

NURTURING/MENTORING THE NEXT GENERATION OF AFRICAN WOMEN JUDGES

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“As women, who have reached these esteemed positions, we recognize the power of mentorship, collaboration, and the sharing of knowledge. Our responsibility is to ensure that the doors we have opened remain wide for the generations that will come after us. It is not just about breaking barriers, but about building bridges that will carry the wisdom, strength and passion of today’s leaders into tomorrow’s judicial pioneers. Together, we will continue to create a more inclusive, equitable legal system where diverse perspectives are valued, and where the next generation of women Judges can stand on the shoulders of those, who have gone before. Let this day¹ inspire all of us to dedicate ourselves to lifting each other up, empowering the future of justice, and ensuring that the legacy we leave is one of unwavering support and transformative change. To all women Judges worldwide – past, present and future – your courage, vision and leadership, are shaping a brighter tomorrow for justice and equality”.

- Chief Justice Martha K. Koome² -

The above remarks by Chief Justice Martha Koome on the International Day of Women Judges **2025**, serve as a timely reminder that the advancement of women in the Judiciary does not occur by chance. Rather, it requires deliberate investment in mentorship, sponsorship, and leadership development. This Paper examines the critical role of nurturing and mentoring the next generation, and argues that such efforts are essential in building a more representative, effective and resilient Judiciary. By fostering professional growth, enhancing leadership capacity, and creating pathways for advancement, mentorship contributes, not only to the success of the individual women jurists, but also to the strengthening of the administration of justice, and the rule of law itself.

¹ 9th March 2025, International Day for Women Judges 2025

² Chief Justice of the Republic of Kenya and the President of the Supreme Court

Women in the African Judiciary

There was a time when the idea of a woman occupying the Bench in many African societies was most inconceivable. The legal and judicial institutions of Africa were, for generations, constituted as exclusively male domains. Colonial administrations exported legal structures premised on gendered assumptions that governance, adjudication, and the authoritative interpretation of law were male functions. For instance, the slogan, '*There are no women at the bar*' arose from the agelong discrimination against women in legal practice, when women were prevented from becoming lawyers in England on the grounds of sex, as a woman was not regarded as a "*person*", under the Solicitors Act of 1843.

Women those days were expected to remain at the margins of public life, while leadership in law, governance and adjudication were reserved for men. Women, who sought legal training, did so against considerable institutional resistance and social disapproval. The aspiration to sit as a Judge, particularly at the superior Court level, was treated in many jurisdictions as an ambition beyond the proper sphere of women. The advances that have been achieved represent victories of considerable historical significance. The appointment of Justice Aloma Mariam Mukhtar as the first female Chief Justice of Nigeria marked a decisive rupture with entrenched convention. Others, such as Lady Justice Imani D. Aboud, former President of the African Court on Human and People's Rights; Hon. Justice Nemat Abdullah Khair, first female Chief Justice of Sudan; Hon. Justice Fatoumata Dembele, former Judge of the International Criminal Court; Hon. Justice Julia Sebutinde, Vice-President of the International Court of Justice; Hon. Justice Sophia Akuffo, former Chief Justice of Ghana; Hon. Justice Martha Koome, Chief Justice of Kenya and many more, have become symbols of excellence and inspiration throughout Africa.

These women did not simply occupy judicial office; they transformed the imagination of what was possible. For many younger women entering the legal profession today, seeing women on the Bench may appear ordinary, but we must never forget that what appears ordinary today was once extraordinary, and it is still extraordinary. And this is why mentorship matters greatly; because every generation stands on the foundations laid by those, who came before it.

Yes, legal training imparts doctrine, analytical method, and procedural knowledge, but it does not and cannot cultivate the qualities that distinguish a good lawyer from a good Judge – to weigh evidence dispassionately, to hold firm under institutional pressure, to write reasons that are both legally coherent and humanly comprehensible, and to bear the finality of decisions, which may profoundly affect the lives of those, who appear before the Court - these are qualities of a good Judge, which are developed through experience, reflection, and critically through the guidance of those, who have acquired them.

A young woman entering the Judiciary confronts, not one professional challenge, but several simultaneously. She must achieve mastery of the law, establish command of the Courtroom and operate effectively within institutional structures not designed with her participation in mind, while contending with assumptions sometimes explicit, more often implicit, about whether she truly belongs there. Sheryl Sandberg's observation³ that women face a persistent "*double bind*" – being judged as either competent or likeable, but rarely both – highlights the structural and cultural barriers that continue to impede women's advancement in positions of authority. This reality underscores the importance of deliberate mentoring and nurturing of the next generation of Women Judges.

³ *Lean In: Women, Work, and the Will to Lead* (Alfred A Knopf 2013) 65.

Understanding Mentorship and Judicial Nurturing

Mentorship is a developmental relationship in which a more experienced person (the mentor) provides guidance, support, knowledge, encouragement, and professional insight to a less experienced person (the mentee), to help them grow personally and professionally. In the judicial context, mentorship involves experienced Judges providing guidance, professional support, ethical direction and practical wisdom to aspiring or newly appointed Judges, thereby facilitating their growth, confidence and their effectiveness within the Judiciary.

The mentor in that context does not merely open professional doors – she shapes character, refines judgment, and transmits a judicial philosophy, a coherent set of convictions about what the law is for, how it should be read, and what obligations it imposes on those, who administer it. These matters are not covered in any curriculum. They are passed from Judge to Judge through conversation, observation, and example of a senior Officer, who demonstrates, by the manner in which she conducts herself, what it means to hold judicial office with integrity. The legacy of a Judge is measured not only in the decisions she renders, though they matter greatly, but in the quality of those she prepares to continue the work of justice. A Judgment endures in the law reports, for as long as it remains good law, but a well-mentored Judge endures in every Courtroom that she serves, and in every generation, she in turn influences; the institutional value of that legacy is, by any reasonable measure, incalculable.

Mentoring and nurturing the next generation of African female Judges, starts with mentoring young female lawyers or law students, who may struggle with inferiority complex, financial insecurity, discouragement, and professional isolation. Mentorship carries particular significance for them because women face professional obstacles, which are less visible, but deeply consequential.

The presence of a mentor can significantly alter that trajectory, which is why it has become imperative for older and more accomplished women Judges to nurture and mentor them into persons capable of contributing immensely to the African judicial system. Nurturing future women Judges requires sustained personal, professional and financial investment at multiple stages. It begins with encouraging young girls to pursue education and leadership opportunities.

It continues through law school, legal practice, advocacy, academia, public service, and eventual consideration for judicial appointment. A mentor may encourage a young female lawyer to apply for judicial research positions, pursue postgraduate studies, improve Courtroom advocacy, develop legal writing skills, or remain resilient during difficult stages of practice or service.

Sometimes, valuable mentorship occurs through observation rather than formal instruction. Young female lawyers may learn by watching how respected Judges conduct proceedings in Court, treat litigants, manage pressure, write Judgments and maintain integrity. So, mentorship transcends simple guidance. It is, particularly in Africa, not an optional exercise in professional generosity, but a judicial responsibility that beckons every seasoned Judge to pay forward their wisdom and experiences to aspiring lawyers. Every generation of Judges owes a duty to the generation that follows. Young female lawyers require more than advice, they require visibility, encouragement, access and examples.

Sometimes, the simple act of telling a young woman, *"You belong here,"* can alter the direction of her life. Many young girls with potential never aspire to be Judges because they assume the Bench is beyond their reach, and that is why representation matters. When these young girls see women presiding confidently in Courtrooms, delivering Judgments with clarity and authority, they begin to understand that judicial leadership is not reserved for a selected few.

The 2025 Convening on “*Women Leading in Shaping Justice Across Generations*”, held in Nairobi, Kenya, in July 2025, brought together jurists and legal professionals from across Africa. It focused *inter alia* on strengthening mentorship and intergenerational collaboration between senior and emerging legal professionals, and emphasized that true transformation requires visibility, influence, mentorship, and institutional support. The senior women Judges reflected on what they overcame, while younger lawyers brought forward fresh perspectives suited to the realities of the digital age, we are in. The gathering underscored the importance of intergenerational mentorship as a means of preserving institutional wisdom while preparing younger women for leadership.

Similarly, in a Webinar organized by IAWJ in 2023 titled “*Mentorship Initiatives: Women Judges Inspiring the Future*”, Justice Sonia Bertram-Linton⁴ noted that mentorship is not merely about instruction or professional guidance; it is fundamentally about inspiration, encouragement and example. A mentor must communicate vision, empower younger colleagues, celebrate their progress, and, where necessary, instill discipline and accountability. Most importantly, she emphasized that mentorship is not confined to what one says, but extends equally to what one does, because younger generations are constantly watching those, who occupy positions of leadership. Judge Luciana Jackson⁵ also recounted how, as a young secondary school student, she once listened to the Chief Justice speak about the legal profession and the nobility of judicial service. That singular moment, she recalled, ignited within her the conviction that she too could one day become a Judge. It is a powerful reminder that sometimes a single word of encouragement, a single encounter, or a single example of excellence, can shape the destiny of a young person forever.

⁴ Sitting Puisne Judge of the Supreme Court of Jamaica

⁵ Parish Court Judge in Jamaica

Values That Must Be Passed to the Next Generation

Judicial mentorship, properly understood, is not a form of professional training in the conventional sense. It is the deliberate transmission of the values without which judicial office cannot be discharged with the fidelity that society requires.

Mentoring future female Judges must prioritize integrity above all else. Integrity, which is the cornerstone of judicial legitimacy, is a core judicial value that must be transmitted across all generations. Judicial integrity includes –

- **Honesty and truthfulness** in all professional dealings.
- **Impartiality** and fairness towards all Parties.
- **Independence** from external pressures or influences
- **Accountability** for one's conduct and decisions.
- **Consistency** between personal values and professional actions.
- **Avoidance of conflicts of interest** and conduct that could undermine public confidence.

Integrity, which UNODC identified as the foundational pillar of any functional judicial system,⁶ inspires public confidence in the Courts, and assures society that justice is administered fairly, independently, and in accordance with the rule of law. The young female Judge must understand that her integrity is not merely a personal virtue. It is an institutional resource that sustains public confidence in the entire administration of justice. Its compromise, however small in scale, inflicts damage that extends well beyond the individual case.

Judicial independence is the second indispensable value. Judges shall decide matters before them on the basis of facts and in accordance with the law, without restriction, influence, inducement, pressure, threat, or interference of any kind.⁷ The next generation must know that the defence of independence is a continuous professional posture, maintained at some personal cost, and made sustainable by the example of those, who have held it before them.

⁶ UNODC (n 10) 31.

⁷ UN Basic Principles (n 1) principle 1.

Judicial courage is the third essential value. In her Essay, “*Six Not So Easy Pieces: One Woman Judge’s Journey to the Bench and Beyond*,”⁸ Justice Patricia Wald emphasized that courage is not the absence of fear but the willingness to persevere despite fear, setbacks, criticism, and any self-doubt. A formulation often associated with Justice Patricia Wald’s reflections is that women lawyers and Judges must have the courage to do the following things:

- To take risks and seize opportunities;
- To speak their minds even when they are in the minority;
- To withstand criticism and disappointment; and
- To remain faithful to their principles and sense of justice.

As Judge Wald’s journey illustrates, courage is an indispensable judicial virtue. Courage to persevere through obstacles, to remain true to one’s convictions, and to lead with integrity even when the path is uncertain. There are moments when Judges must make decisions that are unpopular, politically inconvenient, or publicly misunderstood. Judicial courage is the disciplined commitment to uphold the law even when pressure demands otherwise. A Judge must have the fortitude to make difficult decisions amid political pressures and in the face of public scrutiny. The capacity for such courage is not innate, it is cultivated through reflection, through the examples of courageous predecessors, and through the kind of professional dialogue that effective mentorship enables.

To these must be added, humility and compassion. Humility demands recognition that judicial authority is not the same as judicial infallibility, and that every litigant is a person, whose dignity is entitled to the Court’s respectful attention. Compassion, as Professor Gyekye’s observed is not sentimentality.⁹ It is the attentiveness to human reality that prevents the law from becoming a technical exercise conducted at a remove from the consequences it generates.

⁸ (1994) 36 *Washington University Journal of Urban and Contemporary Law* 3.

⁹ Kwame Gyekye, *Tradition and Modernity: Philosophical Reflections on the African Experience* (Oxford University Press 1997) 44.

Preparing the Future African Woman Judge

The world in which the next generation of Judges will emerge is different from the one many of us have encountered during the course of our legal careers. The practice, administration of justice and even the nature of disputes brought before the Courts today are undergoing remarkable transformation. Many of us belong to a generation that worked within what may now be described as the analog era of legal practice. We carried bulky law reports, conducted research manually in Laws Libraries for long hours, relied heavily on handwritten notes, and worked within Court systems where proceedings and records were almost entirely paper-based. The processes were often very slow and cumbersome, but they instilled in us patience, discipline and rigorous attention to detail.

Today, however, the legal landscape is rapidly evolving and Courtrooms are increasingly becoming digital spaces. Electronic filing systems, virtual hearings, digital evidence, and online dispute resolution mechanisms are redefining the administration of justice in ways that would once have seemed unimaginable. Even more striking is the emergence of Artificial Intelligence, AI, and its growing influence across virtually every sphere of human activity, including the legal profession. AI now assists legal research, data analysis and even predictive assessments within judicial systems. While these technological developments offer efficiency and convenience, they also create problems.

In 2023,¹⁰ in the United States District Court for the Southern District of New York, a passenger named Roberto Mata sued the airline Avianca, alleging that a metal serving cart had struck his knee during a flight—an ordinary personal-injury claim, of the sort filed every day in all jurisdictions in the world.

¹⁰ Mata v. Avianca, Inc., No. 22-cv-1461 (PKC), 2023 WL 4114965 (S.D.N.Y., 22 June 2023). The attorney who conducted the research had been in practice for some three decades; the United States District Court for the Southern District of New York imposed a US\$5,000 sanction on the attorneys and their firm.

Mr. Mata's lawyers were an experienced firm; the lawyer who conducted the research had been at the Bar for some thirty years. When the airline applied to have the case dismissed, his attorneys filed a brief in response. The brief was confident and well-written. It cited cases in support of its arguments — judicial decisions complete with names, citations and quoted passages, every one apparently directly on the point in issue. But there was a single difficulty.

The cases did not exist. They had never been decided. No Court had ever written them. The lawyer, under pressure and short of time, had asked an AI chatbot to perform his legal research, and the chatbot had done precisely what such systems are built to do. It produced text that looked exactly like a correct answer. It invented 6 judicial authorities. It gave them plausible names. It gave them plausible citations. It even composed convincing quotations, attributed to Judges, who had never said any such thing. The Court was not amused. It sanctioned them, and it observed, in very strong language, that the episode promotes cynicism about the legal profession and judicial system.¹¹

The very same thing happened in 2024 in the Supreme Court of British Columbia, Canada, in a family-law matter, where a Vancouver lawyer cited two invented cases before the Court. The Judge observed that citing fake cases is an abuse of process and tantamount to making a false statement to the Court.¹² Then in 2025, it happened in England, before the President of the King's Bench Division herself¹³. 18 of the 45 authorities cited did not exist. In 24 months, three of the most senior legal systems were wrestling with the same problem.

¹¹ *ibid.* (District Judge Hon. P. Kevin **Castel**). The court also observed that the episode caused real harm to the reputation of the judges whose names had been falsely attached to fabricated opinions, and promoted cynicism about the legal profession and the judicial system itself.

¹² *Zhang v. Chen*, 2024 BCSC 285 (Supreme Court of British Columbia, Masuhara J., 20 February 2024). The court ordered the lawyer to personally bear the costs occasioned by the fabricated authorities; the Law Society of British Columbia subsequently opened a regulatory investigation.

¹³ *R (Ayinde) v. London Borough of Haringey*; *Al-Haroun v. Qatar National Bank QPSC* [2025] EWHC 1383 (Admin), per Dame Victoria Sharp, President of the King's Bench Division, sitting with Johnson J.

As far as anyone can tell, there has not yet been a single reported African decision in which an African Court has sanctioned a legal practitioner for citing authorities that an artificial intelligence invented. However, the absence of any reported case is not the absence of that problem. It may simply mean that the fabricated citation has not yet been noticed by the Judge's sharpness or the opposing Counsel's diligence in verifying every authority on the other side's list.

Future Judges must be sufficiently equipped to understand issues such as algorithmic bias, digital manipulation, AI-generated evidence and the broader implications of technology on fundamental rights and freedoms. One principle stands out clearly. Technology can be a magnificent servant of justice. It cannot be the conscience of justice. That conscience must remain where it has always been, in human beings: appointed, sworn, accountable, and answerable to God and to the people of this Country, for what they judiciously decide in Court.

In addition, Judges now function under a level of public visibility and scrutiny that can be very overwhelming. In earlier times, judicial decisions were largely confined to law reports, academic discussion and Courtroom analysis. Today, Judgments are instantly circulated and debated across social media platforms within moments of delivery. Future Judges must, therefore, cultivate restraint, emotional discipline and institutional dignity. They must resist the temptation to descend into public controversy, and must uphold their integrity above the fray.

The nature of commerce and economic activity has changed dramatically. The Courts now grapple with disputes involving cryptocurrency, fintech operations, digital banking, cross-border transactions, electronic contracts and other forms of technology-driven commerce. The future African Judge must not only be well-versed in the law, but must also develop a practical understanding of the emerging commercial realities within a rapidly globalizing World.

Vision for the Future African Woman Judge

The future African woman Judge must be a woman of uncommon character, and unshakable integrity. In every generation, the law requires learned minds, but in this generation, perhaps more than ever before, the law requires upright hearts. The future of African Courts will not depend solely on legal intelligence; it will depend also on the moral courage of those entrusted with judicial power.

Integrity is not something that suddenly appears when one is elevated to the Bench. It is cultivated over time. It is formed quietly in the early years of practice, in the discipline with which a young lawyer prepares her briefs, in her honesty toward the Court, in her respect for opposing counsel, in her fidelity to facts, and in her refusal to compromise principle for convenience or personal advancement. The future African woman Judge must, therefore, carry herself with dignity even in her earliest professional years. She must understand that every appearance, every submission made, every professional relationship built, and every ethical decision taken contributes to the making of the Judge, she may one day become. To the young women in law across our continent, my message is simple: dream boldly. Do not permit circumstance, social expectation, institutional barriers, or even temporary setbacks to limit the scope of your ambition. The Bench is not beyond your reach, the appellate Courts are not beyond your reach, and the highest Courts of our Nations are not beyond your reach. To become a Judge is possible, to become a Justice is possible, to rise to leadership within the judiciary is possible, but it requires preparation, sacrifice, discipline, and above all, a deliberate commitment to excellence.

We are in an era defined by extraordinary technological advancement. The Judge of the future must be sufficiently informed to engage critically with these emerging realities, and yet sufficiently cautious to recognize their risks.

Conclusion

Late Justice Ruth Bader Ginsburg of the Supreme Court of the United States, reflecting upon a lifetime of judicial service and advocacy, observed that real and enduring change occurs incrementally one careful step at a time, each one building upon the last.¹⁴ Those who sit on the Bench today are beneficiaries of steps taken by women who came before, who sought access to legal education when it was denied, who pursued judicial appointment when convention said it was not for them, and who discharged the responsibilities of judicial office with a distinction, which has made subsequent appointments more conceivable – that sacrifice, and that achievement places upon us a corresponding obligation.

The future of the African Judiciary will depend greatly on what we choose to build today. If we fail to mentor the next generation, institutional decline becomes inevitable, but if we intentionally nurture young women of integrity, discipline, scholarship and courage, then the future of justice remains secure.

The next generation of African women Judges must not merely inherit the Bench; they must elevate it. May they inherit Courts that are stronger, more independent and more humane. May they defend constitutional democracy with courage; may they use technology wisely, but never surrender justice to technology; may they remember that judicial office is a sacred public trust and may those, who come after us, find that we did not merely occupy judicial office, but that we preserved its dignity for generations yet unborn. I thank you all.

Hon. Justice Amina Adamu Augie, CFR, JSC (Rtd.),
Retired Justice of the Supreme Court of Nigeria

¹⁴ Ruth Bader Ginsburg, *My Own Words* (Simon & Schuster 2016) 115–117.