

The Unique Results and Main Challenge of Merging Law and Technology in Africa

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“Computers are going to take over certain legal tasks — the practice of law will focus more on advice.” These are the predictive words of MetLife Executive Vice President and General Counsel, Ricardo Anzaldúa, during the 2017 New York Legaltech Week.

There is no denying the far-reaching impact of technology on our day-to-day life. In this respect, Africa has not been left behind.

Rédaction Africanews recently conducted an interview segment with Neema Magimba, a Tanzanian legal counsel who co-founded the [Sheria Kiganjani](#) platform. Her platform provides persons with financial and distance difficulties with access to legal services, with a focus on specific areas of law that are common in Tanzania. These are Marriage and Succession Law, Tax Law, Land Law and Rights of Children, as well as Women and People with Disabilities. Today, the Sheria Kiganjani platform has reached over 439,500 people in Tanzania.

The Sheria Kiganjani story inspires questions as to the fruits society can reap from the relationship between the law and technology today. More precisely, in Africa.

Evident Benefits of Law and Technology Synergy

1. Enhances Access to Legal Services

Digital platforms for legal services provide a user-friendly interface that enhances the right to access to justice. Access to justice is a human right that involves enabling people to exercise their rights, challenge violations and hold decision-makers accountable. Such platforms grant members of the public the opportunity to seek legal advice from lawyers remotely and offer education on their rights and duties.

Platforms such as Sheria Kiganjani in Tanzania enhance the right to access to justice for citizens in remote areas. The platform encourages citizens to seek legal advice rather than rely on often unfair traditional dispute methods (in some African States) that have been incorporated into national legal systems.

The [Legalese](#) agency in South Africa is another example of enhancing access to legal services for creative, start-up and tech-based businesses. This agency appears to break down intimidating aspects of the legal profession by providing an array of legal solutions to new and unique areas

like gaming, cannabis business and social media law. As such, digital platforms have now given members of the public the ability to choose the appropriate law firm, associate or law consultant to get the desired outcome for their needs.

2. Supplements Judicial Procedures

Advancements in forensics have influenced the practice of criminal law through technology that supplements the building of strong cases by either party in a judicial proceeding. Forensic technology is used to conduct digital analysis, blood spatter analysis, DNA testing and ballistic reports. Notwithstanding the complexities of using science in the courtroom, forensics in Africa has freed the wrongly accused and identified the correct perpetrators. The legal system in Ghana has been using forensics since 2011. In 2017, the [Ghanaian Court of Appeal](#) quashed the accused's initial conviction based on a DNA test that damaged the victim's credibility.

Moreover, it is now easier and faster for judicial officers to dispense trials through e-proceeding or online hearings that mostly took full effect due to the COVID-19 pandemic. The [UNODC](#) (the United Nations Office on Drugs and Crime) notes that an efficient and robust case management system works to improve the effectiveness and integrity of the Judiciary and National Legal system. Today, numerous African States have online platforms where they conduct e-proceedings, receive court submissions, and publish motions rather than the traditional oral dictation method that existed before. For instance, the [East African Court of Justice](#) has a central website granting access to the registry, sub-registries, case catalogs and creating a paperless e-Court.

Additionally, in Kenya alone there exists the [Kenya Law](#) website for case searches and updates on law, the [Ardhi Sasa](#) platform for land-related matters and the [Judiciary E-Filing](#) website for filing cases and paying court fees through [M-Pesa](#) that assist in enhancing the judicial procedure. Today trials take considerably less amount of time, which enhances the dispensation of justice thanks to these electronic case management systems.

3. Increases Public Awareness of Their Rights and Remedies

Through advocacy platforms by lawyers and activists, members of the public can access education on their rights in just a matter of seconds. The [Barefoot Law](#) non-profit organization in Uganda hosts a platform that empowers people with free legal information for people to develop legal solutions for their justice needs. Their website indicates they have served 813,406 people with 22,791 cases being resolved. One of their pulling testimonials states they are "*a very empowering platform for the common man.*" Barefoot Law hopes to reach 50 million people by 2030.

The [Speak Up Africa](#) advocacy and policy platform has its headquarters in Senegal but its influence reaches across Africa. The action tank enables and engages with all levels of society and stakeholders to champion reforms of public health and sustainable development in the region. To illustrate, they recently conducted a campaign to bridge the gap around menstrual hygiene management in Senegal.

4. Revolutionizes Law Practices

Speed and efficiency are the taglines for technology throughout. Thus, it is no surprise that it is also faster for practicing lawyers today. For one, legal practice management is made simpler through online software such as Quickbooks for accounting and Cloud Computing for storing scanned backup documents.

Lawyers may also interact with others internationally, which greatly encourages the development of the law. In some jurisdictions (that is, in some countries) reports can now be assessed online in a readable format. This benefits the lawyers in particular and, of course, other members of the society that may be interested in assessing judicial reports. This also contributes to the development of the law.

The Main Challenge: Africa's Digital Divide

It is easy to assume that everyone today has internet access since [5 billion](#) people worldwide do. Sad to state this is not the case. This is what Africa's digital divide is about. Statistics for the year 2021 show that only [33% of the population](#) had internet access, indicating they also were not able to benefit from the results of the law and technology relationship.

There are further wide gaps in 2022 [statistics of internet users](#) from State to State. Morocco hosts 84.1% of internet users (the highest) in comparison to 7.1% in the Central African Republic (CAR). Evidently, it would be difficult to see results in the CAR justice system, even where the Special Criminal Court (SCC), an UN-backed hybrid court, recently launched its first trial. While the SCC [conducts outreach](#) events on its website, it is likely that most CAR residents may not be able to access it.

On a positive note, the World Bank is set on helping Africa achieve universal internet connectivity [by 2030](#), which will require almost \$100 billion US dollars in investment.

Conclusion: We Need to Exercise Discretion

Critics claim that technology could render legal services obsolete. This is false as the legal practice is a mesh of intellectual and emotional intelligence, which cannot currently be duplicated. Legal reasoning evolves with the increasing dynamics of humans' relationships with one another. Technology will continue to penetrate the legal field and this is one aspect we cannot control. Yet, we have the responsibility to avoid its abuse in the pursuit of justice. Those in the legal and technological fields must collaborate to exercise discretion as to the necessity of technology in certain aspects rather than using it as an answer to every problem.

We have seen the arising concerns about poor data regulation, privacy rights and cybersecurity in Africa. Unfortunately, these are only the tip of the iceberg as technology continues to advance. A balance of technology and human wit is necessary for the achievement of law and order now and in the future to come. For the sake of justice, one must not overtake the other.