



The REPUBLIC OF UGANDA

## COURTS OF JUDICATURE

**SPEECH BY THE RT. HON. PRIME MINISTER OF UGANDA  
AMAMA MBABAZI AT THE ANNUAL JUDGES CONFERENCE**

**HELD AT**

**IMPERIAL RESORT BEACH HOTEL, ENTEBBE**

**Date: Thursday 30<sup>th</sup> January 2014**

**SPEECH OF THE RT HON PRIME MINISTER OF UGANDA AT  
THE OFFICIAL CLOSING OF THE 16<sup>TH</sup> ANNUAL JUDGES  
CONFERENCE**

My Lord the Ag. Chief Justice

The Attorney General

My Lord the Principal Judge

My Lords Justices of the Supreme Court and Court of Appeal

My Lords the judges of the High Court

The Executive Director, JSI

Heads of JLOS Institution

Your Worship the Ag Chief Registrar

The Development Partners

Ladies and Gentlemen

It gives me great pleasure to address you this afternoon at the Official Closing of the 16<sup>th</sup> Annual Judges Conference. I have been told that this is a periodic event on the Judiciary Calendar which is intended to enable the institution assess its annual performance so as to map strategies for improving service delivery. I am therefore happy to note that the Judicial Training Committee and Judicial Studies Institute have continued to organize this event because self

evaluation plays an important role in helping managers improve the efficiency and effectiveness of their operations and can be an instrument for creating high performing teams, enhancing public support and confidence.

I am particularly impressed that the Judiciary has taken a further step during the year 2012 / 13 to develop a Performance Evaluation Tool for Judges which demonstrates a strong commitment to deliver justice to the people of Uganda.

I have also noted that you have had a very enriching Conference program that has raised topical issues which are not only in tandem with the current institutional challenges but also focusing on long term and strategic initiatives. It is, therefore, my belief that the four days interaction you have had will have far reaching results in the manner in which you deliver on your Mandate which is enshrined in Article 26 of the Constitution of the Republic of Uganda 1995. I take the liberty to quote it verbatim.

*“Judicial power is derived from the people and shall be exercised by the courts established under this Constitution in the name of the*

*people and in conformity with law and with values, norms and aspirations of the people.”*

On our part as the Executive, we are committed to supporting any initiative that is geared towards improving the administration of justice in Uganda because the National Resistance Movement Government was responsible for restoring the Rule of Law and Human Rights in Uganda. It is our conviction as Government that a strong and Independent Judiciary which is seen by the people to be delivering justice is a fundamental bedrock and ingredient for economic development and social transformation of our citizens.

We therefore put on our top Agenda the action plans and recommendations raised during the conference to enable you perform to the best of your and our expectations.

Let me, if I may, as a brother in the profession, briefly venture into, for me, the uncharted waters of public expectations of a judge. I know this is much more familiar ground to you than to me, but repetition gives a strong and solid foundation for success. In doing this I will rely on the words of Justice R. C. Lahoti of the Supreme Court of India when he was addressing judicial officers who were undergoing the First Foundation Training Programme conducted by Delhi Judicial Academy. In addressing himself to the question of the virtues and potentials in

a judge, he said that the first quality of a Judge is to be a gentleman. "A Judge has no personal life. He cannot be permitted to say nor be tolerated to listen that from 10 a.m. to 5 p.m. he is a Judge and from 5 p.m. to 10 a.m. he is a master of his own. The throne crown, which decorates the personality of a Judge, is not taken off even while he sleeps. A judge, whether in his seat or on his own, whether moving around in the city or traveling across the country, is known and seen by people as a Judge. The holder of a judicial office is not permitted to deviate from virtue even in his dreams. So remember, if you are a Judge you are bound by the moral code of a Judge for 24 hours of the day. Your every action must be transparent. You are watched by the society. Your personal actions, your family life and your behaviour with every living creature with whom you deal must all be judicious, upright, above board and an example to the society." Quoting the President of India, Mr. A. P. J. Abdul Kalam, when he visited the Supreme Court of India and spent an hour interacting with the Judges, the President while parting, gave his message in these words – "You are 26 Judges of the Supreme Court. You are 26 role models of judiciary for this nation of more than one billion people. People look up at you for vindicating their grievances and for removal of injustice. You must come up to their expectations. You must have a vision and do your best to give shape to your vision". Every judge is a role model to the society to which he belongs. It was in the 4th

Century B.C. when the wise Greek philosopher Socrates said that there are four qualities required in a Judge – “to hear courteously, to answer wisely, to consider soberly and to decide impartially”. And then, to decide impartially. Bacon said – “Above all things, integrity is the Judge’s portion and proper virtue. It is the capacity to decide impartially which is the most important criterion for judging the performance of the Judges on the Bench.” It is said, judging is a lonely job and Judges, more often than not, are islands. Remember a Judge has to be not only impartial but seen to be impartial. Patrick Devlin says “I put impartiality before the appearance of it simply because without the reality the appearance would not endure. In truth, within the context of service to the community the appearance is the more important of the two. The Judge who gives the right judgment while appearing not to do so may be thrice blessed in heaven but on earth he is no use at all.”

The social service, which the Judge renders to the community, is the removal of a sense of injustice. He listens. The doors of the Court are open to everyone who knocks it. The most onerous task, the Judge performs is, he decides. The Judges repeatedly do what most other people seek to avoid: make the decisions. While everyone avoids taking decisions, the Judge listens with patience and decides boldly. While pronouncing his judgment he

is least bothered who has won and who has lost; who is pleased and who is disappointed.

A Judge can transform the society. One of the functions discharged by the Judge, as we all know, is of a lawmaker. Through the process of interpretation he unconsciously percolates his own philosophy and beliefs in the judge-made-law, which, with the lapse of time, becomes the trendsetter in the society, as law-abiding citizens start shaping their actions, and working out their rights and obligations, based on the decisions rendered by the Judges. A Judge is not a revolutionary but an evolutionary. He interprets the law and abides by the rule of law. The disinterested application of the law calls for many virtues, such as balance, patience, courtesy, and detachment, which leave little room for the ardour or passion of the creative reformer. If a Judge leaves the law and makes his own decisions, even if in substance they are just, he loses the protection of the law and sacrifices the appearance of impartiality which is given by adherence to the law.

You will agree with me that currently the Judiciary is grappling to improve its image as the public's rating have continued to reflect the institution poorly. My promise is that we will cooperate with you to build public confidence in the Judiciary because if the people lose

confidence in the courts, the resultant trend is disaster for our country.

Notwithstanding the public ratings, I am convinced that through such conferences the Judiciary shall be able to overcome its challenges. One of the critical areas is to address delays because there is a tendency for the public to perceive delays as, false as this may be, a symptom of Corruption. I will therefore implore all of you to design personal strategies reducing delays during the year 2013 / 14 using time efficiently across the chain of justice because as is said in The Vision Splendid by J.D? Snider at page 43:

***“Nature takes care that no man gets rich morally, intellectually, or spiritually by sitting still and letting things pour into his lap. Wealth in these imperishable things is a matter of time for every man and woman. If we want time for great tasks, for fine growth, for beautiful accomplishments, for rich resources of all sorts, we must not wait for it. For time is not found. It is made. We make all time we really use, and we make it by using it. That thing we call time- meaning the flight of hours as recorded by the clock- is the only raw material out of which time is made. It is mere duration. Time is duration made significant, turned to account, directed to some fruitful, intelligent, or beautiful end”<sup>1</sup>.***

Despite its frustrations and difficulties, judicial work is, according to Lord Hailsham, ‘a privilege, a pleasure and a duty’. You are a Judge. In the performance of your judicial

---

<sup>1</sup> Vision Splendid



functions and exercise of judicial discretion you are not answerable to anyone except to your own conscience. The Constitution gives you that protection. But at the same time you are a public servant subject to certain rules of discipline. There will be testing times in your career. Your conscience would prompt you to do something for the public good but the limitations attaching with your office may prevent you from giving full vent to your feelings and you will feel suffocated. There will be good moments in your career when you will be filled with a sense of tremendous satisfaction that the might of your pen has proved stronger and sharper than the edge of any sword. In all such moments, learn to maintain your calm and cool, the peace and tranquility of mind and emotions.

Being members of the law profession which is the most coveted of all the professions in a civilized society and which puts the intellectual wits of a person to test more than any other profession, I have no doubt whatsoever that you are more than able to meet all these standards.

I once again thank the Ag. Chief Justice for inviting me to come and interact with the Hon. Justices and Judges. I thank the Judicial Training Committee and the Judicial Studies Institute for the efforts in organizing the Conference.

It is, now, my singular honor and pleasure to declare the conference officially closed and to wish you a successful 2014.