



Introduction

The judiciary of Tanzania stands as the last hope for justice. From the Primary Courts to the apex Court of Appeal, it is structured not only by law but by trust, trust placed by the people in those who sit in judgment. Judges and Magistrates are bestowed with the noble duty of adjudicating disputes, interpreting laws, and upholding rights. Yet, they are human, not angels. Mistakes are inevitable, some factual, others legal, but all carry consequences.

This article is not a critique for condemnation, but a mirror for self-reflection. It is a humble invitation for Judges and Magistrates to introspect, refine, and rejuvenate their sacred calling. In a system where justice delayed can be justice denied, and justice mishandled is justice miscarried, let us revisit the common errors observed in our courts and chart a course for institutional excellence.

1. Failure to Comprehensively Read Pleadings and Annexures

One of the fundamental duties in any adjudication is to understand the ground of the dispute. Unfortunately, some judicial officers fail to read thoroughly the pleadings and supporting annexures before formulating issues. Without this basic step, the issues framed are often misplaced, and the controversy remains misunderstood. A well-read Judge is a well-prepared umpire. Let us commit to going beyond superficial reading to truly grasp the parties' positions before taking pen to draft.

2. Creating Courtrooms of Fear Instead of Forums of Justice

A courtroom must inspire confidence not fear. However, some Judges and Magistrates conduct proceedings with an air of hostility, intimidating advocates and parties alike. This not only undermines the decorum of justice but isolates those seeking it. Let the courtroom be a dignified space where truth thrives, where even the vulnerable feel protected, and where civility is the robe worn by all, especially those presiding.

3. Poor Time Management and Disregard for Litigants' Time

Justice must be timely, and that includes court schedules. Yet, parties and advocates sometimes spend over five hours in court premises without being attended to. Their day is lost, their rights postponed. While the Court of Appeal stands as a beacon of time discipline, lower courts must emulate this model. Judicial time is precious, but so is the time of the people. Let us respect both.

4. Perceived Partisanship and Bias in Court Conduct

Even before judgment is delivered, some court users can predict the outcome not by divine foresight, but by a Judge's conduct or line of questioning. When neutrality is compromised, justice is poisoned. If a judicial officer feels unable to detach themselves due to prior connections or sympathies, let them recuse. Impartiality is not optional, it is the soul of justice.

5. Compromised Integrity and Pursuit of Personal Gains

There are disturbing instances where the pursuit of personal benefit, whether financial or aspirational supersedes the impartial administration of justice. When decisions are made not on law but on lobbying or influence, the judicial office is defiled. Let us return to the sacred space of conscience, where judgment is guided not by greed but by the law, the oath, and the God we invoked when we swore in.

6. Lack of Boldness in Interpretation and Application of Law

Some Judges and Magistrates shy away from applying clear provisions of the law, often bending to external pressure or popular sentiment. Interpretation becomes diluted, and justice diluted with it. Judicial officers must be bold not in arrogance, but in clarity. The law must be interpreted as it is, not as it pleases others.

7. Erosion of Courtesy and Judicial Decorum

Courtesy is not weakness; it is strength with grace. When judicial officers treat parties, witnesses, or even advocates with condescension or disdain, they devalue their own robe. Mwalimu Julius Nyerere once said, *"Any person can do any job, but judging is for those selected by God."* If we truly believe this, then we must act like it. Let our words and conduct mirror the dignity of the bench.

8. Failure to Consider and Reflect on Parties' Arguments

Litigants and their advocates spend time and effort presenting arguments, citing authorities, and pleading their cases. Yet, some judgments barely mention, let alone analyze, those submissions. This undermines not only the parties but the legitimacy of the decision itself. Judgments must demonstrate that the court listened, truly listened and reasoned. The Court of Appeal has, on numerous occasions, ordered High Court Judges to rewrite decisions where this duty was neglected. Let that be a lesson to all.

Learning is Endless, Humility is Noble

The mistakes listed above are not meant to ridicule but to remind. They are a call to continuous learning, ethical renewal, and institutional strengthening. Let us organize frequent seminars and workshops, physical and virtual led by our respected retired Judges and Magistrates. Their wisdom is a national treasure waiting to be tapped.

Let every courtroom door be adorned with the Judiciary's vision: *"Timely and Accessible Justice for All."* Let every judicial officer wake up, look in the mirror, and remember the sacred oath taken not for glory, but for justice. Not for power, but for service.

In this solemn reflection, may each Judge and Magistrate find renewed purpose. May justice not just be done, but also be seen to be done with clarity, with compassion, and with courage.

By embracing our imperfections, we pave the path toward perfection. The Judiciary of Tanzania is strong. Let us make it even stronger.

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