

Personal reflections on the scholarship of Professor Charles Manga Fombad

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Today is not merely about celebrating the scholarship of Professor Charles Manga Fombad. It is about the profound symbolism of honouring a great mind while he is still with us. Too often, we reserve our tributes for those who have departed when they can no longer feel the gratitude we owe them. Yet, the living deserves to experience our appreciation – both tangible and intangible – for their legacies and their contributions to the betterment of humanity.

In Zambia, I must admit, we have not cultivated a tradition of honouring scholars, whether alive or deceased. Once the accolades are spoken at the church or graveside, life moves on. We seldom write books about them, nor do we convene lectures in their names. In this respect, Zambia – and, indeed, Africa – have a lot to learn from South Africa. Here, there is a culture of celebrating heroes and heroines, whether born in this land or beyond. And today, we honour a son of Cameroon, Professor Charles Manga Fombad, whose scholarship has enriched South Africa and the continent at large.

During my research for this presentation, I visited the website of the Centre for Human Rights of the University of Pretoria. I was deeply moved by the tribute bestowed upon one of Zambia's most accomplished and internationally renowned legal scholars, Professor Kennedy Michelo Hansungule, who taught here for many years and sadly passed away in mid-September 2024. Yet, I could not find a single entry on any Zambian website eulogising him.

Equally striking was the tribute to one of South Africa's most celebrated human rights scholars, Professor Christof Heyns, who passed away in 2021. On the Centre's website, his eulogies span 188 pages – a monumental testament to his impact. I have never encountered such a comprehensive memorial, not even for a President of a country, let alone a scholar.

I also discovered a commemorative book entitled, *A life interrupted: Essays in honour of the lives and legacies of Christof Heyns* edited by Frans Viljoen, Charles Fombad, Dire Tladi, Ann Skelton and Magnus Killander. This remarkable volume, published in 2022 – just a year after his passing – consists of 503 pages and 38 chapters contributed by scholars from across the world. By contrast, our departed President,

Dr Kenneth Kaunda, who died in 2021, has yet to be honoured with a collection of essays as of 2024. This contrast is sobering. It reminds us that Zambia and, indeed, much of Africa, must reflect deeply on how we can preserve and celebrate the legacies of our leaders and scholars.

South Africa and its universities have continued to honour both their departed and living heroes – not only scholars, lawyers and judges, but also those who sacrificed in the struggle against apartheid. The book *Trailblazers: South Africa's champions of change* edited by Sheritee Bridge and others is a shining example of such a celebration. I also came across Kenneth S Broun's *Black lawyers, white courts: The soul of South African law*, which pays tribute by name to black lawyers who were instrumental in the struggle against apartheid and endured immense sacrifices under that system.

By contrast, Zambia and most African countries have no such publications, nor do we name annual lectures after our lecturers, lawyers and judges as you do here. At Wits, for instance, there is the Bram Fischer Annual Lecture, and on this very programme I have seen lectures named after individuals whose sacrifices and contributions are being honoured.

I have taken time to pay tribute to highlight this symbolic importance because it demonstrates how South Africa and its universities signify the work of their heroes, ensuring that their examples are not forgotten but emulated – whether the celebrants are living or departed.

Now, turning to the celebrant of this occasion, I visited the website of the Centre for Human Rights to access his extraordinary *curriculum vitae*. It is clear that is why we are gathered here today. Professor Charles Manga Fombad's record is nothing short of remarkable: 100 journal articles published in reputable journals worldwide; 64 chapters in books, 17 of which he authored or co-authored; 107 conference papers presented across the globe; 13 technical reports; 11 academic awards and recognitions; 12 editorial board memberships and affiliations.

This is not simply a *curriculum vitae*. It is a testament to a life of scholarship, dedication and service to humanity. It is the kind of record that demands celebration, not only for what it represents in terms of personal achievement, but for the inspiration it provides to generations of African scholars who must see that excellence is possible, and that it must be honoured.

Professor Charles Manga Fombad is, by any standard, one of the world's foremost luminaries in comparative constitutionalism. Through his extensive research and numerous evidence-backed publications, he has consistently demonstrated a deep commitment to justice, good governance and the pursuit of a humane world. He rightly insists that constitutionalism is a necessary precondition for these virtues.

In this pursuit, Professor Fombad has candidly identified and extensively analysed the factors that both support and impede constitutionalism globally, with particular emphasis on Africa. As a highly capable and insightful scholar, he has mentored many judges, academics and lawyers across the continent, including many from Zambia. I, too, remain deeply inspired by his remarkable contributions.

Initially, I had considered employing the framework developed by an American scholar and judge of the US Court of Appeals for the Seventh Circuit, in his work *Divergent paths: The academy and the judiciary* (2016). My aim was to assess whether Professor Fombad's seminal contributions to constitutionalism, good governance and human rights have permeated judicial consciousness. That, however, is a task I shall reserve for another day.

Granted the foregoing, I can think of no better way for a society to honour such a luminary than by convening an occasion, such as this conference – where governance experts may engage with his critical insights and share experiences that can help shape Africa's constitutional order. At a time when several African states continue to grapple with the challenges of constitutionalism, the timeliness of this gathering cannot be overstated.