



REPUBLIC OF ZAMBIA

THE JUDICIARY

KEYNOTE ADDRESS

BY THE

HONOURABLE CHIEF JUSTICE OF THE REPUBLIC OF ZAMBIA

MRS. JUSTICE IRENE C. MAMBILIMA

DURING THE

FORUM FOR ZAMBIA WOMEN ACCOUNTANTS (FZWA)

3RD NATIONAL SYMPOSIUM

HELD ON

11TH OCTOBER, 2019

AT THE

TAJ PAMODZI LUSAKA

SALUTATIONS

I am greatly honoured to have been invited to officiate at this 3rd National Symposium for the Forum for Zambia Women Accountants (FZWA), being held under the main theme **“Beyond the Glass Ceiling – Balancing for Better”**.

Equally gratifying is the fact that I have been tasked to deliver a keynote address on a topic focusing on women in leadership, the challenges women face on their way up the leadership ladder and tips on how to survive at the top. I must commend the organisers of the symposium. They could not have picked a better topic than this for the keynote address. Not only does the topic fit in well with the overall theme of the national symposium, but it is also one that is dear to my heart.

As head of the Judiciary, I must underscore that our institution fully embraces the policy of having as many women as possible in leadership positions.

This is in accordance with the Southern African Development Community (SADC) Declaration on Gender and Development, to which the Government of the Republic of Zambia is a party. The Declaration compels Member States to attain at least thirty (30) per cent of women in decision making structures. I am informed that this figure has been revised to fifty (50) per cent¹.

The 50-50 SADC Declaration finds expression in our National Gender Policy 2014 and the Gender Equity and Equality Act No. 22 of 2015. Section 24 (2) of the Act provides as follows –

“All public bodies and private bodies shall, within their ambit of responsibilities, develop special measures to achieve at least fifty percent representation and attain meaningful participation of women in decision making structures which shall include –

- a) setting targets for such representation and participation;**
- b) building women’s capacity to participate;**

¹ In 2008, the SADC Heads of State and Government Summit adopted the 50-50 target in public and private sector by 2015. The National Gender Policy was revised in 2012 to take the new target as well as the revised 6th National Development Plan and the UN Millennium Development Goals (MDGs) into account. Source www.zamstats.gov.zm and SADC Framework for achieving gender parity in political and decision-making by 2015, October 2009, SADC Secretariat www.sadc.int/issues/gender Accessed on 6th November, 2019

- c) enhancing the understanding and attitude of men in accepting the capabilities and participation of women as their equals; and**
- d) developing support mechanisms for women for progressive realisation towards fifty percent representation and meaningful participation of women”.**

In this regard, concerning the Judiciary, I must to state that other than myself, as the first female Chief Justice of the Republic of Zambia, the President of the Constitutional Court and the Judge President of the Court of Appeal are female. So is the Chief Administrator of the Judiciary, who is our Controlling Officer.

In terms of gender parity on the bench, currently out of 76 Judges of the Superior Courts, 40 are female, representing 52 per cent while 36 are male. Of the seventeen Registrars in the various courts, eight (8) of them are women, representing 47 per cent.

At Subordinate Courts level, there are 218 Magistrates, out of which 79 are female, representing about 36 percent. However, we are confident that the numbers will improve, bearing in mind that we are coming from a situation where there were no female Judges at all in the superior courts until the 1980s. Retired Supreme Court Judge Florence Mumba was the first female to be appointed as a Judge of the High Court in 1982. By the time I was joining the Bench in 1986, there were only two other female puisne Judges. I was the third and there were no female Judge in the Supreme Court. Now, there are four of us. The Constitutional Court has seven Judges, out of whom four are female while the Court of Appeal has seven female Judges out of 12. As for the High Court, out of 45 Judges, 25 are female.

So much for the Judiciary. What about other public Institutions: The current Cabinet has nine women out of 21 members, among them, the country's first female Vice President. This represents 40 per cent, up from the 12 per cent recorded in 2011 and 25 per cent in 2016².

² **Analysing and Presenting statistics with Gender Lens – Women and Men in Zambia 2018** www.zamstats.gov.zm
Accessed on 6th November, 2019

The number of female Members of Parliament has grown steadily from three (3) per cent of elected members in the 1973, 1978 and 1983 general elections³ to 16 percent in 2016 and 25 percent by 2018⁴. Looking around the room, I can see that the private sector is also faring well.

Admittedly, we are not there yet, but great strides are being made to narrow the gender gap over the past fifty years. Slowly but surely, we shall attain the optimum numbers, especially that females account for 52.3 per cent of the working population compared to males at 47.7 per cent⁵.

Challenges

Among the aspects I have been asked to discuss in this keynote address are the challenges women face in attaining positions of leadership or while occupying high office.

³ **Women's role in post-independence Zambian politics** authored by Bertha Z. Osei-Hwedie www.pdf.semanticscholar.org/cdal/04d716ad13c84f64fb818159fd2e1dd331.pdf Accessed on 7th November, 2019

⁴ www.parliament.gov.zm/ministers/cabinet/ Accessed on 4th November, 2019

⁵ **CSO 2018 Labour Market Indicators**, The Statistician Publication Volume 8 June 2019 www.zamstats.gov.zm Accessed on 6th November, 2019

Global and national statistics cite many examples of the challenges that women face when climbing up the leadership ladder. These include discrimination on the grounds of sex, lack of resources to pursue an education, gender stereotypes and cultural beliefs. Chief among these is the patriarchal culture fuelled by cultural beliefs. Male dominance is often entrenched by cultural values and inculcated into children from a very early age. These beliefs made women to believe that they can only play a subservient role in life.

Over the years, it resulted in many girls giving up on school along the way. The net result was that there were more educated men than women. This was the more justification for affirmative action to enable more girls attain higher education. In this respect, efforts to stop early marriages of girls are highly commendable: Education is the key. It can open many doors. It certainly opened the door for us.

People, both men and women, are a nation's greatest asset. There is a link between a nation's development and the quality of its

human resource. Both men and women must be able to exploit their full potential to contribute to national development.

God made it in such a way that it will be the woman who will carry the child for nine months and she will be the one to nurture and breastfeed that child in its infancy and formative years. This is the most important period in the life of a child and if we get it wrong, the child may end up with a lot of anti-social vices.

So when I take time off in order to have a baby; take time off to breastfeed or take my baby for under five, I am not wasting time. I cannot delegate breastfeeding. It has to be me. As I perform this unique and important role, I am contributing to national development because the country needs human resources. Those in leadership and the law must support this unique role of a woman.

There is, therefore, a delicate balancing act between building a career and sometimes family life.

We are professionals in our respective fields. We belong to regulated professions, governed by ethics and rules. If anyone falls

short of the ethical standards, the professional status is taken away. The journey to the attainment of professional status was not easy for most of us. Along the way, we encountered prejudices, and sometimes, sheer chauvinism. But we were driven by the quest to excel and succeed.

Let us, therefore, encourage the girls out there that they can make it. Some may need financial support and we, as professional associations, can support them.

I must hasten to state that from my 42 years' working experience, having risen through the ranks in the practice of law, from State Advocate after being admitted to the Zambian Bar in 1977 to Director of the Legal Aid Board, two-time Chairperson of the Electoral Commission of Zambia, Judge, Deputy Chief Justice and now Chief Justice, I have found that there is now a better landscape. The Constitution expressly confirms ***“the equal worth of women and men and their right to freely participate in, determine and build a sustainable political, legal, economic and social order”***. To fully realise this objective, there is need to build the capacity of

both men and women to meaningfully participate in the affairs of the country. We must acquit ourselves well and strive to improve our lot.

We should not be our own enemy. As we transition from the old myth that a woman's place is in the home or the kitchen, let us apply ourselves to excel in whatever we are doing. Cultural barriers are being broken as more and more people appreciate the role of women in a developing society. Even our chiefs are now on board. In fact, as we partner with men, we can see that they face the same challenges of balancing home and work. As women, we need to support each other and interact more. As professional women, there is a lot we can learn from each other.

Tips on how to survive at the top

For those of us in leadership, how do we survive at the top? We live in a dynamic environment. This calls for continuously updating our approach. As a leader, you deal with different kinds of people and different kinds of issues. I have learnt to approach every situation with a cool temperament and understand the issues I am confronted with. There is need for team work and sometimes insights

are triggered by the contribution of the most junior staff. It takes hard work and discipline. It requires one to be alive to the pertinent issues. Do not fear to be tough or to make difficult decisions. Set goals for yourself and keep sharpening your skills. Always be a team player and support other members of your team.

More importantly, take the time to mentor young people, male and female alike. Both men and women are partners in professional development.

As I close, let me leave you with the words of USA Supreme Court Judge Ruth Bader Ginsburg, which though speaking of lawyers, I feel can apply to women in all spheres, that –

“There is reason to hope that the increasing participation of women in the profession will have an ameliorating effect. By persistently raising the crucial issues of family and the workplace...women lawyers can take the lead in bringing sanity and balance to the profession. In this regard, sisters need the aid of brothers in (the) law. These issues must become human issues, not just women issues.”

With these remarks, I now declare the 3rd National Symposium for the Forum for Zambia Women Accountants officially open. I wish you productive and candid deliberations.

I thank you for your attention.