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FOREWORD

It is with great pleasure that I welcome you to the fifth edition of the SOAS Law Journal. I was delighted and honoured to be asked to write this foreword, and I am extremely grateful to the many students who played a part in producing this excellent testament to the SOAS School of Law as a community of scholars, rather than the neoliberal caricature of service provider versus customer.

I am proud that the first edition of the Law Journal was published in 2014 during my time as Head of Department. As history shows, academics (particularly male and greying ones) have a pretty poor record when it comes to claiming the credit due to others and so it is beholden upon me to stress that I played no role in its inception. Indeed, the only help I proffered was to hide my scepticism when I was approached with the idea of a student-edited law journal. Thus, whilst I did fulsomely welcome the idea, as I had done previously when others had suggested similar, I did solely in the belief that nothing would again come of it. The founding editors and the many talented colleagues they recruited are, however, made of sterner stuff, and with a mixture of charm, perseverance, obstinacy, and not a little cunning managed to produce not only that first edition, but a process which ensured the series would grow and prosper long after the initial cohort of associate, senior, and managing editors had departed SOAS.

American law schools, of course, have a much more established tradition when it comes to student-edited law journals, and the success and quality of the SOAS Law Journal owes much to the decision to adopt the American model; the entire student body, from first year undergraduates all the way through to those writing up their PHDs are involved in its production. Adopting best practice not only achieved the goal of a high quality publication, but also provided the added benefit of allowing, nay forcing, the student population to cross the usual boundaries, not only between different years on the undergraduate degrees, but also the greater divides that normally stratify Masters students and PhD candidates. In short, the SOAS Law Journal brought the law school together; creating a single student body rather than a segregated mass of separate strands. We did not get everything right from day one, of course. Whilst there was an Honorary Board from the outset, there was no academic committee until we belatedly introduced one for the later editions to ensure a degree of academic rigour and scrutiny that was not built into the original model. Again, this had a dual benefit, introducing both a new and more objective quality threshold, whilst also bringing my academic colleagues into a meld which respects their authority but does not rely upon their direction – surely the learning and research culture every university seeks to achieve.

Enough looking back. I am delighted to see the SOAS Law journal in such rude good health and, with its modernized online forum and sleek new brand, I look forward to its continuing success. Of course, this success relies ultimately on the quality of the articles published, and so finally it is my pleasure to thank the authors of the various papers that make up this current edition. For many, if not all of them, it will be the first time they have experienced both the pride and trepidation of seeing their work published for others to read, praise and criticise. It takes both courage and generosity to publish your work for strangers to see, and I hope you enjoy reading all they have to say.

Paul Kohler
EDITORS’ NOTE

In the four years since the SOAS Law Journal was first established, so much has changed. Social and political climates across the world have shifted drastically, and the legal systems intended to govern them continue to grapple with these changes with great difficulty. Human rights as a movement has come under greater scrutiny, particularly in common parlance, with former champions of the cause now steering its deterioration domestically and internationally. In tandem, continued derogation from fundamental principles of international cooperation by states in all corners of the world suggests that international law is in crisis – and truly, it has been for some time. In many ways, the revolution of the modern world is one that has taken us back some years to the dark hours of the twentieth century, rife with right-wing nationalism, isolationist politics, and the omnipresent threat of nuclear war.

To our great relief, so much more has changed since those dark hours. International governance has arguably improved with greater checks and balances in the interdependence of states. On this 20th anniversary of the Rome Statute of the International Criminal Court, Gamaliel Kan brings us a poignant discussion on how binary presumptions of law are ill-suited to the nuance of victims-turned-perpetrators, with a detailed case study on Dominic Ongwen’s trial before the Court. In her study of the ‘Chez Maurice’ case, May Abi Samra invests us in the debate over sex trafficking laws in Lebanon by forcing us to examine just how complicit state-backed laws may be in facilitating the exploitation of vulnerable persons internationally, and how states might begin to remedy these flaws.

Equally as transformative as the cooperation between states in the 21st century, the rise of citizen journalism has birthed a demand for transparency and connectivity among global citizens unlike any the world has ever known. With relatively unobstructed access to the thoughts of our counterparts in nations far and wide, legal discourse has been transformed – and for the better. Comparative analyses of legal and political mechanisms both temporally and geographically allow us to nuance our understandings of law and society, and to develop them to the benefit of international law more broadly. In his article on the Turkish legal revolution, Irfan Cicekli accomplishes this by tracing modern Turkish law against its former self, as do Peter Obutte and Lilian Idiaghe in their evaluation of the impact of constitutional developments in Nigeria on natural resource revenues. Where civil rights are concerned, Poorna Mishra explores the impact of modern laws on historical truths and memory across Europe, while Tanvee Nandan examines the relationship between religion and employment, with a focus on the religious workplace.

We are proud to bring these issues to the fore of the discussion on our campus and beyond. In these last four years, we too have changed – from the breadth of topics to our standing as a quality medium for the dissemination of legal literature. To this end, we would like to thank those who have made this growth possible: to the SOAS School of Law, for their continued support of our student-led venture; to our honorary and academic boards for their feedback; and to our dedicated team of editors, past and present, for their diligence in their work with the SLJ.

Muzhgan Wahaj and Abbas Ebrahim Al Abbas
Editors-in-Chief