

## **Landmarks from El Mann to the Saitoti Ruling: Searching a Philosophy of Constitutional Interpretation in Kenya**

### **Abstract:**

This paper reviews constitutional interpretation in Kenya. The basic argument is that a judge's inclination to a particular theory of law can affect, and invariably affects, the outcome of constitutional litigation. It concludes, among other things, that the Kenyan High Court has failed to establish a consistent theory or approach to constitutional interpretation.