

**REMARKS BY DR. SALIM AHMED SALIM ON THE OCCASION
OF THE PRESENTATION OF THE MARTIN LUTHER KING
DRUM MAJOR AWARD TO JUSTICE FRANCIS NYALALI
DAR ES SALAAM, JANUARY 15, 2002**

Ambassador Robert V. Royall,

Justice Francis Nyalali,

Excellencies,

Ladies and Gentlemen

We have gathered here this morning to participate in the annual commemoration of the birth and life of Dr. Martin Luther King, Jr. and to honour Justice Francis Nyalali, a distinguished Tanzanian personality who has served this country with all devotion, dedication, honesty, commitment and impeccable integrity.

Dr. King was a great American of African ancestry and a towering figure in the civil rights movement. He was a visionary. He had confidence in a future and set himself the task of working towards its realization. In that future he saw a United States and indeed the world freed from all forms of social injustice, a human community freed from racial bigotry and prejudice. In striving towards that objective, Dr. King appealed to reason and tolerance. In a situation where those who had suffered from grave deprivations had succumbed to frustrations and desperation and turned to violence

as means to reform society, Martin Luther King Jr. never gave up his belief and fight for racial equality and harmony, peace and justice through dialogue and non violence. He was tolerant even to the most intolerant.

Dr. King was a man of very strong conviction. He understood that reforming a society was a process and that there were no shortcuts to the ideal society that he had envisaged in his dream. Tragically his life was cut short by an assassin's bullet thus becoming a cruel victim of the very hatred he sought to fight and end. He died but his dream lives on. As we review the world situation today and especially bearing in mind the growing scourge of terrorism, we should be even more committed and steadfast in the common struggle against all forms of extremism and intolerance and thus live up to the dream of the man whose birthday we are today celebrating.

Excellencies, Ladies and Gentlemen,

The ideal of freedom and justice and the determination to set one's objective to work towards turning a dream into reality is the hallmark of the career of Justice Francis Nyalali.

From his early formative years in the judiciary, Justice Nyalali was quick to grasp the necessity of making the courts accessible to the people they were meant to serve. He saw in the judicial system a huge potential for the transformation of the cultural and political ethos of the Tanzania society. He was committed to the objective of seeing in Tanzania, a society marked by political and cultural tolerance and respect for the rule of law. However, formidable the undertaking appeared, Justice Nyalali preserved. He never succumbed to the temptation of taking shortcuts.

Justice Nyalali served as the country's Chief Justice for a period of twenty three years, making him the longest serving Chief Justice in Eastern and Southern Africa. His period embraced an array of important contributions to the growth and development of the judicial system in the country. Some were of such magnitude that their impact went beyond the narrow confines of the judiciary. He jealously defended the independence of the judiciary – an important contribution to both Tanzanian and African jurisprudence. Justice Lugakingira refers to these years as a period that Justice Nyalali struggled mightily not only to protect the independence but the very relevance of the judiciary in Tanzania. His single most important contribution, according to Professor Shivji, was to build the stature of the judiciary and give it

respectability in our society. But Justice Nyalali's story, as his biographer, Professor Jennifer Widner, reminds us, is also "about a man whose career exemplified the struggle of many people to enhance the independence of the courts and broaden their popular acceptance."

Francis Nyalali's times were no easy times. It required considerable patience, tolerance, commitment and unfailing degree of optimism to stay the course. Although conscious of the demands of his office, Justice Nyalali considered himself very much to be part of the larger society. He was no fence seater.

Tanzania has been a one-party state from 1965. In the late 1980's and early 1990's debates started raging both in Tanzania and throughout the world on the continued relevance of one-partyism. In 1991, President Ali Hassan Mwinyi decided to form a Commission that would go round the country to ask the people's views on whether the country should continue with the status quo or go multiparty. The President asked Justice Nyalali to chair the Commission. The Nyalali Commission Report has had a tremendous impact on our society.

Excellencies, Ladies and Gentlemen,

Justice Nyalali was, as the country's Chief Justice, a man of the people. He has earned public respect not only because of his personal demeanor but also due to his professional integrity and probity. These two qualities, Nyalali the person and Nyalali the incorruptible judge made a very significant contribution in the enhancement of the judicial system in Tanzania. This together with his role in the Nyalali Commission has contributed immensely in the democratisation process in our country. For democracy requires not only the existence and functioning of political pluralism i.e. freedom of political association but also the establishment or strengthening of institutions that can underpin a democratic dispensation. Undoubtedly one of those important institutions is the judiciary. It can therefore be safely stated that Justice Nyalali contribution in these endeavours have enriched Africa's current struggle towards democracy.

Excellencies, Ladies and Gentlemen,

It is very befitting that the Drum Major for Justice Award is being conferred to Hon. Justice Francis Nyalali as we celebrate the Life and Works of the Reverend Dr. Martin Luther King, Jr. Dr. King was a prominent moral philosopher. Few in the second half of the

20th century have had as much impact on the world consciousness as Dr. King.

Dr. King believed and practiced non-violence. In this world bedeviled by violence, wars, destruction, hate, xenophobia, man-made and natural calamities, it is the examples of Dr. King that we need. As he himself once remarked, "Darkness cannot drive out darkness; only light can do that. Hate cannot drive out hate; only love can do that."

As we look to the lives of Martin Luther King, Jr. and other personalities including our own Justice Francis Nyalali, we are reminded of that standard Bible passage: "From those to whom much has been given will much be required."

Thank you.