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The Lizard, the Justice, & the Drunk

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Aside from the law, the only drawback Jonas could see clerking for the head of Zambia's highest court was Chief Justice Marvin Mwanamwambwa's ban on smoking within chambers. Jonas rubbed his eyes and walked toward the stairwell, past the countless smoking bins lining the High Court's hallways. He preferred the rooftop for his smoke breaks. Inside, his mind was constrained by procedure and precedent; outside, he could flick cigarette butts onto the High Court's manicured front lawn with abandon.

How Chief Justice Mwanamwambwa had emerged from the Oxbridge system lacking a taste for tobacco was a mystery. Every last one of Jonas's professors at Cambridge, many of whom had studied alongside the Chief Justice, smoked like paid spokesmen for England's foundering coal industry. Jonas had naturally set out to emulate his professors, whether inside or—preferably—outside the classroom. Some would say that he had failed with respect to their blonde wives and picturesque boating weekends, but none could deny his success when it came to matters of tobacco and tweed.

Jonas opened the door to the stairwell and fingered a Chesterfield from his jacket pocket. The opinion he was currently failing to write was of momentous importance to Zambia's stability. Given the names and reputations involved, it was easily the highest profile case Jonas had seen in his eleven months clerking for Chief Justice Mwanamwambwa, and it made him incredibly anxious.

Kaunda v. People (S.C.Z. Judgment No. 42 of 2000)

HEADNOTE:

The appellant, Kenneth Kaunda, former President of the Republic of Zambia, has appealed against the finding of the lower court that the appellant is not, nor ever was, a citizen of the Republic of Zambia.

How had this happened? How was it that Kenneth Kaunda, beloved founder and father of Zambia's thirty-six year old democracy, a man who had ruled Zambia peacefully for decades—whose commitment to democracy was so supreme that he was only the second African President to step down after electoral defeat—could be slandered with this laughable indictment. The charge was preposterous. In its decision, the lower-circuit Ndola court had even proclaimed that Kaunda was now a stateless person, whose assets could be seized as he was deported.

It was like no case Jonas had yet seen, but it reminded him of a more humorous case from some months ago. The cases were quite different, of course, but they both bothered him. Both were transparently absurd.

Jonas lit the cigarette and stepped onto the roof. He found himself reliving that older case and chuckling despite the stress he was feeling. It had caused him a spot of trouble when it first landed on his desk three months ago.

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Three Months Earlier

Zambia Breweries, PLC v. Mwanza (S.C.Z. Judgment No. 39 of 2000)

HEADNOTE:

The appellant, Zambia Breweries, PLC, has appealed against the finding of the lower court that the appellant was negligent in the manufacture and sale of a Castle Lager beer, which was found to contain a dead lizard.

Upon reading the headnote, Jonas shook with such violent mirth that his knee hit the desk, knocking over his coffee, and thoroughly soiling the already dubious document. As soon as he'd rescued the dripping brief, Chief Justice Mwanamwambwa requested his presence in chambers with an emphatic bellow. Like one of Pavlov's canines, Jonas leapt the five strides from his own chair to the Chief Justice's chambers; despite the proximity of their desks, Jonas often arrived at Chief Justice Mwanamwambwa's chambers slightly out of breath.

"Mr. Phiri," the Chief Justice said without preamble, "what is it that has made you chortle so raucously within these dignified hallways." As with many of Chief Justice Mwanamwambwa's questions, this one was purely rhetorical and revealed no rising inquisitive tone. "This is a place where we practice the opposite of unruliness."

Jonas waved the brief as an explanation and opened his mouth to respond, but in that same moment Chief Justice Mwanamwambwa's eyes registered the brown stain upon the brief and narrowed inimically. Waving a meaty finger—the Chief Justice easily topped twenty stone, and each of his fingers were significant weights in their own right—at the blemished brief, he bellowed, "How can you be believed to respect the law, and its practices, when you so readily spill your morning libations upon its documents?"

Jonas wanted to respond, hoping that the Chief Justice would find this lizard-in-beer case amusing, but he held back. He had grown to respect Chief Justice Mwanamwambwa immensely, not so much for his judgments or opinions as for his unparalleled verbal melees. The opening salvo, damaging as it might have seemed, was a mere warning shot across the bow; those heedless enough to continue sailing through the rhetorical waters would bear witness to the truly devastating broadside of Chief Justice Mwanamwambwa's

legal mind. Jonas had witnessed such devastation inflicted upon solicitor after unsuspecting solicitor in oral arguments. In light of these facts, Jonas apologized and retreated from the room.

A week later, Jonas sat in the staff gallery to the left of the bench, waiting for oral arguments in what he had affectionately come to refer to as, 'The Drunken Lizard Case.' He had abandoned his customary tweed in favor of a black blazer over an oxford shirt, both of which looked as crisp as they could after two months without the attentions of an iron. He was glad that the full-length black robe concealed his clothing, especially in present company.

Arguing for the appellant was Mr. Daniels Musonda, a graying lion of the prestigious Musonda, Musonda & Chuulu firm. Their specialty was contracts, rather than the negligence they were now appealing, but they had long been retained by Zambia Breweries to handle disputes ranging from labor standards to farm production. The plunging neckline of Musonda's own robe revealed a stunning suit, whose mosaic grey fabric shimmered like a waterfall with every shift. He peered down at his notebook through a severe pair of rimless spectacles, and his lips curled upwards into the grimace of a sycophant. His right hand occasionally darted forward to jot down notes with quick strokes of an old-style quill. The suit, so expensive that it could not have been purchased with Zambian Kwacha, was ostentatious to be sure, but the quill was just downright bragging. When the justices were announced, Musonda lay down the quill, removed his spectacles, and rose with a sigh.

At the start of his allotted time, Musonda replaced the practiced look of disinterest with an equally proficient smile. "Your Lordships," he began, in tinny treble-heavy syllables, "it is with the highest level of humility that I apologize for burdening The Court with a matter so trivial in its adjudication as to amount to nothing more than a *nuisance* in this," he gestured expansively, "the *highest* court of the land."

This, Jonas thought, from the man whose monogrammed platinum cufflinks were featured in a recent newspaper article about the burgeoning Zambian insurance industry.

"At this stage, I hope you will agree that the matter before us is merely procedural. My client has simply suffered a miscarriage of justice at the clumsy hands of an inexperienced Trial Court," Musonda said. He then reviewed his grounds for appeal, insinuating idiocy on the part of the Trial court, the prosecution, and the respondent, Mr. Joseph Mwanza. He reiterated that the respondent had consumed *half* the contents of his beer bottle before allegedly discovering the deceased lizard inside.

Jonas had to admit that this was curious, if entirely circumstantial.

"And further, your lordships," Musonda explained, his cadence quickening, "a lizard exposed to high temperatures for such a period of time as would have elapsed between the bottling of the beverage by my clients, and the imbibing of the same by the respondent, would, at the very least, have suffered the loss of its skin. I believe your lordships would agree that, by the principles

demonstrated in *Donoghue v. Stevenson*, no expert testimony is necessary to recognize these facts. Therefore, I submit to your lordships that the trial court ought to have taken judicial notice of matters with which men of even *ordinary* intelligence are acquainted, and deduced from the evidence that a lizard with its skin intact would necessarily have been placed into the beverage relatively recently, *possibly* even by the respondent himself. The damages sought were quite lavish, after all,” Musonda paused, flaring his nostrils and ensuring that the entire court had time to consider whether a man might smuggle a lizard into a bar for the express purpose of placing it in a lager bottle and suing the brewer.

Jonas had been too focused on Musonda’s nauseating manner to notice the grin beginning to break across Chief Justice Mwanamwambwa’s face. He was startled when the Chief Justice’s deep voice reverberated through the courtroom. “If I may be allowed to interrupt such an eloquent appeal, to pose a question: *where* is that evidence?”

The smile on Musonda’s face faltered; his voice creaked. “*Which* evidence, your lordship?”

“The evidence which you have just now suggested should have been considered by the *learned* Trial Court: the lizard, which had not suffered the loss of its skin, as you have suggested it must have if, in fact, it came to occupy the beverage container at the premises of your client, Zambia Breweries, PLC. Have you not just alluded to such evidence?”

At this point, Musonda made the unfortunate error of attempting to answer one of Chief Justice Mwanamwambwa’s rhetorical questions. “But, your lordship—”

Chief Justice Mwanamwambwa drowned him out with a roar. “You may cast aspersions relating to the *learned* trial court as you see fit, Mr. Musonda, but you will not be permitted to disrespect *this* Court with your interruptions.” He paused, and Jonas glanced over at Musonda, who now looked like he wanted nothing so much as to sit down. Having endured Musonda’s posturing from the courtroom floor, the Chief Justice reveled in his own act on the bench. “Is it not the case, Mr. Musonda, that your client *destroyed* the evidence in question when it was presented to them by the respondent, Mr. Joseph Mwanza, at their brewing facility?” This was greeted by a full ten seconds of silence before the Chief Justice gestured expectantly at the solicitor, “at your leisure, Mr. Musonda, you may answer my question.”

Musonda was now visibly flustered. Jonas could not help but smile as the beleaguered solicitor opened and closed his mouth a few times. He realized that he had misjudged the man. The quill was a red herring. Musonda was no better than any other vessel of litigious argumentativeness, about to be sunk by Chief Justice Mwanamwambwa’s 96-gun ship of the line.

“I believe so, your lordship.” Musonda’s voice had dwindled to nearly a whisper.

“So you believe? This court, Mr. Musonda, deals in *facts*, not *beliefs*. Is it not a *fact* that your clients, upon being presented with the bottle containing the deceased lizard, decided to dispose of it immediately in their own rubbish bins?”

Musonda was clearly unsure whether he was meant to answer this question. After a painful pause, he muttered assent.

“How then, with the evidence having been destroyed by your client, was the learned Trial Court able to consider this evidence?”

Musonda blinked. “I...I do not know, your lordship.”

Chief Justice Mwanamwambwa let the grin fade from his features and softened his voice.

“Very well, Mr. Musonda, the Court appreciates your honesty. I believe your allotted time has elapsed. You may be seated.”

Musonda’s eyes betrayed equal parts relief and shame as he sat down.

Chief Justice Mwanamwambwa was a larger-than-life figure on the Court in every sense of the expression. Over time, the round wood table in the room where the Justices deliberated each case had begun to slope towards the seat of the Chief Justice, the wood slowly yielding under the weight of his enormous elbows. As his weight had bent the wood, Chief Justice Mwanamwambwa’s mind had set about bending each of the other Justices to his will, battling each until they grew tired of retreating under his argumentative firepower. In fact, the Chief Justice’s colleagues only really argued when it came time to assign an author for the dissenting opinion.

That afternoon, Chief Justice Mwanamwambwa instructed Jonas to draft an opinion finding for the respondent, but lowering the awarded damages from 50,000,000 Kwacha to 2,000,000 Kwacha—about \$400.

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Present Day

Jonas took another drag of tobacco. Musonda’s redressing at the hands of the Chief Justice in The Drunken Lizard Case had provided a spectacle worthy of the tabloids that Jonas never admitted to reading. Perhaps because of all the entertainment, Jonas had ignored the small voice within him that had cried foul at the case, the verdict, and even the conduct of Chief Justice Mwanamwambwa. That voice knew that Mr. Mwanza had almost undoubtedly planted the lizard in his own beer bottle and struck judicial gold.

The Drunken Lizard case had been absurd, and its presence before Zambia’s highest court all the more so, but it had also been harmless and hilarious. The current case was even more absurd, not at all funny, and had the potential to harm everyone Jonas knew.

The case reeked of politics. President Kaunda’s successor, Frederick Chiluba, had recently made an appointment to the same Ndola court from

whence the ruling had come. Last year, Kaunda's firstborn son—an articulate and decorated army officer—had been gunned down outside his home in an incident attributed to 'bandits.' It seemed that Chiluba was making every effort to lock down the Presidency, and Jonas was worried that the 'bandits' were moving from Zambia's streets to her courts. Could authority be corrupted even here, in the highest seat of justice in the land?

This question cut to the very heart of Jonas' current dilemma. The wall of conscience he faced in drafting the current opinion, while not physical, was every bit as stalwart and unflinching as the High Court's brick facade. He had drafted opinions that bore no resemblance to his own before, but never had so much been at stake. Much as he tried, Jonas could not ignore the question that had been waiting in the wings of his mind for days:

Had Chief Justice Mwanamwambwa been bought?

This question had formed, like many of the law's more nettlesome questions, through a series of events. They began on the day the High Court received the brief for *Kaunda v. People*.

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Three Weeks Earlier

Most briefs Jonas received from the Ministry of Justice's processing center arrived discreetly--plopped onto his desk by the mail clerk and bounded only by manila folders. This brief arrived in the hands of a ministry functionary, spiral-bound and resting atop a generous basket of goodies that had Jonas salivating, just after breakfast, over duty-free-standards like Cadbury and Toblerone Chocolates. Tucked under a fun-sized bottle of Johnnie Walker Blue Label—the Chief Justice's favorite—was a handwritten note addressed directly to Mwanamwambwa himself. Jonas briefly debated leaving well enough alone, but, figuring that any correspondence from the Ministry of Justice was official, and therefore fair game, he decided to take a peek:

Dearest C.J. M.S. Mwanamwambwa,

My friend, please accept the accompanying delights with my compliments. It troubles me that we do not often pay the proper respect to the great and honorable civil-servants laboring for our nation. To my mind, there is no greater example of such a one as yourself. The President believes that a man of your impeccable mental credentials deserves a louder voice in the government. It would be my great pleasure if you would join me at Lusaka Club this evening to discuss these matters.

Warmest Regards,

C.F. Mwangaza,

Minister of Justice

PS: Please accept my apologies for weighing down this package with some paperwork. We are saving on the postage fees. I'm sure you can appreciate.

Jonas wasn't terribly surprised by the gift basket. It was not altogether uncommon for Chief Justice Mwanamwambwa to receive gifts; a basket heavily-laden with sweet pastries and savory meat pies was delivered to his chambers every month by the proprietor of a bakery that the Chief Justice had once saved from demolition. The note was vague, and Jonas figured that the Minister was gaming for some mild nepotism, trying to secure a clerkship for a young relative.

Jonas had almost forgotten about the note when he returned from lunch the next day to find the door to Chief Justice Mwanamwambwa's chambers closed. He didn't recognize the voice playing a long-winded alto to the Chief Justice's infrequent bass line. Unable to make out any words through the heavy wood door, Jonas turned his attention to the three gargantuan binders threatening to collapse his desk. Each binder contained two years of High Court documentation: case dockets; briefs, amicus and otherwise; opinions, concurring and dissenting; and any other tidbits that his predecessors had seen fit to include. Jonas predicted that the opinion Chief Justice Mwanamwambwa would ask him to draft in *Kaunda v. People*, while perhaps easy to guess, would have to be heavily grounded in precedent; Chief Justice Mwanamwambwa, a man with a keen compass for political undercurrents, tended to wade very carefully whenever politics flowed into his courtroom. Precedent was the ultimate life-preserver.

He was about halfway through 1992 when the door to Chief Justice Mwanamwambwa's chambers finally swung open with a loud creak. Out strode a tall, thin man in a double-breasted black pinstripe with stylized hair and an aquiline nose. Jonas recognized him immediately. All three of Zambia's main newspapers—the *Post*, the *New Vision*, and the wistfully-named, state-run *Independent*—had recently run front page stories on the Minister of Justice's new anti-corruption campaign. In the picture accompanying the article the Minister of Justice had appeared as he did now, tall and elegant, towering over President Chiluba as he now towered over Chief Justice Mwanamwambwa. Jonas had only rarely seen the Chief Justice close the door to his chambers; never had he seen him rise from his chair to see someone out. But there he was, standing in the doorway, smiling and extending a meaty hand to the Minister of Justice. The Minister slipped his own slender fingers into the handshake and returned the smile. Neither man seemed to have noticed Jonas.

"We should do this again soon, Marvin."

The Chief Justice's smile widened. "As you like, Charles."

"Please pass my regards to Edith," the Minister said.

"I will."

"May I tell the President that we have an understanding?"

“You may tell him that I have understood him perfectly,” The Chief Justice said.

“Splendid.”

The Minister spun on his heels and strode briskly out. Chief Justice Mwanamwambwa remained in the doorframe for nearly a minute before turning back to his office. Being a man of such wide stature, this turn was no mere heel-spin, but rather resembled the five-point turns Jonas often saw lorries making into the petrol stations on Kafue Road. Chief Justice Mwanamwambwa spotted Jonas after the second turn, and his smile vanished. His lips pursed in distaste, but he kept moving, eventually closing the door to his chambers.

Jonas thought back to the Minister’s note. Monthly meat pies were recompense for what Jonas’ predecessor had described as the Chief Justice’s ‘influence’ over Lusaka’s municipal courts in an ambiguous civil case against the bakery. What was the Minister expecting from his gift basket and visit?

Jonas barely saw Chief Justice Mwanamwambwa again until oral arguments were held the next Friday. The proceedings were bereft of their usual fanfare, which surprised Jonas given the gravity of the case. There were many empty seats in the gallery. The press partition was virtually deserted, with only one flashing photographer, and two scribbling reporters in attendance. Chief Justice Mwanamwambwa was subdued: hunched forward in his ceremonial red robes, with his hands still and his face slack. Gone was the fearsome intellectual who had trounced Mr. Musonda mere months ago. In his place sat a great beefy tomato with white frills--a low-hanging fruit to be picked off the judicial vine. Not even when the Ministry of Justice solicitor accidentally addressed him as “your honor,” rather than “your lordship,” did he rise from his reticence. If anyone had actually watched the arguments, which Jonas was beginning to seriously doubt, they might have concluded that the facts of the case were so well established—the arguments so grounded in precedent—that the whole affair was a mere formality on the road to judgment.

The next Monday, Chief Justice Mwanamwambwa arrived around his usual time of half eleven, but with an unusually time-sensitive demand. He planted a heavy fist between the 1996 and 1999 binders on Jonas’ sagging desk, sending a shudder through its legs.

“Jonas,” he began, “such a politically dangerous question as the one now before the Court cannot be dithered upon. I fear that there is now much scrutiny of our process. We cannot afford to be questioned. We cannot afford our customary judicial ease.” Jonas wasn’t sure exactly what ‘ease’ the Chief Justice was referring to, but knew better than to interrupt. “We must read our decision before the week’s end. Pursuant to that, please draft for me, by Friday, an opinion siding with The People, against Kaunda.”

Chief Justice Mwanamwambwa raised his fist, allowing the desk to groan upwards in relief. Jonas’ stomach groaned with indigestion. In his eleven months at the High Court, he had never seen a decision issued less than two

weeks after oral arguments. But it was not the timing that made his insides churn. It was the content. Is he serious? Jonas asked himself, as unfamiliar indignation joined the indigestion inside. He can't be serious.

Later that night, when recounting the events to the uninterested proprietor of Johnny's Pool Bar, he would be hard-pressed to remember what had possessed him to do what he did next. As the Chief Justice turned away, Jonas threw his eleven months of experience with Chief Justice Mwanamwambwa to the wind and questioned him.

"But what about the precedent used in the Chiluba citizenship appeal?" Jonas had found the intriguingly similar case in the 1997 binder, where then-candidate Frederick Chiluba had suffered *his* paternity and citizenship being questioned. The Court had ultimately ruled that Chiluba *was* a citizen, because any person residing in Zambia for ten years automatically became a naturalized citizen. For Jonas, this precedent blew the case against Kaunda out of the water, but the Chief Justice did not immediately respond, so he began reciting the ruling.

"I know full-well the case to which are you are currently referring!" There was unbridled vehemence in Chief Justice Mwanamwambwa's interruption. "Your informing me of it is unnecessary and unwelcome. I will worry about the precedents. You would be well advised to do as you have been instructed!"

Jonas dared not look up at the scowl marring Chief Justice Mwanamwambwa's round face. As he listened to the Chief Justice's ponderous footsteps and heavy breaths on the way to his chambers, Jonas tried to erase the encounter from memory, tried to ignore the narrative of events taking shape in his mind, tried to forget the question they inevitably led to.

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Present Day

Had Chief Justice Mwanamwambwa been bought?

There it was, in all of its troubling misery. The thought was almost unthinkable. Yet the evidence was as preponderous and visible as the Chief Justice amidst a crowd of hungry prisoners. Jonas added a sixth stubbed-out cigarette to the five already at his feet. Disgusted, he turned away from the railing and headed for the stairwell.

A yawn escaped his lips. Exhaustion was threatening to overtake the anger he felt, wearing away at his mental wall. There was still a decision to draft before tomorrow's session.

Jonas pounded the keyboard with enough ferocity to take at least a year off of its lifespan, but otherwise the drafting passed uneventfully. After about ninety minutes he finished, left a copy on the Chief Justice's chair, and walked home.

The next morning Jonas sat in the courtroom, a dejected, exhausted mess. His head throbbed with whiskey-induced dehydration, his lungs an ashtray. In that moment, Jonas hit one of the lowest points in his life. Not since those first hopelessly homesick days at Cambridge, when the whole world had turned alien around him, had he felt this low. His very foundation was shaking; the sturdy pillars of his life had been tested and found wanting.

When the Justices entered the courtroom, Jonas rose reluctantly, slouching to avoid Chief Justice Mwanamwambwa's gaze. He caught a whiff of stale smoke and sweat wafting from his own clothing and straightened up again. Even when Chief Justice Mwanamwambwa began speaking, Jonas couldn't bring himself to look up at the bench. For a good five minutes he tried to imagine himself elsewhere, where his mind could shed the weight of these words, but he failed. Squirming in his seat, he tuned back into the Chief Justice's broadcast.

"... And therefore, it is the unanimous opinion of this Court to adhere to *stare decisis* in the question of the citizenship of Mr. Kaunda, based upon the precedent set in *Chiluba v. People*."

Jonas's jaw dropped. Chief Justice Mwanamwambwa caught his eye before continuing, bringing Jonas's whole body to attention, and sending a wave of nausea through the pool of whiskey in his stomach.

"The judgment of the Ndola District Court is hereby reversed. Mr. Kaunda shall remain a naturalized citizen of the Republic of Zambia, with each and every right granted thereby. It is so ordered by the Court."

With that, Chief Justice Mwanamwambwa closed his leather-bound folder, nodded to the other Justices, and left. As he walked past the staff gallery he turned to Jonas.

"Jonas, I believe you should accompany me to my chambers."

Jonas sat across from Chief Justice Mwanamwambwa, watching the computer's screensaver and wishing he had showered that morning.

"I suppose that you believe you deserve an explanation."

Jonas was not about to interrupt.

The Chief Justice smiled, acknowledging the suppressed urge before continuing. "I am of the same opinion."

Jonas relaxed somewhat, and smiled back.

"I must offer you my most sincere apologies for keeping you unaware, as it were. I had thought it would be too dangerous for you. Now, seeing the state of anxiety I have wrought upon you," he gestured towards Jonas's rumpled jacket, "perhaps I was wrong to do so. But I could not risk the Minister of Justice and, by extension, the President getting wind of my intentions." Chief Justice Mwanamwambwa gazed out the window. "Ah, the Minister. He is not as sly a fox as he thinks. I am not a country bumpkin to be fooled by his manners, or intimidated by his threats.

“I realize now what you must have thought. About me. About my integrity. I apologize.”

Jonas swallowed the lump in his throat and croaked out a feeble, “Thank you, Chief Justice.”

Chief Justice Mwanamwambwa had never done anything like what he did next. Leaning across his desk, he softened his voice—the authoritative leader transformed to a tender mentor. “Jonas, you are the best clerk I have employed in all of my years on the bench. What still troubles you?”

It took Jonas a moment to find his voice. “It bothers me that such an absurd question even made it to the High Court. First we had the Drunken Lizard case, then this...” he trailed off. “I guess I am just not feeling very confident in the rule of law.”

Jonas was rocked by the deep, resonant laughter that came flooding from Chief Justice Mwanamwambwa’s chest. He had never heard anything quite like it: sonorous and rich and utterly joyful, all the more beautiful for its rarity. “Ohhhh, Jonas. Would you prefer that Mr. Kaunda had *not* had his day in court? Would you prefer that we had simply gathered around to stone him at the President’s request?”

“As to the ‘Drunken Lizard case,’ as you have termed it, while it may seem obvious that Mr. Mwanza placed the lizard into his own beverage, it is similarly obvious that Zambia Breweries flaunted the due process of the courts, tampering with evidence and failing to take even the most basic steps toward safeguarding themselves. Besides, the Court served the common good by lowering the damages awarded to the supercilious Mr. Mwanza.”

Much as he tried to resist it, the Chief Justice’s words were turning the tide within him. “I suppose you’re right,” Jonas said.

“You *suppose*?” Chief Justice Mwanamwambwa said incredulously. “Jonas, did you read legal history at Cambridge?”

“No, I elected International and Civil.”

“A pity,” the Chief Justice sighed. “Have you ever heard of an event in the history of the United States of America called, ‘The Trail of Tears?’”

“No, not really,” Jonas replied, recalling spring days and unread history books.

“In 1832, the United States Supreme Court ruled in *Worcester v. Georgia* that Native Americans were entitled to federal protection from state governments that sought to usurp their sovereignty. And yet, the Federal government allowed the state of Georgia to forcibly remove much of its Native American population over the next decade, killing thousands.

“Now,” Chief Justice Mwanamwambwa cocked his head to one side, “tell me which Court you find to be more effective, that of the *sacredly* democratic United States after forty years, or our own?”

Jonas’s head was spinning. “I guess I’d never thought of it that way.”

“I should think not.” The Chief Justice smiled warmly. “Otherwise you would not be sitting here before me looking so wretched.”

Chief Justice Mwanamwambwa again broke into laughter and Jonas felt the last shreds of his own resistance being washed away by the waves of mirth.

“Jonas,” he finally said, “we can never be perfect. We can only do our best to fix what is in front of us.”

