

Judges who do their job are Africa's hope

Africa in 2017

What is at stake in another continent? Correspondent Koert Lindijer looks at courageous judges who can get the corrupt political class into line.

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In the fast-growing Africa, money talks; cartels and mafia are calling the shots. Leaders go unpunished. In 2017, I will therefore follow whether the beleaguered presidents in Gambia and Congo resign, because they will only do so if they get a guarantee from their successors that they may keep their riches amassed through corruption. And that they do not have to pay for their actions.

Rule of law is the cornerstone of a nation, but it is often nowhere to be found. The biggest challenge in Africa remains the development of an independent judiciary. Judges are the last hope for justice. Like in South-Africa, where ombudswoman Thuli Madonsela kept courageously fighting corruption despite president Zuma. She has resigned and it will largely depend on her successor whether South-Africa will remain a democracy or slip into anarchy, like Congo. When a civilian feels like he has no rights, he will turn away from the state. Corruption in the judiciary destroys the cohesion of society, a process of erosion that will threaten the stability of Congo in 2017.

Just like Thuli Madonsela, the Kenyan Willy Mutunga also resigned. The chief justice of Kenya tried to fight corruption within his own judiciary. He described himself as

someone who is trying to tame a tiger while the beast is trying to devour him. Courts do not offer an adequate response to cartels. If that fight has been fought, democracy might be possible. Mutunga says that the young, digital generation will have to be at the forefront of the reforms. He places his hope in civilian groups like the ones in Senegal and Burkina Faso, who successfully rose up against their president, and the one in Congo that rebelled against the entire political class.

The judiciary did not always produce justice. A murder conviction? Commuted with 500 dollar. A rape allegation? That would cost you 250 dollar. Why would you pay for your lawyer if you could bribe the judge? As a result, no one believed in judges, who are civilians' last resort when there is no democracy or freedom of press.

There is an explosive population growth in Africa. 75 percent is youth and governments do not succeed in creating opportunities for them. A strong state and economy are, after more than half a decade of independence, still not realised. The economic growth in recent years did not lead to better politics.

Will the political class again resort to opportunism? Will the terrified Robert Mugabe resign, die, kick the bucket or stand for re-election? In the soap series of African politics, only a strong, independent judiciary can guarantee progress.