

PUBLIC INTELLECTUALISM AND SOCIOPOLITICAL INQUIRY

THROUGH METAPHOR AND MUSING

V.6

EXTENDED EDITION



Kenneth K. Mwenda

PhD, LL.D, DSc(Econ)

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

VOLUME 6

EXTENDED EDITION

Kenneth K. Mwenda
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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**
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“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.”

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“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.

DEDICATION

St Jude;

Pray for Us.



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.

PREFACE

While this book does not purport or pretend to have all the answers to the many socio-political challenges that we face in life, it certainly does raise some thought-provoking questions for us to think through. I hasten to add, however, that the book is not a work of fiction. Rather, it is an example of public intellectualism in the Social Sciences. The book distills complex ideas into easily discernible ideas. Such is a cardinal objective of the book – to provoke some critical thinking on topical themes pertaining to socio-political inquiry. This objective is pursued through the use of metaphors and musings. In many cultures, especially those that place much emphasis on oral tradition, knowledge is often handed down to the younger generation through various adages, sayings, metaphors, musings and stories told by the elders to the younger folks around the fire-place. This book attempts to draw from such a tradition, lighting the fire-place and then distilling some untapped wisdom for posterity and the readership.

The writing of the book was prompted by the increasing and growing demand from friends and colleagues for a book that would bring together a collection of some of my notable sayings that I had

shared with them over the years on social media or via electronic mail. So, all the sayings contained in this book are not borrowed material, but originally my own. For the reader who is interested in non-original material lifted from other people, you are reading a wrong book. This book is not meant for you. However, for the reader who is interested in reading novel and refreshingly original ideas, this book is meant for you. And you will find a companion in the book. As noted above, the ideas presented in this book are my own.

As a scholar, I have been influenced at various levels of consciousness by the works of many writers and philosophers as well as by many traditions and cultures. And the ideas presented in this book come from a broad spectrum of meta-paradigmatic thoughts that cut across various disciplines in the social sciences. That said, the sound and heartbeat of my work remains my own. Indeed, creative problem-solving requires us to think outside the box. We cannot succeed by using the same models and approaches that led to the very problems that we are trying to solve. We must evolve and adapt. Every system must adapt. It should not be static because change is, ultimately, inevitable. What matters is how we manage that change.

While the book presents an eclectic taste of musings and metaphors, such that many a reader might find it hard to put the book down once they start reading,

a deliberate effort is made to set the discussion in its proper socio-political and socio-economic contexts. Much of the analyses are made through the prism of the social sciences. In this book, I endeavor to stand back from my notable scholarly work of authoring for an academic and intellectual audience. What I propose to do instead is to seek dialogue with a broader section of society, ranging from the most intellectually sophisticated to the least enlightened person. Very often, as scholars, our ideas tend to be detached from the real world, particularly when we use technical language and jargon or other forms of communication that only our fellow intellectuals can understand or decipher. Take, for example, the case of a PhD economist who is in the habit of using complex mathematical formula to write or report on contemporary economic issues in the media. How useful is such writing and information to the common man on the ground that has little interest in learning about complex mathematical equations?

A notable role of public intellectualism is to stand back from the intimidating language of a technocrat so as to avoid some kind of tunnel-vision where only you, the author, and your fellow technocrats are the ones who can understand what you are talking about. And this is exactly what this book endeavors to do. People from different walks of life will find this book an easy read, whether they are travelling on a train or a long flight. The book will give them a

valuable companion. And even though some of the readers may not be in full agreement with some of the ideas that the author advances, many a readers' thoughts are likely to be provoked to some greater degree. That, really, is what matters most. Indeed, it is that stimulation of debate that lies at the centre of this book.

A public intellectual often transcends the boundaries of academic pedagogy, while avoiding the chasm that divides scientific inquiry and intellectualism from the typical practitioner role of unscientific advocacy. A public intellectual often remains focused on translating complex theoretical and conceptual ideas into easily discernible scientific and objective analyses that even wananchi (i.e. the public citizens) can understand. In doing so, the public intellectual should try to communicate and speak the language of the common man, without stifling debate or intimidating the audience with all manner of intellectual sophistry. To that end, the use of metaphors, adages, and illustrations becomes handy in breaking down certain ideas that would ordinarily be seen as too complex for the common man to understand. This book takes such an approach, breaking down complex ideas into easily discernible ideas.

This is not a book simply about Africa. Neither is it simply about America or Europe. Rather, the book is about the human condition everywhere in the world.

We live in a global vil-lage. And the author has lived, studied and worked on three different continents, namely, North America, Europe and Africa. So, every reader will be able to relate to one or more of the sayings, metaphors and musings presented in this book.

Special thanks go to all friends and col-leagues (as well as my family members, including my wife and son) who provided comments on the various sayings, musings and metaphors. Their tireless contributions helped to sharpen my views on a number of issues. Also, my thanks go out to Africa in Canada Press for the timely and efficient publication of the book. And I would be failing in my duties as the author if I did not record my indebtedness to my good brother, Dr. Munyonzwe Hamalengwa, a leading human rights advocate and an outstanding barrister in Canada, for his inspiring Foreword for the book.

The analyses, arguments, interpretations and conclusions expressed in this book are entirely those of the author. They do not represent the views of any institution, person or body to which the author is affiliated.

Kenneth K. Mwenda

PhD, LL.D, DSc(Econ).

Washington DC, USA.

Thursday, April 2, 2015.

1



METAPHORS AND MUSINGS



“There are moments when you sometimes have to remain quiet to avoid being misunderstood or offending someone who is so engrossed in attending to extended family issues to a point where he or she is now neglecting the well-being of his or her own nuclear family while trying desperately to sort out problems of mature adult distant relatives, some of whom are even married, under the adage of blood is thicker than water. Some people choose to remain poor that way.”



“In Africa, we have what we call ‘relatives’ and those others whom you have to keep explaining to people how you are somehow connected through some remote family or village ties. Those are not relatives, but simply relations.”



“Those relations and friends that ask for provisional accommodation to stay at your place for a short while, as they claim to sort out one or two issues, often never leave. They end up staying there for as long as you can imagine, effectively becoming part of the furniture in your home. Admitting such people to your home is like lending money to a broke diva. You will never get that money back even though she will be busy posting all manner of pictures on social media of this and that event she was attending or hosting, and pretending to be a sophisticated socialite.”



“There are just certain things you cannot hide from people forever. As long as you have smoked weed before, it will show. You could be a pastor, bishop, professor, medical doctor, engineer,

economist, PhD, or whatever, weed is weed. Sometimes even when the sun is not scorching hot, it will still show. And whether you are clean-cut looking or not, it will eventually show, especially when you get upset or are drunk. Even when you are in the boardroom, presidential suite, or flying first class, it may pop up. That behavior never leaves completely. It is just a matter of time before we see it again, whether on social media or not.”



“Because of different expectations and assumptions, some African returnees or visitors from the diaspora travel to Africa with an attitude thinking that they can intimidate the locals there with whatever they have come with from abroad. Then, some locals too have an attitude, constantly projecting a complex by trying so much to let those from abroad know that they too are happening and living well in the motherland. Such locals will not hesitate to show you their material possessions or grand homes, sometimes even inviting you to their homes or farms just to drive home a point that even though you are out there, they too are happening on the continent. Yet, the poor visitor

from the diaspora is in no way trying to compete with anyone. Different expectations and different assumptions are often the mother of all mistakes.”



“The monetary figures that some men like to mention, especially to unsuspecting ladies, and the amount of money that they actually make are two different things. Not even the man’s business card will tell you the full story about where he lives, the type of work that he does or the size of his company. All that you will see is that he is either the Chief Executive Officer or some grand executive until you insist on seeing where he works.”



“In my beloved African continent, when it comes to politics, there are those whose preoccupation is to mislead the president and shield him away from any technically sound and knowledgeable person, fearing that such people could steal the thunder should the president get to know them. Thus, the president is fed with falsehoods to keep good people away. Then, there are also

others whose preoccupation is to make false and misleading claims that they are very close to the president and can make things happen. And it is not unusual for almost everyone you meet in the political corridors to rush into concocting stories about how close they are to the president, and how they were with him just the other day, or that they've just been speaking with him on the phone. You kinda get used to such shenanigans.”



“The problem with waiting for the other person to greet you, or to befriend you on Facebook or other social media, is that, if you are both egomaniacs, with a serious chip on your shoulders, you will just be staring at each other, busy blowing hot air in each other's direction, and pretending to be busy or that you are looking elsewhere. Yet, you can't even sleep because you want to know what the other person is up to, and thus are constantly on tiptoe trying desperately to see what he or she has posted on Facebook or other social media. It's a very stressful life, people.”

“Not every disagreement or argument is anchored in sound reason. Many are devoid of logic. Others are jettisoned by untamed egos. But whatever it is, people can easily get along if they can just put aside their egos.”



“I don’t have to convince you, but at least I should be able to reason with you, unless you can’t reason.”



“It is impolite to ask a single mother who the father to her child or children is. She may take offense or it may remind her of a past she does not want to hear about. It is like asking a man why he is always broke.”



“It is wise for people to stop bothering relatives, friends, colleagues or strangers that own expensive luxury cars to lend them their car for a wedding bridal party. Just walk or take a bicycle ride if you can’t afford hiring a luxury car. Even the bride ought to be magnanimous

By that time, the Bembas, hailing from the Democratic Republic of Congo, after fighting and defeating the *Ngoni* folks, as the latter sought land to settle on in Zambia, had reconciled and struck a deal with the people they'd just defeated, the *Ngonis*, to rule over those that they found in Zambia. A few years down the road, the MMD was formed, and later gave birth to the PF. The response to that was the formation of the UPND. Then, the Barotse Agreement became an issue. History has a tendency to repeat itself.”



“In many cultures, there is often a particular language in which most crimes are committed. In my native country, Zambia, for one reason or another, a good number of crimes, acts of mischief and pontifications of profanity are conducted in the Bemba language even by some non-Bemba natives. After the Bemba language comes Nyanja. People don't usually insult in Tonga, Lozi, Chewa, Luvale or other languages. They prefer using Bemba or Nyanja to their native language when insulting, as if the two languages are anointed with profanity.”

“Remember that, back home in Africa, a friend of your friend is also your friend, whether you remember his name or not. And do not count him out. He will be there at your wedding party, whether you invite him or not.”



“To start running as soon as you notice the police looking straight into your eyes raises questions about your innocence. Why are you running? You must have done something wrong.”



“For many people, there is always that breaking point in life where your close friendship with someone that you thought was your boy and had your back suddenly begins to crumble. It often happens when you are excelling in life while he or she is facing some hardships of one kind or another. Now, it could be that you are the culprit for looking down on your friend and distancing yourself. Or, your friend could be the culprit as he or she struggles with an inferiority complex of not wanting to accept that you have done better than him or her. The problem can fall either way. But quite often, the one left behind is the one that has the incentive to harbor hate and resentment because your successes keep reminding him or her of his or

her shortcomings. Very few friends remain loyal when they are left behind. Many can try to pretend, but it shows eventually. As they say, we lose some and gain others along the way. Such is life.”



“Those who tell the truth don’t have to try to remember what they said last night to remain consistent.”



“If the truth hurts, facts are more painful.”



“Very few people can handle honest, frank and objective criticism without getting personal. If you tell them to flush the toilet after using it, they get upset. They can’t distinguish the discipline of flushing the toilet from themselves. They feel as if you are saying that they are the toilet. Some will stop greeting you. Others will stop liking your Facebook updates or posts. Then, there are those who will cowardly unfriend themselves. Some will go on complaining to other people that you were unfair to them, without stating what wrong they did to provoke your reaction. Others will never

get over it even if they continue going to church, receiving Holy Communion and praying as Christians. Very few people can handle criticism without getting personal. Some even fail to finish their PhD studies because they can't handle the scathing criticism from their supervisor. Others quit jobs because they lack the character to handle criticism. Then, there are those who just lose it and throw punches when they are criticized.”



“A person who walks passed your home regularly without stopping over to say hello, or drives by, to go to see someone who lives much farther than you do from his or her home knows why they behave that way, especially if the person knows where you stay and pretends to be your close friend or family relation.”



“Do not let people that are known to you, but who behave as though you are not a priority whenever things are going okay for them, run back to you just because they are now in trouble or need your help. Let them stay with the people that they have been talking to. Obviously, they have been with other people.”

“Conjugal rights are not constitutionally mandated rights. There is often a misunderstanding. Conjugal rights are simply a privilege for the married, notwithstanding the misleading nomenclature. Some countries permit prisoners to enjoy conjugal rights during the visitation hours of a spouse. In Africa, we take the view that, as a prisoner, you deserve no such privileges. Thus, some prisoners just turn on each other.”



“For some people, it is often hard to say congratulations to an ex-lover when he or she is doing well. If anything, they keep waiting to see him or her fail, though they might smile and pretend. Other people take it personal when someone they thought was nothing is now up there. They will want to look away quickly, pretending not to have noticed his or her thunder. But it shows that they are indeed watching and paying attention even though they are mute with malice. Then, there are those who want to fight battles for their friends against a person that disappointed the friend. You must choose your battles wisely. Do not fight battles that are not yours. You don't know what really happened.”

something here even though we have our own ways which may not always be the best.”



“You can tell who is buying the beers at a table by the way people there behave. The one who is talking the loudest or cracking the most jokes, just like the guy that is quick to invite a friend to join the table, is drinking free beer. Those that buy beers don't often bring uninvited guests to the table. Neither do they work the muscles around their mouth with endless jokes.”



“It is better to stay hungry than to eat a meal that has gone bad.”



“The pursuit of fame is often the beginning of troubles. Fame pursued aggressively without much success to anchor it on is nothing but vanity. For, success and fame are not the same thing. Until you understand the difference, you will be chasing a red herring.”

“The problem with many people today is that they are in a hurry to become famous. In the process, they end up making silly mistakes that could have been avoided easily had they been patient. Anyone can be famous. But it depends on how you become famous and what you are known for, or what you are famous for. Even a porn star can be famous.”



“Bambi beba ati ubwaume ni pa tumba. Bambi nabo ba tila abati ubwaume ni muli bamba. Ifwe tu tila ati ubwaume mutwe no mu tima wa muntu.” (English translation: “Some define a man and his qualities of manhood by how much he has in his pocket. Others define a man and his qualities of manhood by the monstrous size of the beast in his underwear. But we define a man and his qualities of manhood by the kindness of his heart and the soundness of his mind.”)



“Some people that seem to have done very well in their careers have hardly held any major job for which they had to compete fairly with other candidates. The government has almost always had to make things happen for them, hand-holding them from one job to another. Without the government, they cannot survive. If you look

relations during family weddings or funerals. You can rent virtually anything today.”



“There is a certain way in which a man drives a car that is not his, but borrowed or rented. You can tell that it’s not his car. He wants to go everywhere within a very short period of time. And he is always in a hurry, knowing that he does not have much time. Very often, he will also be bragging if it’s a latest model or some fancy looking car because he may not get the chance to drive such a nice car again. And so it is with couples. There is a certain way in which a man behaves when he is with a woman that is not his wife, but just a lover. You can tell that that is not his wife, especially if he seems to be rushing or in a hurry. For her, it should not come as a surprise how much the man may demand or may want to get from her within that limited space of time. A man often makes sure that he gets the maximum utility out of a borrowed or rented car. For, he may not get a chance to drive it again tomorrow.”



2



CASE STUDIES



LIVING IN THE AGE OF MISINFORMATION

When John and Mary spoke over the phone, he mentioned that he was at the police station. But, Mary proceeded to tell everyone in the neighborhood that John had just been arrested for committing some serious crime. Yet, John was at the police station to report a break in at his home. We are living in the age of misinformation.

When Andrew and Peter spoke, Andrew mentioned that was at the hospital for a routine

medical check-up. But, Peter went ahead to tell everyone at the office that Andrew was admitted to the hospital critically ill, stressing that he could die anytime soon. We are living in the age of misinformation.

Jane confided in Audrey how her (Jane's) husband often came home late at night. Shortly thereafter, Audrey rushed to tell the whole world how Jane's marriage was on the rocks, adding that anytime from now Jane would be divorcing her husband, and that Jane was really miserable in her marriage because her husband abuses her and is going around with other women. We are living in the age of misinformation, constantly adding words to what has never been.

When Bwalya graduated from university to receive her undergraduate degree, her mother, though deservedly proud, was all over town explaining how Bwalya was the best graduating student and that Bwalya would soon be going abroad for her masters degree. Yet, Bwalya was nowhere close to the cream of the graduating class and has not even secured a place for graduate studies at a university abroad. We are living in the age of misinformation, constantly

trying to put ourselves up there.

When Chintu arrived at Heathrow Airport in London, en route to China, he checked in quickly on Facebook that he was in the Business Class lounge of one of the leading airlines. Yet, Chintu was seated in the airport's public waiting area, looking visibly hungry and exhausted, with a long ten (10) hours layover before connecting to China. We are living in the age of misinformation.

When Chisha is going home from work, she often asks for a ride from her workmate, stressing that she lives in some affluent neighborhood. Yet, Chisha often drops off at the junction of that affluent neighborhood and the adjacent township before she strolls off quietly towards the township as soon as the drop-off car disappears out of sight. We are living in the age of misinformation.

When Tom is on the phone, he usually speaks loud while mentioning big figures of money as well as major cities of Europe and America which he has never visited. And his sister is always talking about how she misses the snow in Europe whenever the weather gets too hot in Zambia. Yet, she only visited Europe for a

couple of days as a toddler. There is a tendency for some people to not only exaggerate but also amplify both emerging and existing falsehoods. Others embellish their credentials just to jostle their way up, offering the unsuspecting members of the public one cajolery after another. We truly are living in the age of misinformation. Every borrowed thing, we claim to own it. When it disappears after a few public showings, we say that we gave it away.



YOU CAN'T HAVE EVERYTHING!!!

You can't have everything in life. Some people are financially wealthy but not happy. You can have a lot of money, yet are very lonely and unhappy. Others boast of good looks, but with no steady man or husband. Some are blessed with a wonderful marriage and spouse, but with no children. Others are blessed with a lovely daughter or daughters, but no son. Some are blessed with a lovely son or sons, but no daughter.

Then, there are also those that are blessed with lovely and caring parents, but who may not be there physically to offer them family support. Some have no parents to count on, but are themselves very successful. Others lost their parents when they were too young, but have made it none the less. Some come from broken families or a single parent home, but they are raising waves out there. Others just never knew much love from one or both of their parents, and can't get over it, despite having made it in life. Some have parents that are filthy rich, but practice witchcraft or evil rituals to make that

money. Others can afford to hire a maid or babysitter, but the maid or babysitter may be cruel to the children or may be helping them in many other areas of their marriage. In life, you can't have everything. You can have a lot of money and afford a good life, yet remain illiterate.

Some are blessed with wonderful siblings who are, however, too poor to help them financially. All they get from the siblings is wonderful love, with constant financial requests. Others have nasty siblings who don't care at all, though they have all made it in life. They remain estranged from their siblings for the most part. In life, you can't have everything. Some have a masters degree and would do anything to get a PhD, but don't just have enough character of mind to go through the doctoral process, and they end up hating people with a PhD, or claim to be doing one as well so that they look smart. Others have a genuine PhD, but have either never published any scholarly work or have published very little, if at all any. They end up looking away whenever they hear that their scholar-friend has published a book or journal article. In life, you can't have it all.

Some are good Christian people, but remain poor. Others are very educated, but keep struggling financially. Then there are also those that have a good education, but have not yet been rewarded with the promotion that they feel they deserve at work, constantly leaving them to report to less qualified people. Some get promoted faster, but have no good or proper education. You can't have everything. Others get promoted faster at the great expense of sleeping their way to the top. Some are well educated, but keep changing jobs like a prostitute. Others talk big and pretend to know everything, but have never been that far in school. You can't have everything.

Some have enough of what they need in life, but continue to complain and admire what their friends own. Others have a beautiful and loving wife, but continue to look at other women who may not even be as good looking as their wife. You can't have everything! Some have a man or husband, but they keep criticizing and condemning him without realizing that other women would die to have him as theirs. Others have an adopted American or British accent, but continue to live in Africa. Some continue to talk about and reminisce the good olden days when

his name, saying, ‘*And you are...?*’. The moment he mentioned his name, I picked up quickly on the last name, and asked him if he was related to someone I knew very well with a similar surname. The young man nodded and said that that was his elder brother. I knew right there and then that it was now my chance to bring the young man to order, as I switched from English to Bemba, while lightly smiling:

“Aaahhh, mwaice wandi... Umu kalamba wobe emu nandi. Elo mu nandi sana. Twa li nankwe pa UNZA. Ema team yesu yalya. Niwe wa mu konka pa numa nangu niwe kasuli? Uka mu poshe po sana nga wa landa nankwe ati abanenu ba Ken ba le mi posha.” (English translation: “Aaaahhh, youngster... Your elder brother is a good friend of mine. I was with him at the University of Zambia. Those are my friends. Do you come after him or you are the last born in your family? Do say hello to him, and tell him that his good old friend, Ba Ken, was saying hello.”)

From that moment onwards, the young man sobered up. Indeed, when a man tells you that your older brother or your uncle is his friend, very often, he is prompting you or reminding

GLOBAL WARMING IS REAL, AND THERE IS SO MUCH OVERWHELMING EVIDENCE

It does not require a rocket scientist or genius to convince us that global warming is real. Growing up as a child in my native country, Zambia, I remember seeing swallow birds flying all around the skies during the rainy season from November to late February. We learned in school that those birds would migrate seasonally, without a visa, from Europe to Africa and back. But, now, we don't see them much in Zambia. Maybe the Zambian government has introduced bird visas to stop them from coming to Zambia. Nobody knows.

Even bamboo sticks that were found almost everywhere have now become almost extinct after we would cut them down to make security fences around our homes before we learned from the South Africans how to erect high security brick wall fences around the homes with live electric cables suspended on top of the wall fence to deter criminals. Yes, the small tomato and cabbage gardens that used to be found

behind our homes would be protected by a bamboo fence. Not anymore. Bamboos are so scarce now.

Not even ba mwankole (the big black and white birds that would fly in a pack) are a common siting. Ba gumu-gumu (an ugly looking lizard with a bluish head) and ba fulunyemba (chameleon) have also disappeared as some women cultivate an increasing interest in them for love potions. Global warming is real. Even those oily and fat looking frogs of the rainy season that would look like a man with a potbelly after the frogs had swallowed and eaten several insects (inswa and inshokonono) on a rainy night have also become a rare siting. We don't have to wait for a scientist from the West to tell us that these precious creatures, animals or plants are now endangered species. Where are our scientists? When a landlocked country that never used to experience humidity begins to feel humid, then something is going on out there. Where are our scientists?



My wife had asked that she and my son accompany me to receive the award. She felt it was not right for a man to walk alone through such an important moment in his life. I assured her not to worry. I wanted to finish everything the way it started, a long and lonely journey of many lonely nights of reading and writing. So, when my name was called by the Registrar in the historic graduation hall at Grahamstown, and proceedings virtually came to a halt after a seemingly endless applause from the audience, as the Dean read the full citation of my scholarly work and the commendations received from all the three distinguished examiners from South Africa, United Kingdom and Germany, respectively, memories of my father, Mr Joseph T. Mwenda, Snr, ran through my mind. And I thought about my son and wife as well as my mother. How I wished that my father were alive to witness the moment. Somehow, I kinda felt his presence there with me. And partly, that's where my strength was coming from. I closed my eyes and prayed to God, with a short and intimate silent prayer.

As I walked down the stairs thinking about my father and everything I had learned from him, and how he always wrote me inspiring letters

THE POWER OF AN INDEPENDENT AND
IMPARTIAL JUDICIARY AND THE DE-
POLITICIZATION OF THE EXECUTIVE
ARM OF THE STATE

In a country whose Constitutional Court unanimously decides to uphold the legislature's impeachment of a sitting head of state, without fear or favor, you can only admire and applaud the bravery and integrity of the judiciary. Such constitutional developments don't happen that often. For, the independence and impartiality of the judiciary is often compromised by the political appointment of judges. A judge is less likely to be impartial and independent when appointed by a politician.

For the executive, it would not hurt to amend the republican constitution with unprecedented and innovative measures that require vacancies for cabinet positions to be filled through transparent job interviews conducted on television by an independent agency. People from all walks of life, including elected and non-elected members of parliament, should be encouraged publicly to apply, stipulating clearly the technical and apolitical qualifications for eligibility. That way, you will get the best people as long as the constitution provides also for

security of tenure against unwarranted politically motivated dismissals.

The adoption of the governance measures noted above could bring about more public confidence in the successful candidates, especially where the job interviews and selection process are rigorous and transparent. And much of Africa would not be having the caliber of some politicians that we have today. That nowhere in the world has such an innovative and novel measure been adopted does not mean that we cannot think outside the box and be pioneers of notable governance reforms. Let the world learn from us. Why should we always be learning from them? Besides, their constitutional systems are not perfect either.



PATRIOTISM IS NOT A POLITICAL SLOGAN,
BUT A SELFLESS ACT OF LOVE AND
COMMITMENT TO SERVICE.

Very few people can do work without asking to be paid. It takes character and sacrifice. If you were to ask me, I would tell you that am not a business man. Rather, I am a thought leader and a development practitioner. And it is not that one has more than enough not to ask for payment. Even the rich want to make more. I go where there is poverty to fight poverty, and not to make money.

The helpful things that we do privately in our lives for our people, our country and our continent demand service and sacrifice. We don't do it for money. It has never been about money. And we make no money from our service to Africa. Neither do we demand payment, but simply offer our selfless service. It costs a lot to transfer expert knowledge. If you have ever hired an international consultant then you know the value of such expertise. But whatever we do for our people, our country and our continent is done out of love and for free at the expense of abandoning our own family and private lives at times. In life, only God can repay you. You must not look to people to repay

THE WORLD IS FULL OF STEREOTYPES

The world is full of stereotypes. Zambians generally are said to be too much into beer, and that they are not serious people. They are also said to be too nice to foreigners, yet don't help each other. Zimbabweans, on the other hand, who were once said to be beaming with economic prosperity after gaining political independence, and known to make some jokes about Zambia's wobbly economy back then, are now so desperate economically, and in such acute economic destitution, that prostitutes from Zimbabwe are said to distort the market forces of the illicit sex industry on the Zambia-Zimbabwe border by offering really cheaper services than their Zambian counterparts. And many folks say that the Zimbabweans generally have become quite aggressive for reasons of economic survival mainly, with a lot of opportunistic tendencies

Then, Nigerians are said to be naturally aggressive, and endemically into serious graft. Fraud, they say, comes naturally for Nigerians. Some folks say that Nigerians are fighters, and that they have the propensity to mislead and deceive. Kenyans are also said to be quite aggressive, but that they never look out for

Mwamba, Katongo, Kasanga, Mwansa, Mumba, Chishimba, Kasolo, Chisha, Mulenga, Mwila, Kalumba, Bwalya, Chikashi, Chama, Mpundu, Kabwe, Mwenda and Kanyanta are all from there. And most of my friends with such names tend to have some Congolese attributes of one kind or another. They are either successful businessmen running some businesses here and there, or they like to dress up the Congolese way, looking extremely elegant, and tend to enjoy dancing and nightlife too much.

South Africans are said to believe that they are not part of Africa, and that other Africans are much poorer. The world is full of stereotypes. They say that South Africans believe that they are doing 'Africans' a favor to let them into their country. Some people say that South Africans have short memories, and seem to have forgotten quickly how other African nations helped them fight apartheid. North Africans generally, especially those of the Arabic heritage, are said to look down on black Africans. They say that they only team up with black Africans if they stand to benefit conveniently from that union, and that a good number of them believe that they are Africans by mistake, often choosing to associate themselves with Middle Eastern culture. The world is full of stereotypes. English people are said to be very poor at dressing, compared to the

French or the Italians. And everything is said to be very expensive in Europe compared to America. They also say that having sex for the French and the Italians is not a big deal. It's just like having a glass of fine wine. The world is full of generalizations. American people are said to be too loud and too confident, and that they believe that they are best in everything. So, some people don't like them for that.

Asians, especially Indians, and Latinos, are said to be so insular in their cultural outlook and that they are too protective of their own kind. They say that when you hire one Indian or one Latino at your workplace, he will start bringing in his own people without any shame or sense of guilt for favoring his own people over others. They say that these people stick to their own kind a lot, although occasionally they can help others. The world is full of stereotypes.

Some say the Germans are very aggressive, and that the only good things to have come out of Germany are the cars that they make and their beer. Others say that the French have never left West and Central Africa, and that those two sub-regions face a lot of political instability because the French continue to meddle in their internal affairs in the same way that they keep milking poor Haiti out of financial resources. Sadly, many francophone Africans, it is said,

unlike the Anglophone Africans generally, have not fully emancipated themselves from the French colonial mentality, and believe that being associated with the French is the best thing that ever happened to them. Many want to behave more French than the French themselves.



TEN REASONS WHY SOME PEOPLE ARE NOT HAPPY IN RELATIONSHIPS

(1) Where a person feels that the other party cannot be trusted, especially where that other party is not fully transparent on some dealings.

(2) Where a person feels that he or she was misled by the other party when they started dating or got married.

(3) Where the sex in the relationship is not just good, or is simply too much.

(4) Where he has no money, and that is causing a huge stress on the couple and relationship.

(5) Where the couple is allowing outsiders to come into their relationship (e.g. getting advice unnecessarily from friends and family over things that can be resolved internally by the couple itself).

(6) Living apart for too long, leading to reduced attraction and the chemistry fading away (e.g. where one party goes to jail or prison for a long time)

(7) Differences in religious values, and failure to accommodate or meet each other midway.

(8) Differences in cultural and traditional values (e.g. marriages across ethnic groups, race, tribe and nationalities), and failure to accommodate or meet each other midway.

(9) Where a person ends up in a relationship or marriage for wrong reasons (e.g. where someone is not really attracted to the other party, but just got into the relationship or marriage for money, or for the sake of having a child or getting married)

(10) Poor communication between the two where one party feels that he or she is giving in more than the other in terms of openness, friendliness, care and concern.



DIGITAL INFIDELITY AND SOCIAL MEDIA:
TEN COMMON EXAMPLES AFFECTING
PEOPLE IN RELATIONSHIPS.

(1) Overzealously and spiritedly liking photos on social media of women or men that appear to be sexually attractive to you, while ignoring picture-postings of your other social media contacts.

(2) Targeting good looking men or women, based on their profile pictures, when sending out friend requests on social media

(3) Habitually chatting on social media (inbox messages) with the opposite or same sex, with lewd intent or pervert thoughts.

(4) Posting on social media photos of yourself looking almost naked, or wearing very short and sexually provocative outfits, with the intent of exciting the pervert thoughts of others.

(5) Starting a private conversation in inbox with strangers, and with no proper agenda, but just

expecting that the other person will get excited and fall for your bait.

(6) Asking to meet up with a stranger that you have just met on social media while harboring all manner of immoral and illicit thoughts.

(7) Promising or soliciting a stranger for things via inbox with all manner of questionable agendas

(8) Posting pictures of your private parts to the opposite or same sex with the intent of corrupting their morals.

(9) Breathing hard on your own while busy on social media looking at pictures of a beautiful woman to a point where you can't even think properly.

(10) Using a false and fake identity on your social media profile to chat secretly with people that you know as well as with strangers, sometimes even claiming fraudulently that you are not married or seeing anyone.



★ ABOUT THE AUTHOR ★



Prof. Kenneth K. Mwenda
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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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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.

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