstitutional dismissal of a Member of Parliament from office by the Speaker of the National Assembly. This is followed by the case of *George Peter Mwanza and Melvin Beene v Attorney General*, in which the Supreme Court recognised the existence of the right to food and nutrition, premised on the articulation of the right to life. The last of the constitutional law cases is that of *Daniel Pule and Others v Attorney General and Others*, which raised questions about the eligibility of President Edgar Lungu to seek a third term in office.

The seventh case, that of *Abedinego Kapeshi and Another v The People* deals with the criminal law doctrine of extenuating factors in murder cases. The case specifically reinterpreted the doctrine and its application in circumstances where the extenuating factor is a belief in witchcraft. This is followed by the case of *Moses Lukwanda and 9 Others v Zambia Airforce Projects Limited and 7 Others*, an environmental ruling which revolved around the issuance of an injunction against a developmental entity in which the government had a stake but which had ruinous effects on the environment. We close with the case of *Richard Musenyesa v INDO Zambia Bank Limited*, a labour law case dealing with the issue of payment of gratuity to an employee under circumstances where entitlement to gratuity was unilaterally withdrawn by the employer.

We hope you will enjoy our selection of case reviews.

O'Brien Kaaba