



AN AFRICA OF GOOD GOVERNANCE AND RULE OF LAW: CITIZENS' PERSPECTIVES

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Strong institutions and good governance are essential for Africa to deliver on its development goals and to achieve its envisioned political and economic transformation. Agenda 2063, Africa's blueprint and masterplan for this transformation, outlines ambitious goals related to the rule of law. To assess Africa's progress towards these goals the citizens' perspective is crucial. Using data from the World Justice Project, this research brief provides insights on how African citizens perceive the justice systems in their countries and gives an insight to whether Africa is on the right path to achieving its good governance targets.

Brookings [2020 Africa Foresight report](#) emphasises that strong institutions and good governance are essential for Africa to deliver on its development goals. The key to Africa's political and economic transformation, as envisioned by Agenda 2063, is found in Aspiration 3: An Africa of Good Governance, Democracy, Respect for Human Rights, Justice and the Rule of Law.

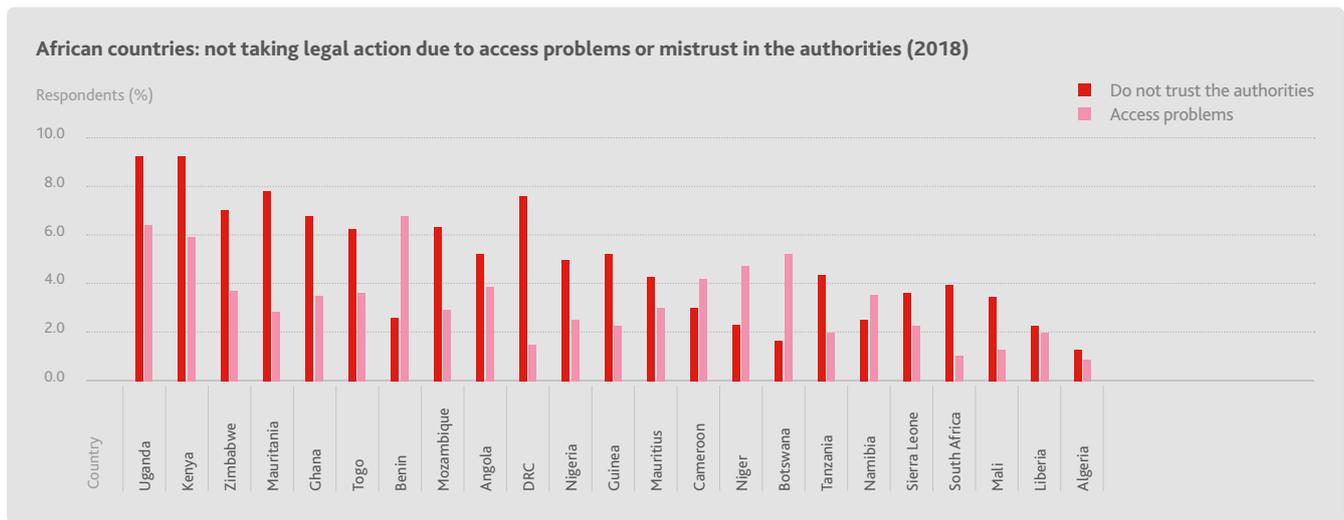
Africa's prospects in these areas are looking promising. Findings from the [2018 Ibrahim Index of African Governance](#) (IIAG) show that since 2014, the start of the

implementation of the [First Ten-Year Implementation Plan of Agenda 2063](#) (FTYIP), the African average has improved for all measures of the *Rule of Law* sub-category. On average, citizens are provided with more effective and secure access to justice while at the same time judicial institutions have been strengthened by becoming more independent and making their processes more transparent.

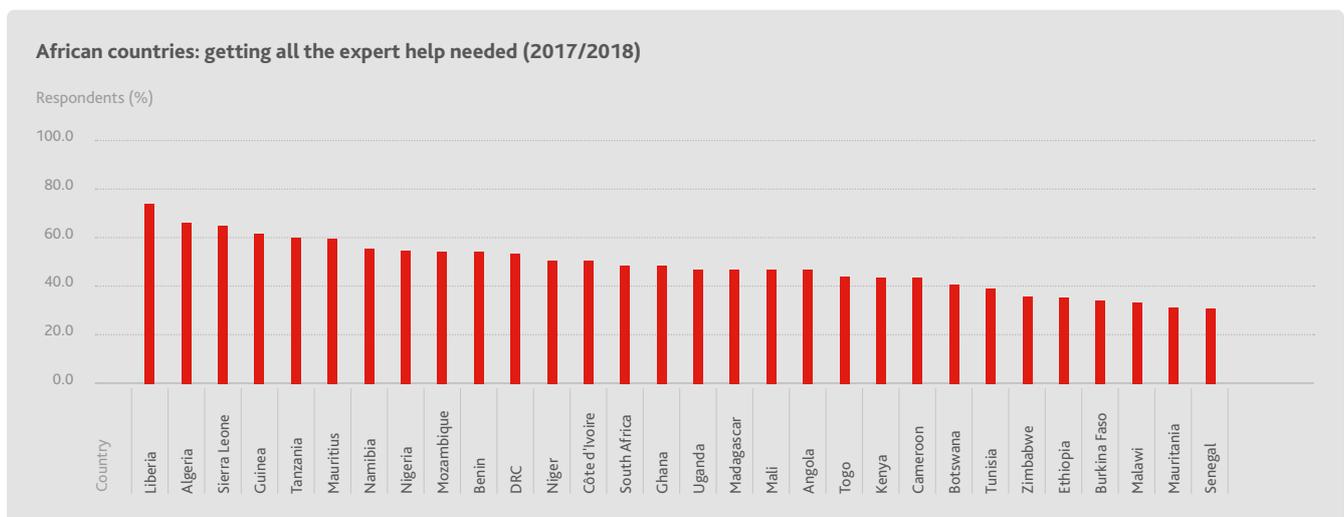
However, these findings only tell half the story. While macro-level data as used in the IIAG's *Rule of Law* sub-category are informative with regards to the institutional set-up for the rule of law, they provide little information on whether this trickles down to citizen-level. But to assess Africa's progress on the FTYIP the citizen perspective is crucial. In fact, the majority of the 2023 Targets for Aspiration 3 to be achieved at the national level are aimed at ensuring that people perceive democratic values, human rights and the rule of law to be present and respected in their countries. For example, as per the FTYIP, at least 70.0% of people should perceive the judiciary in their country to be independent, timely and fair and that free access to justice is provided.

How do African citizens perceive the justice system in their countries?

The [Global Insights on Access to Justice 2019 data](#), collected by the World Justice Project (WJP), provides comparable data on legal needs and access to civil justice as perceived by people in 101 countries, including 30 countries in Africa.

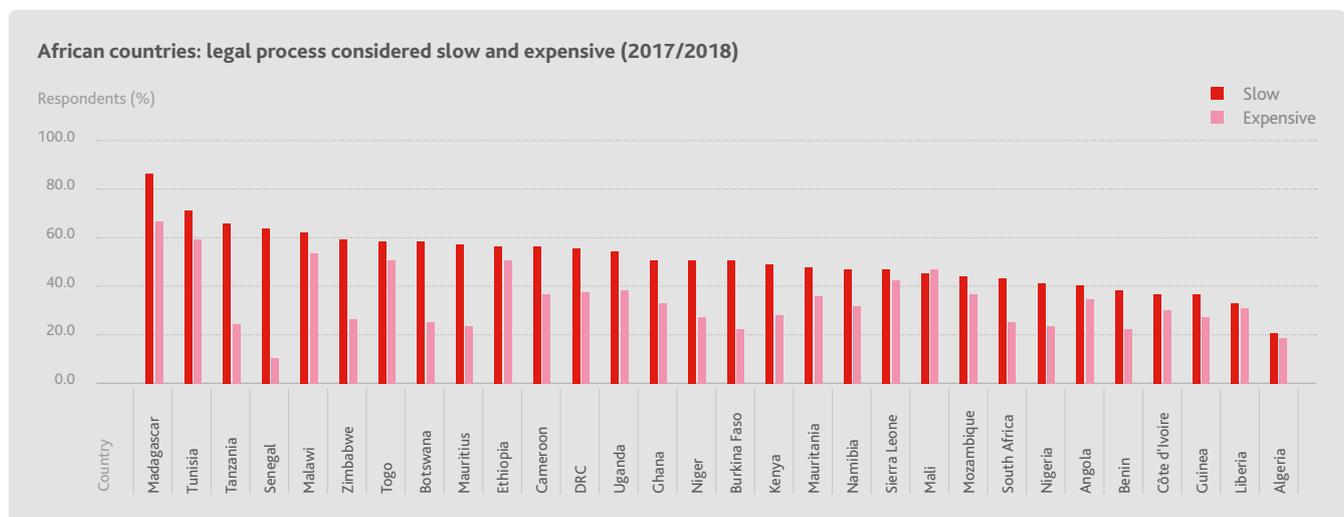
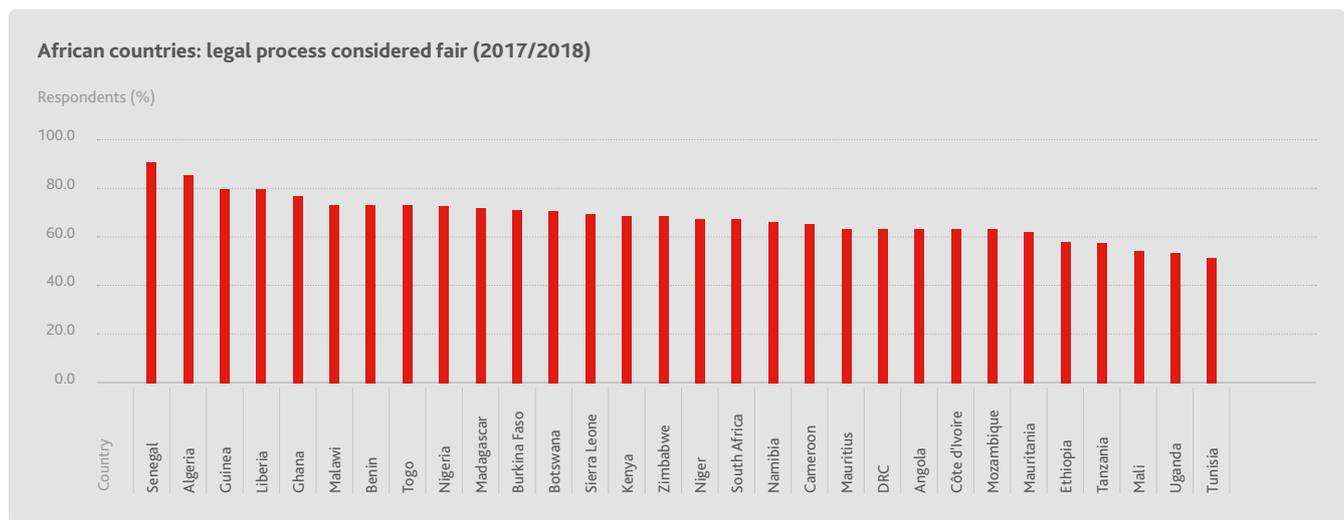


With the exception of five African countries¹, mistrust in the authorities was more often named as a reason for not taking action on a legal problem than a lack of access. Access problems are most prevalent in Benin, Uganda and Kenya while a lack of trust in the authorities is the highest in Kenya, Uganda and Mauritania. Nevertheless, lack of access and trust are not the main reasons for African citizens not taking legal action. Instead, in all countries, most respondents did not take legal action either because they thought the problem was not important enough or because they were confident that they could resolve it themselves.



¹ The question was only asked in the 2018 General Population Poll (GPP) conducted by the World Justice Project and data are only available for 23 African countries.

In 13 out of 30 African countries, at least half of the respondents who took action felt that they could get all the expert help that they needed to solve their legal problem. According to the WJP data, only Liberia has reached the at least 70.0% target of the FTYP, although Algeria, Guinea, Sierra Leone and Tanzania are on the right path with at least 60.0% of respondents saying that they could get all the help needed.



Most African citizens consider legal processes in their country to be fair. In all 30 countries polled, at least 50.0% of respondents thought their process was fair and 12 countries have reached the target of at least 70.0%. Very good results are observed in Senegal where 90.9% of respondents believed the process to be fair. This was also the case in Algeria and Guinea where more than 80.0% reported experiencing a fair justice system.

In some countries, high costs of legal processes are an obstacle. In 13 countries, at least one-third of respondents thought their process was expensive. In Ethiopia, Madagascar, Malawi, Togo and Tunisia more than half of all respondents considered their legal process to have been costly. However, the largest problem seems to be that the processes are not timely. In more than half of the 30 countries at least 50.0% of respondents considered their legal process to have been slow. In Madagascar and Tunisia as much as 86.1% and 70.8% respectively voiced that opinion. Algeria stands out as the country where the least respondents thought their process was slow (20.4%) and Senegal as the country where the least respondents thought the process was expensive (10.0%).

Grounds for optimism, but rule of law needs to materialise at all levels

The *Rule of Law* results from the IIAG and from WJP's General Population Poll (GPP) paint an optimistic picture and indicate that Africa is on the right way to achieving its good governance targets outlined in the FTYIP of Agenda 2063.

Another important aspect as outlined in the targets of Aspiration 3 is that citizens believe that there is a culture of respect for human rights and the rule of law. Yet, results from Afrobarometer's latest round of public attitude surveys imply that in many African countries people think that rule of law is not fully respected at the highest political level. In 12 of the 34 African countries where surveys were conducted, at least one-third of respondents believed that the executive often or always ignores the courts and laws of the country. In 14 countries, at least 30.0% of the surveyed believe that the executive often or always ignores parliament.

As Brookings correctly points out, a lack of good governance also negatively affects the achievement of social and economic targets to which the continent committed in the context of the Sustainable Development Goals (SDGs) and Agenda 2063. The continent already started off worse than any other region with regards to SDG implementation. If African countries want to realise the two ambitious development agendas, they need to embrace the rule of law to establish a system of good governance and leadership that will support and foster the SDG and Agenda 2063 processes.