

ADDRESS BY HON. LADY JUSTICE ESI SCHIMMING-CHASE JA,
JUDGE OF APPEAL OF THE SUPREME COURT OF THE REPUBLIC OF NAMIBIA,
AT THE 2ND HIGH-LEVEL MEETING OF WOMEN LEADERS, JUDICIAL OFFICERS
OF AFRICA

JOHANNESBURG, SOUTH AFRICA, 20 – 24 APRIL 2026

KEYNOTE ADDRESS: MENTAL HEALTH, LEADERSHIP AND THE JUDICIAL
BURDEN

The Honourable Chief Justice of the Republic of South Africa, Chief Justice Mandisa
Maya,

All Protocol Observed

1. It is a singular honour and privilege to address this distinguished gathering at the Second High-Level Meeting of Women Judicial Leaders of Africa, convened under the auspices of the Conference of Constitutional Jurisdictions of Africa. This important continental platform brings together remarkable female judicial leaders united in their commitment to advancing constitutionalism, strengthening the rule of law, and promoting gender equality across our jurisdictions.

2. Before I turn to my keynote address, allow me to acknowledge the profound and timely theme of this meeting: “The Maputo Protocol @20: Consolidating the Jurisprudence of Equality for the Next Generation.” The Protocol’s two decades of existence invite us to reflect on what has been achieved, and to steel ourselves for what remains to be undertaken. Even as we speak of progress, and there has been much, I am reminded that progress on the Bench is not measured solely by the cases we decide or the rights we protect. It is also measured by the human capacity of those entrusted with this work. It is that human dimension which brings me to the topic I have been asked to address today.

3. I speak to you about Mental Health, Leadership and the Judicial Burden. It is a conversation that is both necessary and long overdue, and one that I am particularly honoured to open, having recently taken my seat as the first woman Judge of Appeal of the Supreme Court of the Republic of Namibia. I stand before you, therefore, not only as a jurist, but as a woman who has recently stepped into the specific kind of aloneness that comes with being the first. I do not say this for effect; I say it because the experience has deepened my conviction that this conversation must be had openly and honestly, at the highest levels of our profession.

4. I was positively overwhelmed by the appointment. It is just over six weeks old. Although I am clear that this is my life's purpose, part of me wanted to crawl into a dark hole and hide. I asked myself whether I was actually mentally sound to apply for this position. At the other end of the spectrum, I received a tsunami of support from young women across the cultural lines, who thanked me for opening the door and showing that it is indeed possible for women to reach these heights. I realise that this is not the time to falter, but to pave the way for women wanting to join our profession, I invested significantly more in my mental health.

5. Mental health, as I understand it in the context of our work, is the cognitive and emotional condition that makes clear thinking, sound judgment, and humane engagement possible. It is the capacity to perceive accurately, to weigh carefully, and to sit with complexity without distortion. Understood in this way, tending to it is not an indulgence. It is a national imperative.

6. Today, I address three interconnected themes: the psychological demands of judicial office, the gender-specific pressures that women on the bench carry, and what it means - practically and institutionally - to build resilience, balance, and longevity in this profession. My overarching aim is to invite us, collectively, to recognise what remains contested in many of our judiciaries: that wellness is not a private concern. It is a judicial leadership issue.

The Psychological Demands of Judicial Office: The Weight of the Invisible Robe

7. The judicial office demands more than legal acuity. It demands endurance. It demands emotional discipline. It demands that we absorb conflict, trauma, and human suffering, often without visible reaction, and almost always without relief. Every judgment is not merely an intellectual exercise; it is an act with real human consequences: liberty, dignity, and livelihood hang in the balance. And yet, an unreasonable expectation persists that we carry this weight silently and seamlessly.

8. The architecture of judicial stress is now well-documented, and it extends far beyond workload alone. It arises from a constellation of structural pressures: crushing caseloads that leave insufficient time for reflection or careful craftsmanship; professional isolation, for the demands of impartiality enforce a kind of loneliness that compounds over time; and sustained exposure to the worst of human experience.

9. The bench offers no immunity from the emotional weight of what passes before it. It subtly and cumulatively transforms how we see the world: our sense of safety, trust, and meaning. A judge who has presided over years of gender-based violence trials, child abuse prosecutions, or violent crime does not emerge unchanged.

10. The culture within which these pressures are experienced is one of enforced silence. We were trained to be strong. We were not trained to be human or vulnerable. The unspoken code is clear: acknowledging difficulty risks being perceived as a sign of inability to perform.

11. The empirical record confirms what many of us have long known. A 2021 global survey conducted by the United Nations Office on Drugs and Crime, drawing on responses from 758 judicial officers across 102 countries, found that 76 per cent of judges reported insufficient time to maintain optimal physical and mental well-being. More strikingly, 69 per cent indicated that discussions on stress and mental health

remain taboo within their judiciaries. These findings expose a profound paradox: judicial stress is pervasive and widely recognised, yet institutionally under-acknowledged and insufficiently addressed.

12. The implications extend beyond individual well-being. Chronic stress affects cognitive functioning, decision-making, and, ultimately, the quality of justice delivered. Judicial officers operating under sustained pressure risk burnout, reduced productivity, and diminished public confidence in the administration of justice. Judicial well-being is therefore not a private concern. It is a matter directly linked to judicial performance, institutional integrity, and the rule of law itself.

13. The strain I have just described is not a personal failing to be mastered in private. It is inherent in the role. But unaddressed strain moves outward, into families, into the atmosphere of chambers, and into the manner in which authority is exercised, even over those who work alongside us.

Gender-Specific Pressures Faced by Women Judges

14. For women on the bench, the burden I have described is rarely singular. It is layered.

15. There is the burden of perpetual scrutiny - the sense that one's competence is not presumed, but remains under constant trial. There is the quiet persistence of the impostor phenomenon: that internal questioning of one's right to occupy the bench, often sustained by environments that never quite normalise your presence. Then there is the representation tax, the unspoken expectation to represent not only the law, but all women, the unnamed constituency no male judge is asked to carry.

16. There is also, for some of us, the silent tax of midlife transition. Many women ascend to the bench and advance to senior levels while navigating the physiological complexities of menopause. This is a mental and physical health issue that stands on its own. It is not talked about, it is suffered in silence, and manifests as a patronising description of mood swings or being described as more difficult. Because this remains an unspoken issue in professional circles, its symptoms must often be managed in isolation, without acknowledgement, accommodation, or support.

17. Leadership within the judiciary is also shaped by a gendered gaze that operates with particular force at senior levels. Male judges inherit a presumption of authority. Female judges must earn it, again and again. There is the tone paradox: to be firm is to risk being read as harsh; to display empathy is to risk being read as soft. There appears to be no register that is 'judicial' when the judge in question is a woman. Then there is the pioneer tax, borne most acutely by those who are among the first, or one of very few: the expectation of perfection, the knowledge that one's stumbles may be read as proof that the appointment was a mistake.

18. Despite these challenges, women across African judiciaries continue to lead with distinction, integrity, and remarkable resilience. But resilience should never be confused with invulnerability. The cost of perpetual resilience, unacknowledged and unsupported, is high. And we owe it to those who come after us to be honest about that cost.

19. There exists, even among legal professionals, an unspoken code that acknowledging difficulty invites doubt about one's fitness for office. For women, this risk is heightened. The penalty for vulnerability can be immediate and sharp. And so, the silence continues. But silence, while it may preserve the image of strength, comes at a profound personal cost.

20. I wish also to draw a distinction that is too often ignored in our profession. Resilience does not mean silence. Strength is not suppression. The two are frequently conflated, particularly for women, and that conflation is costly. Silence may preserve the appearance of composure, but it exacts a documented toll: fatigue, emotional detachment, the slow erosion of clarity, the diminishing of the very judgment we were appointed to exercise. A judge who suppresses what the work is doing to her is not stronger for it. She is actually less equipped to do the work well. True resilience includes honest acknowledgement of what the work costs us. In this light, caring for one's mental health is not a departure from judicial duty. It is a significant part and parcel of that duty.

Building Resilience, Balance and Longevity on the Bench

21. The good news, and there is good news, is that the global judicial community has begun to respond. Not with platitudes, but with normative instruments, institutional frameworks, and community-driven initiatives that reflect a genuine and long-overdue reorientation of how judicial wellbeing is understood.

22. A significant milestone in this regard is the Nauru Declaration on Judicial Well-being, adopted on 25 July 2024. This landmark instrument recognises, for the first time at an international level, that judicial wellbeing is essential to the preservation of judicial independence, integrity, and the effective administration of justice. In doing so, it moves the discourse from awareness to accountability.

23. Building on this foundation, the United Nations General Assembly, in March 2025, formally declared 25 July as the International Day for Judicial Well-being, providing for the first time a dedicated global platform for sustained dialogue, reflection, and institutional commitment to judicial health.

24. Parallel to these normative developments, targeted initiatives have emerged in support of women in the judiciary. The UNODC's Women in Justice Programme, launched in 2024, has introduced structured mentorship and leadership development platforms for women in anti-corruption and judicial roles. The evidence consistently identifies peer connection, particularly cross-jurisdictional networks, as one of the most significant protective factors against judicial stress. For women serving at senior appellate levels, where local peer networks may be limited or non-existent, such platforms are not merely beneficial: they are essential to our well-being.

25. What does resilience-building look like in practice? At the individual level, it begins with the simplest and most difficult of acts: naming what we carry. It extends to structured peer consultation; to the deliberate setting of limits on availability and work absorption, understood not as indulgence but as professional maintenance; to regular, confidential engagement with qualified professionals; and to the building of communities of women in the judiciary who share the particular texture of this road, without explanation required.

26. At the institutional level, building resilient courts requires deliberate systemic responses: confidential psychological support services, normalised as standard rather than remedial; formal mentorship frameworks for newly appointed women judges, from those who have walked this road; explicit wellness policies that treat mental health as a matter of judicial performance and integrity; and regional networks that share strategies, solidarity, and standards.

27. We need a fundamental reorientation of what judicial strength means. The traditional ideal of the perpetually composed, unshakeable judge is increasingly being challenged by evidence that such expectations may, in fact, undermine the very capacity they purport to model. The emerging global consensus is clear: resilience within the judiciary is not achieved through silence or endurance alone. It is achieved through recognition, support, and deliberate institutional design.

28. Wellness is not a private concern but a judicial leadership issue. If we understand judicial leadership to encompass the integrity of the institution, the quality of adjudication, the public confidence placed in our courts, and the sustainability of those who serve within them, then we cannot speak of judicial leadership without speaking of wellbeing. The two are not separable. A judiciary whose judges are burnt out, traumatised, or silenced cannot fully deliver justice. A judiciary that treats wellness as an afterthought accepts a structural compromise of its own mandate.

29. Leadership in this context means something specific. It means that those of us in positions of seniority, and particularly those of us who have experienced the specific pressures I have described, have a responsibility to create the conditions in which those who come after us do not have to endure in silence what we endured. It means speaking, as I have attempted to do today, about that which the institution has long preferred not to name. It means advocating, within our respective judiciaries and through continental platforms such as this one, for the systemic changes that will make the bench sustainable for women, and for the next generation.

30. Leadership, however, is not only positional. It is also about how we show up and what we model in our daily practice, about what a judge can be. One can be rigorous and humane at the same time, exacting in analysis and compassionate in manner. When the younger judges and judicial staff watching us see that it is possible to hold high standards without harshness, to decide difficult matters without losing sight of those affected, we change, by example, what the bench can look like for those who come after us. That, too, is leadership.

31. As we reflect on the theme of this meeting, consolidating the jurisprudence of equality for the next generation, we would do well to ask: what kind of message are we as female thought leaders who shape our nations giving to the next generation of women who will take their seats on these benches, hoping, as many of us did, that the road ahead would be a little more navigable than the one they found.

32. This platform, this gathering of senior women judicial leaders from across Africa, is itself an act of resilience, self-care, peer support and understanding. In its very existence, it pushes back against the isolation that the profession too often imposes. And so, I close by returning to where I began: to the weight of the invisible robe.

33. You were not appointed to be invincible. You were appointed to be just. Strength and vulnerability are not opposites; they are the full measure of judicial character. Our well-being is not separate from our work. It is the condition that makes our work possible. Our scars and cuts from breaking glass ceilings are our medals of honour. Let us enjoy a moment of movement and relaxation. Make full use of what has been prepared for us. I extend my sincere appreciation to Chief Justice Maya and her team for including mental health awareness at this High-level meeting, and thank you for the opportunity to address you.

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