

PUBLIC INTELLECTUALISM AND SOCIOPOLITICAL INQUIRY

THROUGH METAPHOR AND MUSING

V.5



Kenneth K. Mwenda

PhD, LL.D, DSc(Econ)

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**PUBLIC INTELLECTUALISM
AND
SOCIOPOLITICAL INQUIRY
THROUGH METAPHOR AND MUSING**

VOLUME 5

Kenneth K. Mwenda

PhD, LL.D, DSc(Econ)



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Public Intellectualism and Sociopolitical Inquiry Through Metaphor and Musing

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Kenneth K. Mwenda

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PUBLIC INTELLECTUALISM AND SOCIOPOLITICAL INQUIRY THROUGH METAPHOR AND MUSING

“Certainly one of the top twenty-five (25) intellectuals from Africa to grace the world stage in the last two decades, Professor Mwenda’s richness of thought is displayed in the depth and breadth of his trend-setting intellectual contributions (ICs). His ICs have largely, but not exclusively, been in the field of contemporary and comparative Law and Africa’s development. The current book, however, is a refreshing reminder that intellectual heavyweights do, in fact, have a lighter side!”

- **Prof. Gerry Nkombo Muuka, PhD**
Associate Dean and Coordinator of
Graduate Programs

Arthur J. Bauernfeind College of Business
Murray State University, Kentucky, USA.

“Professor Mwenda is back again with yet another brilliant piece of work. In this book, he provides thought provoking explorations of socio-political themes using axioms, adages and proverbs. The result is an educational and entertaining piece of work that will appeal to readers from all walks of life – the academics, intellectually inclined as well as the casual reader. This book has something for everyone. It resonates well in all cultural settings and quite frankly it is hard to put the book down once one starts reading it. It is certainly a must read.”

- **Charles Leyeka Lufumpa, PhD**
Director, Statistics Department

African Development Bank Group
Abidjan, Cote D’Ivoire

“Prof. Kenneth Kaoma Mwenda is a renowned thought leader on legal and financial matters. His extensive writings have so far targeted the ‘learned minds’. In his latest book, ‘Public Intellectualism and Socio-political Inquiry through Metaphor and Musing’, he is in an amazing innovation addressing both the initiated as well as the uninitiated. It is an approach all intellectuals should attempt to do if they are to remain relevant to their societies.”

- **Caleb M. Fundanga, PhD**

Former Governor, Bank of Zambia

President, Institute for Finance and
Economics (Zambia),
Harare, Zimbabwe.

“A timely, valuable and insightful contribution to contemporary socio-legal and political thought at a critical juncture in public intellectualism, rightly at the frontiers of thought leadership and social action.”

- **H.E. Robinson Kaleb Zulu**

Chairperson, Meanwood Group of Companies

Honorary Consul of the Republic of Korea to Zambia
Lusaka, Zambia & Leeds, United Kingdom.

“A very engaging book; reflecting Africa’s new mindset towards posterity and resonates well with the growing passion for knowledge and personal development across the globe.”

- **Chibamba Kanyama**

Former Director-General, Zambia National
Broadcasting Corporation (ZNBC)

Currently with the Bretton Woods Institutions
Washington DC, USA.

“An eclectic and very thought-provoking collection of original perspectives. This book truly reflects Professor Mwenda’s global character and intellectual quality. Well worth the read.”

- **Kelvin Arthur Dalrymple**
Senior Advisor to the Executive Director
for Canada, Ireland and the Caribbean

International Monetary Fund (IMF)
Washington DC, USA.

ACKNOWLEDGEMENT

To my many students and former students worldwide at the various international universities where I have taught, thank you for being promising leaders for the next generation. That a number of my former law students have gone on to become notable Supreme Court judges, Constitutional Court judges, Court of Appeal judges and High Court judges, including an eminent Chief Justice, while others continue to serve as law professors, diplomats and ambassadors, as well as judicial clerks and prominent Cabinet Ministers, is only the beginning of the story. For, there are also those that have held or continue to hold senior positions at the World Bank, the African Development Bank, the Common Market for Eastern and Southern Africa, and many other international organizations. I am truly humbled and grateful to God, Jehovah, Almighty, for all these blessings.

Special thanks also go out to all friends and colleagues (as well as my family members, including my wife and son) who provided comments on the various sayings, musings and metaphors in this book. Their tireless contributions helped to sharpen my views on a number of issues. My other thanks go out to **Diamond Books - Canada** for the timely

and efficient publication of the book, **Diamond Books - Canada** is also hereby acknowledged for the excellent typesetting work and the preparation of the cover design.



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FOREWORD

While Richard Posner writes that the craft of public intellectualism is declining, Prof. Kenneth K. Mwenda's is on the rise. In March 2001, Zambia's leading private newspaper, *The Post*, headlined a commendation letter written by a prominent Zambian Journalist, Chibamba Kanyama, on a then budding young African legal scholar, Kenneth Mwenda. The author of that commendation letter, Chibamba Kanyama, now serving as Advisor in the Communications Department of the International Monetary Fund (IMF) in Washington DC, was at the time based at the University of Reading in the UK. In his letter, Kanyama described Kenneth Mwenda's unparalleled academic record as "a rare phenomenon".

Prof Kenneth Mwenda is a leading intellectual luminary who, without doubt, ranks amongst the top ten (10) best legal minds that Africa has produced in the twenty-first century. He has taught at some of the best universities in the world, including the University of Warwick in the United Kingdom. He holds a PhD in Law from the said University of Warwick. And who would have imagined that the rare phenomenon referred to by Kanyama in his published letter of 2001 would become rarer with the

conferring of a rare Higher Doctorate degree in law (LLD) on Kenneth Mwenda by Rhodes University of South Africa in 2008! Rhodes University, one of the leading universities in Africa, had never in its entire rich history awarded such a distinguished academic award until Kenneth Mwenda received the same. All in all, there are not more than eight (8) to ten (10) eminent African legal scholars with an earned Higher Doctorate degree in Law.

A Rhodes Scholar, Mwenda graduated from, among other institutions, the prestigious Oxford University. In 1998, he turned down a fully funded fellowship to join Yale University Law School, the best law school in the USA, for another competitive offer from the World Bank. It should be noted that the Higher Doctorate degree conferred on Mwenda by Rhodes University in 2008 is a distinguished and rarely awarded senior doctorate. It was awarded after a thorough examination and in recognition of Mwenda's prodigious output of high quality scholarly publications. The story gets even better. Mwenda achieved the rarest academic status in 2014 when he was conferred upon the second Higher Doctorate degree of Doctor of Science in Economics (DSc(Econ)) by a leading British university, the University of Hull. This honour was in recognition of his continued output of highest quality scholarly works, covering both books and peer reviewed articles in leading journals. Hitherto, Mwenda has

produced about twenty-five (25) leading books and about ninety (90) journal articles on various subjects, including financial institutions, financial regulation, banking, corruption, corporate governance, diplomatic immunities, public and private international law, money laundering, economic development and related and varied other fields.

Prof. Mwenda's rather as yet not known unique quality and a class by himself is that of public intellectualism whereby he observes everyday life which he then distils into pithy and poignant published metaphors and musings. It is dizzyingly pleasing to read a collection of these metaphors in his latest book which you are holding in your hands. When these self-created "thoughts" were initially sent to me, I thought Mwenda was collecting and circulating other people's sayings until I noted that he had actually thought them and collected them himself. In all cultures, similar sayings are a collection of numerous people's thoughts and ideas and they would have been accumulating over very long periods of time. They are a common heritage of humankind. But in this rare case, Mwenda has sculptured them in his mind all by himself. When you start reading *Public Intellectualism and Sociopolitical Inquiry through Metaphor and Musing*, you will be convinced that Mwenda is one of the greatest public intellectuals of our era, in the company of

Henry Louis Gates Jr.; Cornel West; Ali Mazrui; Wole Soyinka and all those studied in Justice Richard Posner's book entitled, *Public Intellectuals*. Mwenda's unique intellectualism is also evident in his other publication entitled, *Anthology in Law and the Social Sciences* in which his commentaries on all conceivable subjects is in full display and a marvel to read. Welcome to a most pleasing roller-coaster ride I have the pleasure of recommending.

Munyonzwe Hamalengwa, PhD
Attorney at Law,

Toronto, Ontario, Canada.
Thursday, April 2, 2015.

“When you are good at what you do, but they are trying to ignore you, they will hear about the waves that you are raising while theirs is just a storm in a teacup.”



“The genuinely accomplished will eat and drink with you, and will talk to you without any prejudice. You will often feel free and at ease in their company. But the less accomplished, like the Pharisees in the Bible, will often have no time for you. They would rather pretend to be busy or in a hurry, and will not return your phone call or messages. You will be lucky if they can even accept to eat or dine with you, or chat with you. A pitiful sense of self-imagined aristocracy, or rather their self-conceitedness, remains their greatest sin. Vanity consumes them.”



“When a man tells a lie, it is not that he just wants to tell lies. For the most part, it is because he feels inadequate.”

“A man seated next to a good looking lady who is busy reading a book on complex and sophisticated physics or statistics often behaves himself. For, he has nothing much to say. But a man seated next to a lady with some makeup kit or fashion clothes magazine in her hands has a lot to say. He will rise spiritedly to the occasion.”



“It is easier to win yourself friendships by telling people the lies that they want to hear than telling them the truth. Lies can win you friends, at least, in the short-term, whereas the truth can cost you friends.”



“The energy you exude is a reflection of who you are. It does not matter what you call yourself or want people to believe. It is your energy that tells us who you really are. The bitterness, anger, or frustration in you is a true reflection of who you are. The hate, envy, lies, arrogance or pride in you is just who you are no matter how many times you may show up at church. But, if you exude genuine love towards others, you

probably don't need as many prayers as those who frequent the church, yet are full of negative energy and vibes."



"As the year comes to a close, do not worry about people that have chosen on their own to distance themselves from you or to walk out of your life. Let them be. It's their loss. Nature has a way of revealing people's inner thoughts. Just focus on the people that are still with you and those that are now coming into your life. There is enough room for everyone."



"It is okay to have beauty pageants. That's part of life. But the moment that we begin to identify and celebrate the success stories of our outstanding professional women, such as highly accomplished lawyers, medical doctors, engineers, educationists, professors, scholars, and scientists, we will be giving hope to the girl-child that she, too, can make it. We should not only be preoccupied with celebrating facial make-up and catwalk. There is more to life than entertaining the desires of men."

“Education, and not early or rushed marriages, remains the most assured safeguard for the future of the girl-child. It is both empowering and enlightening. Education for the girl-child can lead to better prospects in life. There should be no compromise on that. Every time, I see a female leader commanding the heights of authority, as men line up to take orders, I know that it can be done.”



“I don’t think that science can tell us everything there is out there. Science itself confesses that it is full of discoveries. Every day, we have new discoveries that sometimes refute current theories. That science does not know about something today or has not yet discovered it does not mean that that something does not exist. Science is about continuing discoveries. Someday, science might discover God. We can’t rule out that possibility. After all, science is about discoveries.”



“The mistake that we sometimes make as Christians is to wait until we are faced with a

To what extent can a court of municipal law turn a blind eye to the tacit or implicit acts of recognition of a government by other states and governments? Does the doctrine of separation of powers or that of judicial activism entail that judges can just do as they please, or are they guided by both municipal law and international law as well as by rules of comity and international diplomacy?

Indeed, can a court of municipal law decide or rule against the recognition of a government where the weight of evidence pertaining to the allegations of miscarriage of justice in the democratic election of the presidency of that government is not fully settled, and where many independent international observers have not signaled great concern? Let us get back to school and read our law books again.”



“One thing a court of law cannot do is to overthrow a sitting government. That said, the doctrine of constitutionalism empowers the judiciary, as an arm of the state, to place restraints on the executive's abuse of power and authority. That, the judiciary must understand,

is its responsibility so as to ensure that citizens' rights are protected and promoted. But it is not the role of the judiciary to evict a sitting government or the executive arm of the state from power. The judiciary, when moved, can only make pronouncements on the constitutionality of the status quo, or, where it is convinced that there has been a substantial miscarriage of justice, as opposed to a mere procedural defect, the judiciary can direct that the contending parties be restored to their original position to start afresh. But for the latter to happen, the requisite standard of proof must be met, while considering also the position at international law regarding the recognition of governments. For, no state or government is an island. Thus, in many situations where the executive arm of the state has attempted to circumvent the constitution to allow a head of state to run for an extra (unconstitutional) term, the judiciary has often expressed its disappointment and displeasure. And such cases have often been met with overwhelming national public dissent for the judiciary not to ignore."

“In some electoral moment where one believes that he or she has been robbed of victory, sometimes appealing to an appellate body for restorative or distributive justice may not yield the desired equitable outcome not because the aggrieved party does not deserve a favorable verdict, but because of the cost implications of awarding him or her the verdict. Unless there is glaring evidence of substantial miscarriage of justice, we cannot ignore the cost implications of starting afresh through the restoration of parties to their original position.

When Maradona scored with the hand of god against England not even FIFA could reverse the referee's decision. The best form of justice is not to cry foul but to get up, dust yourself, and try again while avoiding the mistakes that you made. That is how Ali won back his belt after the court allowed him to fight again. The court did not award him the belt. It simply allowed him to fight again. That's how champions are made. They never give up. And they win the main fight in the ring because they know that it is not easy to win a fight outside the ring.”

“A common mistake that some well-educated married women make is to think that the maid, or the poor woman selling tomatoes on the streets, does not stand a chance. It is not about how educated you are or what job you hold. Neither is it about whether the maid or that street vendor-lady can speak English or not, or whether she can even write or not. You don’t need such skills in these matters. Rather, it is about a totally different skills-set that the maid or the street vendor-lady might have.”



“When you are younger, you learn or try to plan your life. As you grow older, you must learn or try to think strategically about issues affecting your life. For, it is no longer about just planning. You have to move from strategic planning to strategic thinking because things do not always go according to plan. Many strategic plans do not offer a solution when you are faced with sudden unforeseen contingencies or changes in the immediate environment. Rather, it is the thinking through issues strategically and outside the box that makes a difference, as the organization or individual endeavors to adapt to

changes occurring outside or beyond the strategic plans.”



“Throughout the many years that I lived in England as well as all the years that followed in the USA, I never saw any dogs mating in public. Neither did I come across any stray dogs. Maybe dogs in these parts of the world are well-behaved and polite. Or, may be some dogs just live well and are too rich to stray around lazily for food in the neighborhoods.”



“When a man and a woman hate each other with so much passion that they cannot stand each other or see eye to eye, even though they have never been known publicly to date as boyfriend and girlfriend, there is usually something more to the story than each party is telling you. Very often, they will each never tell you the full story. Only the two of them know what the problem is and the full story. A woman cannot just hate a man for nothing, unless she has feelings for him but can’t have him, or he did something to her or with her that left her so

bitter. And a man cannot just hate a woman for nothing, unless she turned him down badly and he continues to lust after her, or she shows no interest in him. Others get so upset when a lady simply teases them as if she will give them ‘some’, and later gets away with their money or whatever she wanted from them without giving the man whatever he expected in return. The man will then ooze with anger beyond fathom, but may never tell you the full story.”



“It often leaves a bitter feeling where you had turned down a nice guy or lady for someone else and then that guy or lady later becomes somebody in society. You just end up telling people how the guy or lady was once interested in you. But, very few people will believe you, especially if you are seen to be struggling in life while the person you are talking about is doing so well. Be careful who you reject, and how you reject them. He or she may just turn out to be the solution to your problem tomorrow, as you walk into that hospital theatre only to find that she is the surgeon in-charge, or the one chairing your job interview or serving as a judge in a criminal matter where you face charges that

could lead to a prison term for embezzlement of public funds.”



“Men must understand that no matter how hungry or great an appetite you may have, you cannot eat every meat that you find in the kitchen. Some of that meat may be reserved for someone else, especially if you did not cook it. And so it is with life. You cannot date every good looking lady that you see. Someone else may have spent time investing heavily in grooming her so that she looks as attractive as she does.”



“That a lady has turned you down does not mean that she is full of herself for nothing. It could just be that you overrated yourself, or are too ambitious for nothing.”



“Do not make a lady’s life difficult simply because she is not interested in you. It simply means you are not interesting.”

"If you would like to know how much a man is worth, do not look at his bank accounts or assets. Those are perishables. They don't last forever. And they don't tell the full story. Rather, look at his ideas. That is where the full story is. And that is his greatest legacy."



"For me, there is nothing as fulfilling as the power of reason. We are all born with different talents. But if we are not able to reason soundly, we end up losing even the little that we are born with."



"You will know a lazy employee by how excited he gets when it is a Friday or payday."



"It is often difficult to explain to someone asking for some money when he says, 'Can you borrow me some money?', that you cannot BORROW him any money, but can only LOAN or LEND him the same."

“In a democracy, people are free to make choices. But one who picks prostitutes is to be feared. He is not your friend for in the end he will want to pick you!”



“One who is in a hurry to begin dating at a young and tender age often struggles later to acknowledge some questionable characters that he or she dated before he or she found fame or attained a higher station in life.”



“There are two things that many people crave for which can help to make or break you. Forget education, at least, for now. The two things are money or marriage, or both. For some, money or marriage is the beginning of problems. For others, money or marriage marks an end to their problems. It just depends on how you approach them.”

2



CASE STUDIES



FIFTEEN THINGS YOU DON'T DO IN PUBLIC

- (a) Urinating on a tree, pavement, fence, wall of a building or house, or in the nearby bushes or grass
- (b) Farting or breaking the wind, especially in such congested places as a bus, taxi, train, plane, church, or restaurant
- (c) Picking your nose with your finger in public, thinking that nobody is paying attention

(d) Picking your teeth with your finger after eating, hoping that nobody is watching, especially when your usual toothpicks, the thatched straws of an African broom are nowhere nearby

(e) Defecating indiscriminately in public places

(f) Kissing passionately in public for a long time and showing unusually lustful affection towards your girlfriend or spouse

(g) Sniffing (or snorting) in public when the weather is too cold and you have a running nose, but with no handkerchief, especially on a bus, train, or in a meeting, as well as at the time of eating, and so forth

(h) Wiping your running nose with your hands, hoping that nobody is watching, or blowing your nose uncontrollably loud when people are eating

(i) Insulting or shouting profanity like someone who is out of his or her mind

(j) Causing drama to the dismay of the onlookers

(k) Laughing with your legs in the air or with an attendant hi-five extended to a stranger

(l) Spitting saliva recklessly, especially after noisily clearing the mucus linings around the throat area

(m) Pulling out a wedgie (i.e. the trapped part of the underwear around the buttocks or closely related areas), thinking that nobody is watching, especially by throwing forward a leg as you walk so that the trapped part of the underwear is released quietly

(n) Taking off your shoes and exposing your smelly socks in public

(o) Yawning carelessly without covering your mouth, and burping without excusing yourself



TEN (10) THINGS YOU SHOULD AVOID DOING AS A DOCTORAL STUDENT IN ORDER TO GET YOUR PhD!

(1). Avoid being unnecessarily argumentative, or aggressively controversial as well as being too opinionated whenever your PhD supervisor is giving you feedback. He or she is your supervisor. You are the student. Although the university environment encourages 'academic freedom', and operates on the premise that you are all colleagues, remember that we are all human beings. And so, the human factor often kicks in at some point. Be mindful of your limits. Sometimes, you have to play the 'small man' to get what you want. Do not push your luck too far with fanciful ideas by challenging your supervisor. Yes, you can ask questions, express some views and propose suggestions, but do that in a respectful way. And be prepared to listen.

(2). Avoid choosing a topic or area of specialization that might be too demanding for you intellectually, unless you are prepared to go the extra mile. Try to work within your

capabilities. Choosing a tough topic will not make you a hero. Rather, it is how well you carry out the research as well as write the thesis that will make the difference, and not the topic that you choose per se. Some students can be very ambitious, wanting to come up with some groundbreaking theories on a PhD. That's not the purpose of a PhD. After you graduate from your PhD, you can then embark on that ambitious project. For now, stay within the framework for the PhD.

(3). Avoid being too distant from your supervisor, and do keep him or her posted as reasonably expected. This means that you have to know how to manage your supervisor. Do not be a bother to him to her. At the same time, do not be a stranger. Learn to strike a balance, and go with the flow of how he or she would like to see things done. After all, you are managing an academic relationship.

(4). Avoid making excuses now and again for not meeting deadlines or not getting back to your supervisor. And be good at time management as well as quality control, ensuring that when you submit a chapter to your supervisor, you have proof-read it carefully and cleaned up all

avoidable mistakes.

(5). Avoid getting entangled in the politics of the department or faculty, especially with people that your supervisor does not get along with. Stay clear of such people, if you can.

(6). In choosing your PhD examiner(s), that is, if the university regulations permit you to have a say, avoid making any decision without consulting your supervisor. If possible, let him take the lead. That way, you will not make the mistake of recommending to the university an examiner who, unknown to you, does not get along with your supervisor or has beef with him or her. Otherwise, your PhD viva voce might be used as a battleground by the concerned examiner to settle scores against your supervisor. It's very common for such things to happen.

(7). Once you have an idea on who is likely to be your PhD examiner, avoid ignoring that person's existing scholarly work. You must ensure that wherever possible in your PhD thesis, you cite his or her work nicely in the footnotes, text and bibliography. Remember, we are all human beings at the end of day. He is likely to notice that you have not cited him if

you are writing on a topic in which he is said to be an authority. And that can rub him the wrong way. You want to avoid such things. Again, remember that it is about managing an academic relationship.

(8). Avoid stealing people's ideas without acknowledging their work through the best academic practices. Plagiarism can cause you to fail your PhD or have your degree revoked! Be original, and don't try to be smart, thinking that you won't be caught.

(9). Avoid going for a PhD just because it's a fashionable thing for many people to do, or simply because your wife or neighbor has one, and you feel inferior. That's not the purpose of a PhD.

(10). Avoid, if you can, changing supervisors, unless it is really necessary. Academia is a small community. They talk amongst themselves. It is good also to target a school and supervisor with a good scholarly reputation. Your supervisor will often end up as your referee when applying for jobs! And his or her name can open doors for you. So, it is best to go with someone who is well known and regarded out there.

WHO ARE YOUR FRIENDS?

Amongst the people that you call your friends, there are those who will say congratulations whenever you do well. Then, there are those who will look elsewhere, much to their chagrin, as if they have not noticed and will keep quiet or simply change the topic. Others even struggle to clap.

Amongst the people that you call your friends, there are those who will only be too eager to ask you how you fared in your school exams when they know, or have heard, from the grapevine that the exams did not go too well for you. But when you re-sit and pass the exam, they won't say a word, pretending as if they have not heard or noticed.

Amongst the people that you call your friends, there are those whose lips are always smiling at you, but whose hearts are so cold. They talk nicely when you are around, but say nasty things when you are not there.

Amongst the people that you call your friends, there are those who will compliment you and

tell you that you look nice in your lovely outfit, and there are those who will just keep quiet or tell you, without any compliment, that they also have a similar outfit or handbag.

Amongst the people that you call your friends, there are those who you will only get in touch when they need something from you. Otherwise, you will not hear from them. Then, there are also those who, when you call them or email them to say hello, you even regret having done so. They come up with all manner of requests or complaints, although they have not even been in touch all along.

Amongst the people that you call your friends, there are those who call only to tell you about what they have bought, where they are going for a vacation, their job promotion, their new car or house, and all the bragging that they feel you should know. Such alleged friends never call when something embarrassing has happened to them. They just disappear, and only to be heard of when they are back on their feet.

Amongst the people that you call your friends, there are those who are just waiting for your downfall. But they may be standing their waiting for the rest of their lives. You can very

DEVELOPING STRUCTURE AND STRATEGY THROUGH LONG-TERM THINKING

The game of football that one learns on the backyard streets is different from the one that is taught at a soccer academy. There, you learn how to think and play strategically on the soccer field. You just don't run with the ball anyhow even if you are naturally talented. You are taught structure. And strategy is developed. Technique is also refined. And the ability to deliver effectively is honed and enhanced. You become a better player! The same is true for swimmers and athletes.

If you grew up swimming underwater in the village, without any proper swimming attire, you get to refine your swimming tactics from the usual unstructured dog-like paddling to a more internationally accepted standard. You cannot be expected to swim a dog-like paddle even if it is freestyle.

For athletes, they too don't just run anyhow on the tracks as if they are chasing a goat in the neighborhood. You learn how to stretch and

unfold your legs scientifically, as you take long strides with elegance. You don't just thrust forward with so much energy, using short and primitively aggressive strides, as if you are escaping from danger! That is not sportsmanship. It is anything, but sportsmanship.

And so it is with marriage and dating. With marriage, you learn structure. And you develop a sense of strategy for the long-term. You don't think short-term or for quick gains. You plan and think ahead. And you just don't wake up to pack your bags that you are now leaving.



★ ABOUT THE AUTHOR ★



Prof. Kenneth K. Mwenda
PhD, LL.D, DSc(Econ)

<http://www.kennethmwenda.com>

A distinguished thought leader and public intellectual, **Prof. Kenneth K. Mwenda** read law at Oxford as a Rhodes Scholar. He has also taught

law at top universities in the United States of America (US), the United Kingdom (UK) and South Africa. A Fellow of the British Royal Society of Arts (FRSA), Prof Mwenda is a recipient of several international academic awards, including a competitive fellowship from Yale University Law School in the US. Most recently, he gave the 2015 Distinguished Lecture at the University of Nairobi Law School in Kenya, and was appointed as Extraordinary Professor of Law in the Faculty of Law at the University of Pretoria, South Africa. He has also held previously the position of Extraordinary Professor of Law at the Centre for Human Rights, the University of Pretoria. Based in Washington DC, Prof. Mwenda is the Program Manager and Executive Head of the World Bank's Voice Secondment Program, a major capacity-building initiative of the Board of Executive Directors of the World Bank.

Prof. Mwenda has had a stellar academic career as well as an outstanding professional life as a leading international development practitioner, travelling to more than thirty countries worldwide. His is a fine blend of theory and practice, with many years of international experience in both academia and international development. Prof Mwenda has maintained a parallel academic and professional life, publishing academic books and other scholarly work in top journals and law reviews as well as holding various senior academic appointments at leading universities internationally, while serving with the World Bank. A member of the editorial boards of several scholarly journals, including the *Journal of*

International Banking Regulation and the *Africa Finance Journal*, he is also an occasional editor of the *Journal of African Business*, and was until recently the joint Editor-in-Chief of the World Bank's *Law, Justice and Development Book Series*.

With sustained thought leadership in academia, in addition to valuable experience in international development practice, Prof Mwenda is a widely recognized authority in his field of expertise as well as a highly sought-after speaker that has been interviewed and quoted by numerous print and broadcast media, including the *New York Times* (US), the *Voice of America* (VOA, US), *CCTV* (US), the *Times* (UK), the *British Broadcasting Corporation* (BBC, UK), and *Sky TV* (UK). In 2008, after a rigorous and thorough examination of Prof Mwenda's selected scholarly books and peer-refereed journal articles by a distinguished panel of top international legal scholars, Prof Mwenda was admitted by Rhodes University, a leading university in South Africa, to the rarely awarded Higher Doctorate degree of Doctor of Laws (LLD). It was the first time ever in the rich academic history of that university that such an award was being conferred in the Faculty of Law! Six years later, in 2014, after another rigorous and thorough examination of Prof Mwenda's other substantial portfolio of scholarly books and peer-refereed journal articles by a distinguished panel of eminent international scholars, Prof Mwenda was admitted by the University of Hull, a leading British university, to the rarely awarded Higher Doctorate degree of Doctor of Science in Economics (DSc(Econ)). It is

important to stress that in the entire English speaking world, Prof. Mwenda is arguably the only senior legal scholar to have earned two Higher Doctorate degrees in two different disciplines! Higher Doctorates, it should be emphasized, are never the immediate step after a PhD. Rather, they are reserved for those internationally recognized senior scholars that have made exceedingly significant contributions to a science or body of knowledge through exceptionally insightful and distinctive scholarly publications, earning them recognition as international authorities in the field of research that forms the basis of the degree.

Further, Prof. Mwenda holds a PhD in Law from a leading British university, the University of Warwick. At the World Bank, he has served additionally as Senior Legal Counsel in the Legal Vice-Presidency as well as Senior Legal Counsel in the World Bank's Integrity Vice-Presidency. All in all, Prof. Mwenda has written more than twenty-five (25) scholarly books and over ninety (90) articles in leading law reviews and academic journals. Prior to joining the World Bank, he served as an Assistant Professor of Law at the Faculty of Law, the University of Warwick, in the UK. Prof Mwenda has also taught as Adjunct Professor of Law at American University Washington College of Law (WCL) in Washington DC. His scholarly work is cited frequently as authority not only in academia, but also by the courts of law, most recently by the Supreme Court for the Republic of Zambia in the case of *Ventriglia and Ventriglia v. Eastern and Southern Africa Trade and Development Bank and*

Robert Simeza SCZ NO. 13 OF 2010 (Appeal No. 11/2009). His other scholarly work has been seminal in some of the research work and country assessments carried out by the International Monetary Fund (IMF), the World Bank, the Asian Development Bank (ADB) and the Inter-American Development Bank (IADB).

In addition, Prof. Mwenda holds, *inter alia*, the prestigious BCL degree from the University of Oxford (UK) and an MBA degree from the University of Hull (UK), with subsequent executive leadership training from Cornell and Georgetown Universities, respectively. His first professional law degree, a Bachelor of Laws (LLB), is from the University of Zambia where he graduated in 1990 in the top one percent (1%) of his class. He was admitted to the Bar in Zambia in 1991, as the best Bar admission student. Prof. Mwenda is a US Certified Anti-Money Laundering Specialist (CAMS) as well as a Fellow of the British International Compliance Association (FICA). He has served as Visiting Full Professor of Law at a number of leading universities in Europe and South Africa, including the University of Miskolc in Hungary, the University of Cape Town (UCT), the University of Western Cape (UWC) and the University of Zambia. He has also given many lead lectures and presentations at major US universities, including George Washington University, the University of Maryland, Duke University, Temple University, and the University of South Florida.

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