

ZAMBIA

STRUGGLES OF MY PEOPLE,
2nd Ed.

CHARLES MWEWA



Ottawa, Canada, 2021

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DEDICATION

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SECOND FOREWORD

When the first edition of Charles Mwewa's tome, *Zambia: Struggles of My People* came out in 2011, it was an intimidating 1,100 pages in length book. Its mission was to fill in the lacuna of the lack of a comprehensive book written by a Zambian relying on almost exclusively but not limited to Zambian sources. Many people who read the book, and many did because that mega tome is now out of stock and out of print, found the book to be the most encompassing and breathtaking book ever written on Zambia. There was no book of that scope in Zambia. It fulfilled its mission.

So much has happened since the first edition came out and so many new Zambian publications that need to be taken into account have come out. This second edition could be said to be a revised, updated and improved version of the first version. The number of pages has been reduced and compacted but the mission, content and neutral tone of the book remain. The scope of the research and presentation is outstanding. Students across the disciplines of history, political science, economics, religion, international relations, sociology, comparative studies and above all, law, found it an indispensable study guide and reference source, will again draw from this magnus opus in the same and more improved vein.

Some areas of current great debates in Zambia have inevitably attracted Mwewa's special attention, emphasis and coverage including but not limited to the matters of the Constitution and the reform dynamics embedded in its current limitations and possibilities; the third term conundrum; the openings in the Constitution given to the Zambian Diaspora in terms of domicility, Dual Citizenship and the participation in the politics of Zambia including at the highest levels; issues of the intractability of poverty and shanty compounds in Zambia; the state of democracy in the Western world and its debasement so as to no longer be the moral guide to the conduct of aspiring democracies and many other issues.

Charles Mwewa's book will exercise and excite any readers' mind and compel one to be an engaged participant in the unfolding drama and affairs of Zambia and the world. This

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book will leave no one behind.

Dr. Munyonzwe Hamalengwa
Acting Dean, School of Law
Director of Research and Consultancy
Zambian Open University
Lusaka, Zambia
October 2021

FIRST FOREWORD

I consider it a great honor to attach my name to this illustrious literary work of Charles Mwewa. The spirit of the book puts into words my strongest values and articulates causes for my thirty-year struggle for an emancipated Zambia. I have waited for someone to describe the struggles of the Zambian people and interpret accurately the intentions of those who have been in the forefront of fighting for Zambia's honor and freedom.

This book is particularly significant in the way the author highlights the interplay between the current aspirations of the young Zambians and the history that has formed the culture we now have to work with. He is sincere, pragmatic and displays high levels of literary intelligence in his writing.

Charles Mwewa has given to Zambians and the world a "home-brewed" discourse of our history and values as a people. He draws his inspiration from our founding fathers, current political and social developments in our country, Zambia. This book fulfils one of my long life's dreams: to see intelligent young Zambians write our own history instead of depending on foreign descriptions of our culture and values.

This book demonstrates a high level of patriotism and love for the country on the part of the author. He has gone to extraordinary lengths to extract information about his country from sources many thoughts were non-existent. He has quoted the mighty, the rich and the poor. He has honored the contributions of our freedom fighters and showed the world that their diligence and courage is worth a book.

Of particular interest to me, however, is his recognition of the role the Church has played in shaping the culture and traditions of Zambians. While most books only highlight the courage of the freedom fighters, Charles digs deeper to highlight the source of that courage. He introduces Kenneth Kaunda, the founding president as a son of a Christian Missionary, David Kaunda from Livingstonia Mission in Nyasaland (Malawi), who himself did nothing without acknowledging God. This confirms that the young nation was birthed on the bedrock of the Christian faith. He introduces the

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second president, Fredrick Chiluba as a spirit-filled Christian who in the first few weeks of being elected president declared Zambia a Christian Nation. Charles shows the obvious interplay between Zambian politics and the Church. He intelligently describes the roles and intentions of Christian leaders in a way I have not known anyone do. The author, further, highlights reasons why Zambia remains one of the most Christianized countries on earth and, consequently, one of the most peaceful.

This book will remain a national asset and treasure for Zambia, and its future generations. I recommend it to every Zambian and foreigner who wishes to learn about Zambia from Zambians themselves.

His Excellency, Dr. Nevers S. Mumba,
Zambia High Commissioner to Canada;
Former Vice-president of the Republic of Zambia
Ottawa, July 2011

FIRST EDITION BOOK LAUNCH SPEECH

Representatives of Maiden Publishing House, Dr. Munyonzwe Hamalengwa, invited guests, ladies and gentlemen. I feel very highly privileged that I was asked to speak at this important ceremony to launch the book *Zambia - Struggles of My People* by Charles Mwewa. It was only later afternoon Friday last week that Dr. Hamalengwa Munyonzwe, a colleague who is fully established as a lawyer in Toronto, invited me through a telephone call to come and play this role.

I first met Hamalengwa in 1980 when I went to do my Master's degree at the University of Toronto and stayed longer with him when I returned to do my Doctorate in 1990 after a lapse of about eight years before finally coming back in 1994. I obliged to come here, and I asked for a copy of the book so that I could read it over the weekend for me to formulate some ideas on what to say.

What came to me were two books and I was told that later the two would be combined into one. The combination of the two makes this book about the biggest book of our time written and focusing on Zambia. It is encyclopedic in coverage but lucidly and coherently held together. It is written with passion and concern, hence its title *Struggles of My People*.

I skimmed through the two volumes and what I can say from the outset is that the reading of the book is compelling, stimulating and provoking with the intention to leveraging change in each one of the citizens, particularly those privileged to lead to advance social and economic development of Zambia; promote the rule of law and human rights; banish corruption from our midst; adopt and embrace a liberal attitude to others including those with different sexual orientations; and nurture young people to play an upfront leadership role while the old guards take the back role. It is a critique of the Zambian people of which the author is one.

As he says while he is in Canada no day passes without him thinking about Zambia and how it could be advanced to be like all developed countries. The book is also about the author's intellectual growth through time and space and revelation of

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influences from primary school to UNZA and in the Diaspora
which provides from whose vantage point the book is written.

Prof. Dickson Mwansa
Vice-Chancellor
Zambian Open University
July 24th, 2011

PREFACE

The story of Zambia's struggles is one that affects every Zambian, past, present, and future. It is the story of Zambia's journey towards true independence. When Zambia gained its sweet independence, it was not envisaged that with it would come enormous challenges, challenges of not its own making, challenges, sometimes artificial and machined. Every former colony of the imperial powers went through similar challenges as Zambia did.

Nevertheless, Zambia's story is different. Unlike most newly independent African countries which had been left with enough educated personnel to man industries, burn power, and run governments, Zambia was poorly inherited, with only a very few educated men and women. For a few years after independence, a honeymoon period of relative prosperity, the fathers drove the economic and political machine with fewer troubles.

However, like a volcano that brews underground, the resource-depletion of the Central African Federation, the inadequacy of educated and skilled manpower, and the novice management skills of its leaders began to erupt slowly but steadily. Molten magma of political and economic fusion would not stop even for a minute after then. It continued to spread like a malignant cancer, wiping out health cells and obliterating newly grown ones.

This cancer continues to give Zambia no breathing space. It continues to defy all odds. But there is hope because Zambia is not a destination. Zambia is a journey. It was conceived between 1911 and 1952 in the ecclesiastical haciendas by the first African devoted men in Northern Rhodesia who passed the torch to the freedom fighters during the Federation from 1953 to 1963. The Republic of Zambia was born on October 24th, 1964, as a unitary state, as opposed to a federal state, with a president, a unicameral National Assembly, and a constitutionally independent Judiciary. This Sub-Saharan Republic was born landlocked, surrounded by eight strong

neighbors: Angola to the west; the Democratic Republic of Congo (Congo DR) to the north-west; Tanzania to the north-east; Malawi to the east; Mozambique to the south-east; Zimbabwe to the south; and Botswana and Namibia to the south-west.

Post-colonial Zambia, consisting of a population demographic of 99.5 percent Africans and 0.5 percent others, is a habitat of four Republics. The First Republic spanned from 1964 to 1972. This was followed by the Second Republic from 1973 to 1990. The MMD government under Frederick Chiluba (also known as FTJ) ushered in the Third Republic in 1991. The Post-Third Republic began in 2011 to the present.

The land lies on a great African plateau chunking out an area of about 752,614 square kilometers. At its widest point, Zambia is about 1,167 kilometers from East to West, and about 1,046 kilometers from North to South. Known as the air-conditioner state in Africa, Zambia boasts of the cool and dry, hot and dry, and hot and wet seasons. From as low as eight degrees Celsius to as high as 35 degrees Celsius, the land attracts as little as 700 milliliters of rains in its drier parts to as much as 1,400 milliliters in the northern rainfall areas.

A unique nation, Zambia owes its peculiar shape to the colonial process which carved Africa into many pieces. Peter Burnell of the University of Warwick calls this peculiar shape, “The butterfly-shaped country of Zambia.” The mighty Zambezi River lends the name to the nation, is flanked by three others, and is the longest river in the country.

The struggles of the Zambians, however, are older than Zambia itself. From as early as 1889 when Litunga Lewanika realized he had been tricked into signing a bogus treaty; to the early 1900s when Donald Siwale and his colleagues decided to discuss why it was that Africans were being called boys by Europeans although they were grown up men; to the shooting to death of six Black Africans by the White Northern Rhodesian police in 1935; to the passing of the Federation of Rhodesia and Nyasaland Order-in-Council of 1953 which discriminated against the interests of the territorial governments with those of the federal government; to two

years before Zambian independence when in 1962 the colonial government designed a constitution which granted electoral advantage in the Legislative Council to the Whites at the expense of the Africans; to the signing of the Barotseland Agreement in 1964; to independence; the Zambians people have braced struggles far-reaching and vexatious.

The dream of the Zambian fathers was, and has always been, the creation of a nation with democratic means of governance which exerts the general will, guards against the emergence of any form of dictatorship, entrenches and protects human rights, embraces the Rule of Law, provides avenues for good governance, and promotes economic prosperity in an atmosphere of peace and order. This dream is awake in every Zambian at home and abroad. It may diminish due to marauding circumstances and deprived occurrences that have relegated the nation to oblivion, but deep down the national psyche, this dream lives on.

Themes in the Book

In the first edition of this book, there were five major themes that were discussed extensively, and these were, and still are central to this edition. In this second edition, however, two more themes have been added due to the developments both in the US and in the world. In the US, it was the election and presidency of Donald Trump that changed the way Africa looks at (and will henceforth look at) the West, and in the world, it was because of the Covid-19 pandemic which changed the way Africa looks (and, indeed, should look) at the relationship between Africa and Western responses to the pandemic. How Africa should react and position itself in the post-Covid-19 world, is dealt with in this book.

There are seven major themes in this second edition. Each chapter is the elucidation of any one of these themes or a combination of them. Whatever the case may be, these themes are designed to bring to light the political, economic, and

personal struggles of the Zambian people from pre-colonial to post-Third Republic Zambia. The themes illustrate:

First, that democracy and development in Zambia cannot be adequately defined without taking into consideration Zambia's uniqueness and historic factors that impact upon its culture, society and future well-being.

Second, that a definite change of mind-set is essential if Zambia is to manipulate its people, natural and financial resources into productivity.

Third, that generational disparity exists in Zambian leadership formation that affects the choice of developmental models and for the most part, limits its investment, innovativeness, and technological proficiency.

Fourth, that a combination of, or hybrid, ideological and pragmatic approach is necessary to unlocking Zambia's economic potential.

Fifth, that a belligerent approach espoused by the International Financial Institutions, Cooperating Partners and the donor governments pre-empts Zambia's most coveted inventiveness, sophistication, and free experimentation.

Six, that the West, especially the US, should push Zambia (And Africa, for that matter) to disengage in the beliefs that, indirectly, pontificated that democracy and development were the quintessence of the West only.

And seven, the relationship between Zambia (and Africa in general) with the West in the post-Covid-19 world should be re-evaluated, especially when it comes to the social agenda and emergence measures aimed at relieving citizens of the burden of social disruption and future investments and partnerships.

Beyond the Themes

For Zambia to emerge as a key player and an equal partner in terms of the economy, politics, and technology, it must vigorously analyze past events, and hopefully learn from them, and insist that it has what it takes to transform its people and means of production into a viable resource and to proactively exert its place in the community of nations.

Zambia has what it takes in all respects to emerge as a global player. It has land and peoples: specifically, of its great reservoir of information that can positively impact on its Collective Political Conscience (CPC); its rich nature, teeming with beautiful natural wildlife; its long winding rivers inundated with healthy, sumptuous fishes; its dams, man-made and natural; its valleys and mountains falling and rising like the waves of the magnificent Mosi-oa-Tunya Falls (Victoria Falls); its vegetation, green and lashing with nutrients; its culture, rich, diverse and emblematic of its sense of order, respect and deference; its languages, seventy and over, and yet, Zambia remains united and flourishing in inter-tribal amity; its mineral wealth, precious and the envy of the world; its people, mostly Black, industrious and deeply friendly; its politics, democratic, elections free and fair and peaceful conduct of elections for over fifty years. To that list it can be added the potency of its intellectuality, the brilliance of its professors, the beauty of its environs, the virility of its traditions, the forte of its resolve, the stability of its CPC, the endurance of its progeny, and the hope of a free, democratic, and prosperous society.

The Uniqueness of the Book

This book is a comprehensive documentation in significant details, yet in an easy-to-understand format, of the struggles of the Zambian people. It is significant in five substantial ways: first, many books written about Zambia tackle a specific topic, for example on politics, economics, or gender. This book deals with most of the aspects which are a subject of the struggles of the Zambian people, including political, economic, and social issues.

Second, most books written about Zambia draw upon outside sources researched by non-Zambian authors and scholars. This book, while relying on outside sources to some extent, for the most part, draws upon the works done by Zambians and augments them with stories and experiences of

the real Zambians. It is a documentation of the experiences and struggles of the Zambians.

Third, this is one of the few books which gives greater weight on the issue of corruption in Zambia. The chapters on the Universality of Corruption and the Chiluba Matrix add an aura of balance to the fight against corruption in Zambia. Many books on Zambia give only anecdotal reference to corruption. This book argues in context and proffers a local and international framework under which corruption thrives and must be addressed.

Moreover, this is one of the first books to give a comprehensive review of economic policies which have come to define Zambia and offers suggestions for economic recovery. In this vein, and considered together, this is the first book which offers a comprehensive economic recovery theory on Zambia. This is a huge move away from simply documenting economic factors or simply re-stating economic and political challenges affecting Zambia. The chapters on sexual orientation, on Dual Citizenship and the discussion on the diaspora, give a holistic view of human rights in Zambia, and the economic and practical benefit of the Dual Citizenship and the diaspora to Zambia, respectively.

Fourth, this book is a one-stop-shop and shifts towards a global approach to discussing issues pertinent to Zambia. The book is adequate and does not need supplementary material for the complete understanding of the struggles of the Zambian people. Although topic-specific books may give additional resources for the clear articulation of many issues affecting Zambians, this book alone is enough for the most part. The bulkiness of the work is deliberate and is meant to provide a unified discussion on Zambia's struggles without having to source additional references from outside this book.

Fifth and last, unlike in the first edition, the style employed in this book meets the needs of both the academic faculties and reference needs. Therefore, this edition will revert to the neutral evaluation and the maintenance of the third person speech in order to sustain universal readability and professionalism.

This book has been written from a comprehensive research perspective on issues pertinent to the struggles for self-assertiveness of the people of Zambia, their quest for true freedom, and the prospects of the future for a free, democratic, and prosperous Zambia. Special notice of the contributions of many Zambians and other authors on Zambia to the struggles affecting Zambians has been taken. Consequently, as much space as possible has been devoted to Zambian authors, researchers, and scholars in order to return a flavor that is truly Zambian. Each chapter in the book has been comprehensively researched and written.

Organization of the Book

Chapter One relives the author's memories of Zambia's 19th independence celebrations as a child at Mibenge Primary School in Mibenge's village in Samfya-Mansa district of Luapula Province. It introduces the major theme of independence, the founding fathers of the independent Republic of Zambia, and the promise of a prosperous, democratic, and free nation. In Chapter Two, the author recounts his childhood experiences in Zambia. This chapter details the struggles of the Zambians at a personal level and the experiences of the author as a youth in the Second Republic. In Chapter Three, the author explores his contributions to the Zambian political process as a community organizer. Special regard is given to the University of Zambia (UNZA) and its place in Zambia's socio-political development. Chapter Four brings the theme of poverty to the fore. It discusses the events and actions that have relegated Zambia to a poorest and highly indebted nation.

In Chapter Five the story of pre-independent Zambia is told, with implications on the political and economic future of the nation. The creation of Northern Rhodesia is discussed and the first four of the five significant events that laid the foundation of the difficulties and challenges Zambia would face after independence. Chapter Six discusses the last of the five significant events that laid the foundation for Zambia's

struggles. It also discusses the struggles for independence in greater details, including the genesis of political organization in Zambia. In Chapter Seven, the author offers a theoretical basis for Zambia's independence and ascertains that independence was inevitable for the Black people of Zambia.

Chapter Eight discusses the Second Republic and the reign and downfall of President Kaunda. Chapter Nine explores coup attempts in Zambia and the factors that have led to their failure. In view of the future of Zambia, this chapter investigates the political implications of coups to the nation's young democracy.

Chapter Ten focuses on the presidency of Zambia. As an institution called the presidency, and as a person who occupies that office, the presidency in Zambia has been pivotal to the very ethos of national politics. The presidency is discussed in relation to the military. The historic interaction between the civilian president and the military in Zambia explains why even under extreme national distress, a coup has never materialized. Qualities that will define the president of Zambia in the 21st Century are discussed here as well.

Chapter Eleven introduces the Rule of Law in Zambia and answers the question of whether law rules in Zambia. In Chapter Twelve, human rights are discussed. The chapter reminisces on what has historically been considered human wrongs and why they have ascended to human rights in the 21st Century. Chapter Thirteen lays bare the issue of repression in Zambia. Real victims are allowed to retell their ordeals and from their accounts, lessons are learned that future Zambian leaders should take to heart in their quest to create a strong, free and democratic nation.

Chapter Fourteen discusses criminal justice in Zambia and the state of Zambian prisons. Chapter Fifteen introduces the debate on sexual orientation. Is Zambia ripe to embrace the minority of its social strata? This chapter offers the view of the up-and-coming Zambians on this issue garbed in a theoretical framework.

In Chapter Sixteen, the author explores the Church in reference to his experiences under the Zambian Church administration. Key Church figures that have shaped not only

the author's philosophy, but Zambia's as well are explored. In Chapter Seventeen, Church and clergy politics are discussed vis-à-vis their reaction to government. Chapter Eighteen focuses on the history of the Church in Zambia. The impact of the Church in post-colonial Zambia is hugely significant to Zambia's political dynamics. The Three-Mother-Body of the Church in Zambia is discussed with a view to linking its role in shaping governments to the incumbency. The idea of a *State Within a State* is canvassed in this chapter. Chapter Nineteen focuses on the Declaration of Zambia as a Christian Nation (the "Declaration"). In Zambian political development after December 1991, this clause has attracted debate from within political ranks as well as among the different Church establishments. The author draws upon a cross section of views and proffers a balanced approach to discussing the Declaration.

Chapter Twenty discusses the Third Republic and the fall of the Chiluba administration. Chapter Twenty-One is a critical look at Debt Politics and its implication in the democratic and economic proclivity of Zambia.

Chapter Twenty-Two lays the foundation of the Zambian economy by linking it to pre-colonial impromptu economic arrangements. The Kaunda socio-humanistic economic system is explored with a view to discovering the historic link to the contemporary economic struggles. Chapter Twenty-Three discusses State-Controlled Capitalism. Chapter Twenty-Four looks at Middle-Income Vision and Zambia's dream beyond that classification. The author proposes a middle approach to tackling the challenges facing the Zambian economic dream.

Chapter Twenty-Five delves into Technology Nation and adduces a conceptual approach to solving Zambia's technological challenges. Chapter Twenty-Six discusses Zambia's specific economic struggles and Chapter Twenty-Seven highlights the relationship between Zambia's local economy and the global economy. Chapter Twenty-Eight discusses the Welfare State and offers its saliency as the solution to Zambia's economic disparities.

Chapter Twenty-Nine looks at the universal nature of corruption. Arguments are made for and against magnifying the

corruption occurring in developing countries at the expense of some Western banks which benefit immensely from the corrupt transactions with some corrupt African leaders. It places corruption, first, in its normative context and then offers practical means of addressing corruption in Zambia. Chapter Thirty relates corruption to good governance and considers the scourge as a threat to national development. Chapter Thirty-One is a detailed look at what is called the Chiluba Matrix. The author provides a dual approach to discussing the Matrix. The prosecution's side is explored and the defense's side is discussed later. The author draws upon the reasoning of the two camps to give an objective analysis of the Matrix.

Chapter Thirty-Two discusses the politics of culture. The author contends that Zambia needs an authentic culture to diffuse an imported value system that has come to define Zambia's cultural expression. The highlight of this chapter centers on the contributions of culture to democracy. Chapter Thirty-Three brings the language debate to the fore. Chapter Thirty-Four discusses the impact of literacy on media in general. Democracy, press freedom, and media independence are discussed in the context of competing historic rivalry with the state. Chapter Thirty-Five looks at the contribution of Zambian authors to development. It also bemoans the deficiency of authentic Zambian authors.

Chapter Thirty-Six links information to the privacy of the citizens. The concept of Collective Political Conscience (CPC) is explored in Chapter Thirty-Seven, which also brings the Internet into the limelight of modern developmental trends. Chapter Thirty-Eight looks at the concept of the Emerged Zambian Leaders (EZLs). The chapter discusses the role of the EZLs in modern politics, their relationship to the Big Man Syndrome, and the prospect of sane and civil politicking which seems to have been absent in Zambian politics.

Chapter Thirty-Nine takes a critical look at the diaspora. How Africa sees the West is very important to the diaspora discourse and this is related to the challenges, opportunities and issues that impact on Zambia's development. The chapter suggests adopting the Nigerian model of diaspora development

which has borne dividends for that country. The issues of Dual Citizenship and the Domicility Clause are placed in context and the idea of voting from abroad is canvassed. And Chapter Forty takes a critical look at Zambia, and, indeed, Africa, in the post-Covid-19 era.

Charles Mwewa
October 2021
Ottawa, Canada

ABBREVIATIONS

AAC	Anglo-American Corporation
ACC	Anti-Corruption Commission
ADD	Alliance for Democracy and Development
AFC	Agriculture Financial Corporation
AG	Attorney-General
AG	Auditor-General
AGOA	Africa Growth Opportunity Act
AIDS	Acquired Immunodeficiency Syndrome
AMEC	African Methodist Episcopal Church
AMWU	African Mine Workers Union
ANC	African National Congress
ANIP	African National Independence Party
APA	American Psychological Association
APRM	African Peer Review Mechanism
ARASA	AIDS and Rights Alliance for Southern Africa
ARC	African Representative Council
AU	African Union
AWEP	African Women Entrepreneurship Program
BBC	British Broadcasting Corporation
BFM	Barotseland Freedom Movement
BND	German Federal Intelligence Service
BOZ	Bank of Zambia
BRE	Barotse Royal Establishment
BRICS	Brazil, Russia, India, China and South Africa
BSAC	British South Africa Company
BTR	BlogTalkRadio
CAF	Central African Federation
CBC	Canadian Broadcasting Corporation
CBE	Order of the British Empire
CBU	Copperbelt University
CC	Constitutional Council
CCMG	Christian Churches Monitoring Group
CCNR	Christian Council of Northern Rhodesia
CCZ	Christian Council of Zambia
CD	Campaign for Democracy
CDC	Commonwealth Development Corporation
CDF	Constituency Development Fund
CEEC	Citizens Economic Empowerment Commission
CEI	Independent Electoral Commission (of Ivory Coast)
CENTO	Central Treaty Organization
CFAN	Christ for All Nations
CFF	Compensatory Finance Facility

CGS	Credit Guarantee Scheme
CHAKA	Christian Alliance for the Kingdom of Africa
CIA	Central Intelligence Agency
CJA	Commonwealth Journalists Association
CMR	Civil Military Relations
CNMC	China Non-ferrous Metals Mining Company
CNN	Cable News Network
CNU	Caucus for National Unity
CNU	Congress for National Unity
COMESA	Common Market for Eastern and Southern Africa
CONCACAF	Confederation of North, Central American and Caribbean Association Football (Soccer)
COZ	Credit Organization of Zambia
CPA	Commonwealth Parliamentarians Association
CPC	Collective Political Conscience
CPI	Corruption Perception Index
CRTC	Canadian Radio-TV and Telecommunication Commission
CSBZ	Cold Storage Board of Zambia
CSO	Central Statistical Office
CSR	Corporate Social Responsibility
CUP	Committee for Unity and Progress
CUSA	Credit Unions Savings Association
CV	Curriculum Vitae
DBE	Dame Commander
DBZ	Development Bank of Zambia
DEC	Drug Enforcement Commission
DFID	(British) Department for International Development
DNC	Democratic National Congress
DOC	District Officer Cadet
DP	Democratic Process
DPBZ	Dairy Produced Board of Zambia
DPP	Director of Public Prosecution
DRC	Democratic Republic of Congo
DSEA	Department of Social and Economic Affairs [UN]
DWB	Driving While Black
ECA	Economic Commission for Africa
ECZ	Electoral Commission of Zambia
EFZ	Evangelical Fellowship of Zambia
EI	Employment Insurance (Canada)
ENRC	Euroasia Natural Resources Corporation
ESAF	Enhanced Structural Adjustment Facility
EU	European Union
EVI	Economic Vulnerability Index
EZLs	Emerging Zambian Leaders
FDD	Forum for Democracy and Development

FDI	Foreign Direct Investment
FIFA	International Federation of Soccer Associations
FIMACO	Financial Management Company
FINDECO	Finance Development Corporation
FNDP	Fifth National Development Plan
FNDP	Fourth National Development Plan
FOCAC	Forum on China-Africa Corporation
FODEP	Forum for Democratic Process
FoI	Freedom of Information Bill
FORD	Forum for Restoration of Democracy
FRA	Food Reserve Agency
G-20	Group of 20 Countries
GBE	Dame Grand Cross
GDP	Gross Domestic Product
GNI	Gross National Income
GNP	Gross National Product
GRZ	Government of the Republic of Zambia
HAI	Human Assets Index
HCF	Hillcrest Christian Fellowship
HIPC	Highly Indebted Poor Countries
HIRC	Highly Indebted Rich Countries
HIV	Human Immunodeficiency Virus
HMRC	Her Majesty's Revenue and Customs
IACs	Indigenous African Churches
IAEA	International Atomic Energy Agency
IBRD	International Bank for Reconstruction and Development
ICT	Information and Communication Technology
IDA	International Development Association
IELTS	International English Language Testing System
IFC	International Finance Corporation
IFIs	International Financial Institutions
IFMIS	Integrated Financial Management Information System
INDECO	Industrial Development Corporation
INDP	Interim National Development Plan
INTERPOL	International Police
IOT	International Observer Team
IPPA	Investment Promotion and Protection Agreement
IT	Information Technology
JASZ	Joint Assistance Strategy for Zambia
JCTR	Jesuit Center for Theological Reflections
KBE	Knight Commander
KCMG	Order of St. Michael and St. George
KONNOCO	Konkola North Copper Mine
LAD	Language Acquisition Device
LAZ	Law Association of Zambia

LDCs	Least Developed Countries
LCM	Luanshya Copper Mines
LCMS	Living Conditions Monitoring Survey
LEAs	Local Education Authorities
LGBTI	Anti-Lesbian, Gay, Bisexual, Transgender and Intersex
LMS	London Missionary Society
LP	Labor Party
LTTI	Livingstone Trades Training Institute
MCC	Member of Central Committee
MCM	Mopani Copper Mines
MDGs	Millennium Development Goals
MDP	Movement for Democratic Process
MFEZs	Multi-Facility Economic Zones
MFI	Microfinance Institutions
MI6	British Secret Intelligence Service (SIS)
MINDECO	Mining Development Corporation
MMD	Movement for Multiparty Democracy
MNA	Ministry of Native Affairs
MO	Method of Operation
MOREBA	Movement for the Restoration of Barotseland Agreement
MUZ	Mineworkers Union of Zambia
NADA	National Democratic Alliance
NAFTA	North American Free Trade Agreement
NAMBOARD	National Agricultural Marketing Board
NAMECO	National Media Corporation
NAP	National Anti-Corruption Policy
NATO	North Atlantic Treaty Organization
NCC	National Citizens' Coalition
NCC	National Constitutional Conference
NCCM	Nchanga Consolidated Copper Mines
NCPPIS	National Correctional Prevention Policy and Implementation Strategy
NDPs	National Development Plans
NEPAD	New Partnership for Africa's Development
NERP	National Economic and Recovery Programs
NGO	Non-Governmental Organization
NGOCC	Non-Governmental Organization Coordinating Committee
NHC	National Heritage Council
NIDO	Nigerians in Diaspora Organization
NIEC	National Import and Export Corporation
NIV	New International Version (Bible)
NPD	National Party for Democracy
NPT	Non-proliferation of Nuclear Weapons
NPV	Net Present Value

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NRANC	Northern Rhodesia African National Congress
NRDC	Natural Resources Development College
NRNA	Northern Rhodesia Native Association
NS	Natural Sciences (School of)
NUPTW	National Union of Postal and Telecommunication Workers
O.P	Office of the President
OAU	Organization of African Unity
OECD	Organization for Economic Cooperation and Development
OLIZAWA	Organization of Zambians Living in Western Australia
OMOs	Open Market Operations
OPEC	Organization of Petroleum Exporting Countries
OPV	Oral Polio Vaccine
OYV	Operation Young Vote
OZAFO	Our Zambian Forum
PA	Provincial Administrator (Colonial)
PAC	Public Accounts Committee
PANA	Pan-African News Agency
PEM	Paris Evangelical Missions
PEMFAR	Public Expenditure Management and Financial Accountability Reform
PF	Patriotic Front
PHI	Presidential Housing Initiative
PIG	Party and Its Government (UNIP)
PM	Primitive Methodists
PNT	Privatization Negotiation Team
POGG	Peace, Order and Good Government
PPP	Purchasing Power Parity
PRGF	Poverty Reduction and Growth Facility
PRICCA	Prisons Care and Counseling Association
PRSP	Poverty Reduction Strategy Papers
PUDD	Party of Unity for Democracy and Development
R&D	Research and Development
RAI	Rural Action International
RCM	Roan Consolidated Mines
RDC	Rural Development Corporation
RSK	Republic of South Korea
RST	Rhodesia Selection Trust
RWUZ	Railway Workers Union of Zambia
S&P	Standard and Poor's
SADC	Southern African Development Community
SADC-PC	SADC Protocol against Corruption
SAP	Structural Adjustment Program
SCN	Suprachiasmatic Nucleus
SCVP	Special Cancer Virus Program

SEATO	Southeast Asia Treaty Organization (Defunct)
SEP	Small-Scale Enterprise Development Program
SIDO	Small Industry Development Organization
SITET	Special Investigations Team on Drug Enforcement
SMEs	Small and Medium Enterprises
SNA	System of National Accounts
SNDP	Sixth National Development Plan
SPL	Scottish Premier League
SQUAM	Standardization, Quality Assurance, Accreditation and Metrology
SSIAZ	Small-Scale Industries Association of Zambia
SU	Scripture Union
SUV	Sports Utility Vehicle
TAZ	Theology Association of Zambia
TAZARA	Tanzania Zambia Railway Authority
TB	Tuberculosis
TBZ	Tobacco Board of Zambia
TFC	Task Force on Corruption
TFP	Total Factor Productivity
TIZ	Transparency International Zambia
TSPP	Theoretical Spiritual Political Party
TUC	Trade Union Congress
UCZ	United Church of Zambia
UDI	Unilateral Declaration of Independence
UFCS	United Free Church of Scotland
UFP	United Federal Party
UK	United Kingdom
UMCA	Universities' Mission to Central Africa
UN	United Nations
UNCAC	United Nations Convention against Corruption
UNESC	United Nations Economic and Social Council
UNICEF	United Nations Children's Fund (formerly United Nations International Children's Emergency Fund)
UNIDO	United Nations Industrial Development Organization
UNIP	United National Independence Party
UNITA	National Union for the Total Independence of Angola
UNP	United National Party
UNZAIFEC	UNZA Inter-Fellowships Committee
UNZASU	University of Zambia Student Union
UP	United Party
UPND	United Party for National Development
UPP	United Progressive Party
US	United States (of America)
USAID	United States Agency for International Development
USSR	United Soviet Socialist Republics
UTH	University Teaching Hospital

CHARLES MWEWA

VIS	Village Industry Services
WCED	World Commission on Environment and Development
WEF	World Economic Forum
WMDs	Weapons of Mass Destruction
WTO	World Trade Organization
WVI	World Vision International
WWW	World Wide Web
ZACAFA	Zambian Canadian Friendship Association
ZaCoMeF	Zambia Community Media Forum
ZADECO	Zambia Development Conference
ZAF	Zambia Air Force
ZAMCAN	Zambian Canadian Association (Foundation)
ZAMSIF	Zambia Social Investment Fund
ZAMTEL	Zambia Telecommunications Corporation
ZANA	Zambia News Agency
ZANACO	Zambia National Commercial Bank
ZCBC	Zambia Consumer Buying Corporation
ZCCM	Zambia Consolidated Copper Mines
ZCCM-IH	ZCCM Investment Holdings Plc.
ZCFFS	Zambia Cooperatives Federation Finance Services
ZCTU	Zambia Congress of Trade Unions
ZDA	Zambia Development Agency
ZDC	Zambia Diaspora Connect
ZEMEC	Zambia Elections Monitoring Coordinating Committee
ZENA	Zambia Enrolled Nurses Association
ZEWU	Zambia Electricity Workers Union
ZFE	Zambia Federation of Employers
ZIMCO	Zambia Industrial and Mining Corporation
ZIMT	Zambia Independent Monitoring Team
ZISS	Zambia Intelligence Security Service
ZMK	Zambian Kwacha
ZNBC	Zambia National Broadcasting Corporation
ZNFU	Zambia National Farmers Union
ZNOC	Zambian National Oil Corporation
ZNS	Zambia National Service
ZNUT	Zambia National Union of Teachers
ZOFRO	Zambia Opposition Front
ZRA	Zambia Revenue Agency
ZSIS	Zambia Security and Intelligence Services
ZUFIAW	Zambia Union of Financial Institutions and Allied Workers
ZZ	Zambia Zero

LIST OF LATIN TERMS

<i>Ad hoc</i>	For this special purpose
<i>Ad infinitum</i>	To infinity, or continue forever, without limit
<i>Agenda</i>	Things to be done
<i>Alibi</i>	Literally, "Somewhere else," - It is an explanation offered to avoid blame or justify action; it is an excuse. It is often used as a defense in criminal law
<i>Alma mater</i>	One's old school or university
<i>Anno domini (AD)</i>	In the year of the Lord
<i>Audi alteram partem</i>	Hear the other side
<i>Bona fide</i>	In good faith
<i>Casus belli</i>	The circumstances justifying
war	
<i>Ceteris paribus</i>	Other things being equal or
unchanged	
<i>Corrumperere</i>	Means to pervert, corrupt, deprave or spoil
<i>De facto</i>	In fact (in contradistinction to
<i>de jure</i>)	
<i>De jure</i>	By right (in contradistinction to <i>de facto</i>)
<i>Dramatis personae</i>	The list of characters in a play
<i>Erectus</i>	Uprightness
<i>Et alii (et. al.)</i>	And others
<i>Et cetera (etc.)</i>	And so on
<i>Ex gratia</i>	Purely as a favor
<i>Ex nihilo</i>	Out of nothing
<i>Ex officio</i>	By virtue of office
<i>Facta, non verba</i>	"Deeds, not words"
<i>Fiat</i>	Let it be done
<i>Fiat Justitia</i>	
<i>ruat Caelum</i>	Let justice be done though the heavens fall
<i>Honoris Causa</i>	For the sake of honor
<i>Ibidem (ibid.)</i>	In the same place
<i>Id est (i.e.)</i>	That is
<i>Imprimatur</i>	"Let it be printed"
<i>In absentia</i>	While absent

CHARLES MWEWA

<i>Infra</i>	Below
<i>In toto</i>	Entirely
<i>Inter alia</i>	Among other things
<i>Magna Carta</i>	Great Charter
<i>Modus operandi</i>	The manner of working
<i>Nemo iudex in causa sua</i>	No person is permitted to be judge in their own cause
<i>Per capita</i>	By the head
<i>Per se</i>	Taken alone
<i>Prima facie</i>	On the face of it
<i>Priori</i>	From what was before
<i>Quasi</i>	As if
<i>Sic</i>	Thus (indicates an error deliberately reproduced)
<i>Sine qua non</i>	An indispensable condition
<i>Stare decisis et non quieta movere</i>	“To stand by decisions and not disturb the undisturbed” or simply, “Let the decision stand.”
<i>Status quo</i>	The existing condition
<i>Supra</i>	On an earlier page
<i>Terra nullius</i>	Empty land
<i>Vice versa</i>	The order being reversed
<i>Vice</i>	In place of
<i>Videlicet (viz.)</i>	Namely
<i>Volenti non fit injuria</i>	That to which a man consents cannot be considered an injury
<i>Vox populi</i>	Voice of the people

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Chapter 1 Zambia's Independence

*In thy cozy loamy soils deeply flowed mine young blood
In thy sun-scorched patches birth-ed thee a patriotic lad
How this thought of hilarity mine psyche partly flood
Thy progeny in hope mine entrails thou maketh glad
Thy black visage daily mine heart gladly beholdeth
For thine good, whence mine desire dryly flourisbeth
Oh, Zambia, kind Mother to me thou may be more
Oh, land, thy toil, the oil that boileth our common soul.*

BRIEF INTRODUCTION

In this chapter, the author relives the memories of Zambia's 19th independence celebrations as a child at Mibenge Primary School in Mibenge's village in Samfya-Mansa district of Luapula Province. It introduces the themes of independence, the founding fathers of the independent Republic of Zambia, and the promise of a prosperous, democratic and free nation.

≈ History ≈ Politics ≈

AT THE END OF THIS CHAPTER:

1. You will learn the motivation that led to the writing of this book;
2. You will understand why the founders sacrificed all to attain independence, and you will then become familiar with some of the Zambian founding parents; and
3. You will be introduced to the definition of the term, "Struggle."

MAJOR THEME:
Independence

§1.1 Mibenge

The author was born on the ninth Christmas after Zambia became independent. His mother told him that she almost named him, “Mary,” had he been a girl, but for the second born who was already called by that name in the family. He was born Charles Zachariah Mwewa to Zachariah Kalubeya Mwewa and Justina Kunda of Mibenge village of Samfya-Mansa¹ district of the Luapula Province of Zambia.² He is positioned seventh in an eight-member family of only two girls: John Mwewa, Mary Kalaba, Gilbert Ng’andwe, George (also called Charles Chibwe), Joseph Ng’andwe, Jeremiah Chushi, and Anne Mwewa.

When he was born, it was perhaps not a family secret that he was unexpected. His parents could have been attempting to have another girl following a gang of four boys after Mary. Twice he had to prove himself worthy of belonging to his family; once he escaped death; and twice his mother apologized, albeit, in a diplomatic way.

As a child, his mother remarked, “You have always been so kind, so helpful. At more than one occasions you offered me help when none of your brothers did.” At another time, probably between the ages of four and six, doctors wrote him off and discharged him from hospital to “go home and die.” Miraculously, he lived. Then, a bang, after one-of-its-kind wedding ceremony, which most commentators said could as well have featured as “wedding of the year,” on July 12th, 2003, in Lusaka, his mother remarked, “The one I never expected has brought me more honor!”

Since birth, it seems, he has always lived to prove himself. Competitions do not bother him; co-operation enchants him, and life is truly a gift to him. If his life was to be summed up in a two-worded question, it would be, “Try me?” Because nothing in his life comes on a silver platter; he has always worked very hard to prove himself worthy.

His father had briefly immigrated to the former Zaire perhaps to seek employment in the striving Katanga Province. Due to illness, he returned to Mibenge where he later died in October 1983. His father

¹ Mibenge village is situated between Mansa, the province’s headquarters, and Samfya, an archaeological site on the western shore of Lake Bangweulu where grinding grooves are found on flat rock surfaces. The grooves are believed to have been from the Stone Age era.

² It is interesting that Peter Kalumba Chishala, known as P.K. Chishala, sang of Luapula and Mwewa in his song *Kwesu Kawalwamisha* (literally, Luapula is the best) as the place where the *Mpende* (Redbreast Tilapia) fishes breed.

and him traveled regularly. He missed his Grade One enrolment twice in a row due to their constant travels to and from the Copperbelt Province of Zambia. In January 1983, his father finally enlisted him at Mibenge Primary School.

The author was puzzled when his father registered him at Mibenge Primary School in Grade One as Zachariah Chushi.³ Perhaps his father knew that he would not be living for long and wanted his son to inherit his names. The author later resorted to his first and last names when he transferred to Luano Primary School in Grade Two in Chingola.⁴

Mibenge comprised several smaller villages each headed and called by the name of the headman. Within Mibenge there was also a village by the same name, which was headed by Chief Mibenge himself. In addition, Chief Mibenge presided over several group of villages including Kombaniya, Kolwe, Kafula, Chilema, Sendapu, Mwanda, Shitini, and many others.

The author's father was born at Chilema village to Kalubeya Mwewa⁵ and Rosaliya Chibesa. His father belonged to the *Bena-Ngulube* (or the Warthog-clan). His mother, on the other hand, was born at Kombaniya village to Chinama Chibwe and Ndaliya Mukomango. His mother's clan is the *Mbeba* (or the Mouse-clan). Since the author comes from a patrilineal family lineage, he also belongs to the *Bena-Ngulube* clan.

The author hurls from Kolwe's village, about 30 to 40 kilometers from Chief Mibenge's palace in Mibenge village.⁶ Mibenge Primary School is situated in the vicinity of Chief Mibenge's palace. At the time, in the early 1980s, Mibenge Primary School consisted of only three blocks of about three classrooms each with about two offices. There were also other unfinished classrooms being built. The school, the teachers' houses, the clinic and the palace were built from modern bricks and tin-roof. The majority of the houses and huts in the villages had thatched roofs.⁷

³ Probably his father wanted to sustain his memories through his son

⁴ Luano is also the name of one of the smallest ethnic subdivisions of Zambia. The Luano people live in Lusaka Province east of Lusaka City.

⁵ Kalubeya Mwewa was from the Lion's clan or the *Bena-Nkalamo*

⁶ Kolwe was not a village *per se*; it was a stream. However, because Kombaniya and Chilema where the author's mother and father were born, respectively, were along the banks of the Kolwe Stream, all the villages adjacent became known collectively as Kolwe's village.

⁷ There were other individuals who were richer than Chief Mibenge, like Sendapu and his brother Mulonga, who owned large farms and had vehicles and several

Although the author was nine at the time, he was so small physically that most pupils⁸ in his Grade One class looked bigger. At the end of his first year in primary school, he came out number two in the entire school. Chilufya Jameson who came out first was a taller, bigger boy. So, all the attention fell on the author. He had instantly become popular at Mibenge Primary School in 1983.

§1.2 October 24th, 1983

It was there at Mibenge that the author first heard about Zambia's Independence Day. It was October 24th, 1983. The school had set up a large round thatched arena. Several goats were slaughtered. There were dancing and feasting. All he could remember was that everyone who made a speech talked about *Bamwisa*.⁹ He later came to learn that the term referred to foreigners, and in particular, the colonialists. In Zambia, all White foreigners are collectively referred to as *Abasungu* (singular: *Musungu*), which is a transliteration of the Swahili, *Wazungu*, which literally means, "People who move around."¹⁰

Children sang and danced.¹¹ In their songs and dances they were talking about the rigor and saga of the person they called foreigner. He had yoked them like animals, they said. He had taken away their humanity. He had subjected them to slavery conditions in their own land. He had called them "ka-boys"¹² when they were supposed to be grown-up men and women. He had reduced them to second-class citizens. He had spoiled their will to exist as free and independent people. Now he was gone. They were finally free. They sang. They

workers. Mulonga's mansion was elegant with most of the features of modern building facilities.

⁸ Dictionary.com defines a pupil as a person, usually young, who is learning under the close supervision of a teacher at school, a private tutor, or the like. In Zambia, students in primary schools are still referred to as pupils. In North America, the term student is used.

⁹ In Aushi language, a Bemba dialect spoken in Luapula Province of Zambia, this term loosely refers to economic plunderers, as in when the British imperialists colonized Northern Rhodesia, for so Zambia was called, they also plundered Zambia economically.

¹⁰ Peter Firstbrook, *The Obamas* (New York: Crown Publishers, 2010), p. 84

¹¹ Dancing and singing were not peculiar to Mibenge. Children danced away with girls in the evenings to *Nsale-nsale chinkamba*. Children did even more; they played all day to "Game and Touch," to "Eagle and Rounders," to *Sojo and Digo*, to *Kalambe*, to *Kankulumale*, to *Chidunu* and to *Tela*.

¹² Colonial masters called Zambian men working for them as servants, boys. The prefix "ka" in Bemba language denotes a belittling epithet associated with people of the lowest rank.

danced. They ululated. These songs, and particularly the message they oozed, would impact the author for many years to come. He still remembers them very vividly. He can see children dancing in the dust without shoes on them. Some of these kids were wearing the school khaki uniforms, torn and dirty. But they were happy. They had a reason to celebrate. They were free. As they sang, they repeatedly praised Kenneth David Kaunda¹³ (known as “KK” by the people of Zambia), Mathew Mainza Chona,¹⁴ Harry Mwaanga Nkumbula,¹⁵ Simon Mwansa Kapwepwe,¹⁶ Reuben Kamanga,¹⁷ Alexander Grey

¹³ Kenneth Kaunda was Zambia’s first Republican president. He ruled Zambia for over 27 years before he was defeated in an election in 1991 by Frederick Chiluba. He died on June 17th, 2021. He was 97 years old.

¹⁴ Mathew Mainza Chona was born in Monze town in Southern Province of Zambia in 1930. His brilliance as a young student awarded him a scholarship to Munalu Secondary School. He later got a scholarship from the British colonial government to study law at Gray’s Inn in England. He was the first Zambian to qualify as a barrister in 1958. He became President of UNIP in 1959, the party that paved the way to Zambia’s independence. He was Vice-president and later the first Prime Minister of Zambia. He died in 2001.

<<http://www.mainzachona.com/index.htm>> (Retrieved: January 20th, 2010)

¹⁵ Born in January 1916, Harry Mwaanga Nkumbula is among the founding fathers (and mothers) of Zambia’s independence from British colonial rule. Nkumbula and his “A Team,” define Zambia’s present-day identity. He is also among the founding fathers (and mothers) of Zambia’s first native political party, the Northern Rhodesia African National Congress (NRANC). Founded in 1948, the party was first led by the late Godwin Mbikusita Lewanika. In 1951, Nkumbula was elected president of NRANC. The party was later renamed African National Congress (ANC), as a link to the African National Congress in South Africa. The party leadership team, the so-called “Zambian A Team,” included Harry Nkumbula himself, Simon Mwansa Kapwepwe, Kenneth Kaunda, Mainza Chona, Grey Zulu, Dixon Konkola, Robinson Nabulyato, Paul Kalichini, Raphael Kombe, Nalumino Mundia, Reuben Kamanga, among others.

<<http://www.zambian.com/zambia/directory/people/last-name-nn/html/harry-nkumbula-zambian.html>> (Retrieved: January 22nd, 2010)

¹⁶ Simon Mwansa Kapwepwe was born on April 12th, 1922, in Chinsali. He was former and second Zambian Vice-president (1967-1970) and UNIP’s deputy leader until he left UNIP to form the United Progressive Party (UPP) in 1971. In February 1972, UPP was banned. It is believed that Kapwepwe was the one who coined the name “Zambia,” a derivative of “Zambi” or “Zambe” literally “God.” So, Zambia may also mean that which belongs to God! He died on January 26th, 1980, after suffering from a stroke.

¹⁷ Reuben Kamanga was Zambia’s first Vice-president after independence. Other people who have held that position are Simon Kapwepwe (1967-1970), Mainza Chona (1970-1973), Levy Mwanawasa, (1991-1994), Gen. Godfrey Miyanda (1994-1997), Gen. Christon Tembo (1997-2001). Enoch Kavindele, Nevers Mumba, Lupando Mwape and Rupiah Banda have been Vice-presidents between 2006 and 2008. George Kunda was Vice-president from 2008 up to 2011; Guy Scott from 2011 to 2014; Inonge Wina, the first female Vice-president in Zambia, from 2015

Zulu,¹⁸ and so many others. The author already knew that Kenneth Kaunda was the President of Zambia at the time. He did not need to look any further to realize that Kaunda's name was on everyone's lips in the village. Kenneth Kaunda's presence on the *Zambian* currency, the Kwacha,¹⁹ was a constant reminder of his dominance and power. The author knew nothing else about the rest. Later the author would read history books and learn that those being mentioned in songs were prominent *Zambian* founding fathers.²⁰ They had together fought for *Zambia's* independence. They had made tremendous sacrifices. Some even died in what is called the struggle for *Zambia's* independence.²¹

to 2021; Mutale Nalumango, second female Vice-president, from 2021 to the time of this edition. In 1973, after the adoption of the Chona Commission which launched the Second Republic, the Vice-presidential office was vacated and was replaced by UNIP's Secretary-General as the second highest ranking official in Kaunda's government.

¹⁸ Grey Zulu was UNIP Secretary-General, the second highest ranking official in the UNIP government. UNIP had abolished the office of the Vice-president and was replaced with one of the Secretary-General in 1973. See note 17, *ibid*.

¹⁹ According to Grotperter *et. al.* in *Historical Dictionary of Zambia*, Kwacha is a "word meaning either dawning or the 'dawn is here.' It was used by the African nationalists as a rally cry in the period prior to independence. It was chosen for the name of the standard currency note when *Zambia* replaced its pound in January 1968." Moreover, "Kwacha-Ngwee" was "used either separately or together as a nationalist slogan during the several years before *Zambian* independence. 'Ngwee' is an intensifying expletive; the root of it is derived from a word meaning 'light' or 'bright.'" Kwacha-Ngwee, thus, means, "Cheer up and have faith, for a great new day is almost here" (p. 193).

²⁰ The use of the term "father" in this book does not connote the *Leader Principle* of infallibility reminiscent of hero-worship of the *Zambian* presidents. It does not also strike a religious connotation as is usually the case in religious circles. This book maintains the view that there is only One God and Father of all. However, the term "father" or "mother" may be used, from time to time, in a political sense, to denote the founders of the Republic of *Zambia*.

²¹ In early 1960s, most countries in Africa campaigned vigorously to end the rule of the colonialists on their people. The first country to gain political independence in Africa was Liberia in 1847. Egypt became independent in 1951 and was followed by Morocco, Sudan and Tunisia in 1956. Ghana became independent in 1957 and Guinea in 1958. A slew of countries got independence in 1960 and they were: Chad, Benin, Nigeria, Ivory Coast, Madagascar, Central African Republic, Mali, Niger, Senegal, Burkina Faso, Mauritania, Togo, Zaire, Somalia, Congo, Gabon and Cameroon. These were immediately followed by Sierra Leone in 1961. In 1961, South Africa was recognized as the Republic of South Africa, although the Black people continued to suffer under the policy of apartheid. In 1962, Algeria, Burundi, Rwanda and Uganda became independent with Kenya and Tanzania gaining theirs in 1963. *Zambia* and Malawi became independent and sovereign states in 1964. Gambia followed in 1965. Botswana and Lesotho became independent in 1966 and

Those who lived were immortalized in song and dance. Some of them were in the ruling United National Independence Party (UNIP).²² Others were silenced, while others were side-lined.²³ But all of them had one vision for Zambia when they fought: To make Zambia a free, prosperous and democratic state.²⁴ To achieve that, they first had to win political independence. So, they fought. They were fighting for Zambia's self-determination. They were fighting for freedom - to exist as a sovereign nation. However, as it will be established in this book, independence alone was not enough to solve the many challenges pommeling the copper-producing African nation.

§1.3 October 23rd, 1964

Just before they gained that sweet independence, they had gathered together on tenterhooks at the newly built Independence Stadium along the Lusaka-Kabwe Road on October 23rd, 1964. Kaunda was Prime Minister of Northern Rhodesia.²⁵ Dressed in a

they were followed by Equatorial Guinea, Mauritius and Swaziland in 1968. Guinea-Bissau and Libya got theirs in 1969 while Angola, Cape Verde, Comoros, Mozambique and Sao Tome became independent in 1975. For Seychelles, it was in 1976; for Djibouti, 1977; and for Zimbabwe, in 1980. Namibia and the Republic of South Africa gained independence in 1990 and 1994, respectively, with the latter breaking free from the apartheid saga with the election of Nelson Mandela as its first Black president. The latest country to gain independence in Africa was South Sudan on Saturday, July 9th, 2011, at 12:01 a.m. with Juba as its Capital City.

²² UNIP governed Zambia from 1964 to 1991 under the presidency of Kenneth Kaunda. The party was founded in October 1959. After Kaunda was released from prison in January 1960, he assumed leadership over the party. The new constitution promulgated on August 25th, 1973, and the national elections that followed in December 1973, were the final steps in achieving what was called a "One-Party Participatory Democracy." National policy was formulated by the Central Committee of UNIP. UNIP had become the only party in Zambia. The president of UNIP was the sole candidate in elections for the office of president and was selected to be the president of UNIP by the party's General Conference. UNIP's Secretary-General was the second-ranking person in the Zambian political hierarchy after the president. See also §8.4

²³ See §6.9

²⁴ In Chapter 38, the author has argued that the immediate goal of what he calls the *Pro-independence Zambian Leaders* was to gain political independence. They needed to shape economic development as a natural consequence of political independence, but it was not their immediate concern. In the same chapter, he has argued that the mantle to shape the economy of Zambia should have been laid, especially after 1970, on what he calls the Emerged Zambian Leaders (or "EZLs.")

²⁵ Zambia

kente cloth toga, given to him by Kwame Nkrumah²⁶ for that occasion, and flanked by his fellow freedom fighter and Minister of Foreign Affairs at the time, Simon Kapwepwe, who was also clad in a similar toga, Kaunda was poised to become the first president of the Republic of Zambia in minutes' time.

Then it happened.²⁷ As the British Union Jack²⁸ was being lowered, and so was the new flag of Zambia being raised. The Zambian new National Anthem accompanied.²⁹ Standing on the podium and cheering were Kaunda, Her Royal Highness Princess Royal,³⁰ Queen Elizabeth's auntie who represented the Queen,³¹ and Sir Evelyn Hone.³² Then the floodgates of the Independence Stadium opened, women and girls ululated, men and boys whistled and fireworks sparked the sky. Once the last loop of the Zambian flag

²⁶ Kwame Nkrumah was the first president of Ghana, a Western African state, and a freedom fighter for the liberation struggles of that country.

²⁷ Grotpetter *et. al.* report that, "The Republic of Zambia was officially born on October 24th, 1964, when the British flag was lowered and the multicolor [green, red, black and orange] flag of Zambia was raised," (*Historical Dictionary of Zambia*, p. 1); See also *Times of Zambia*, "Zambia's Independence: 1964 Celebrations," <<http://www.times.co.zm.news/viewnews.cgi?category=8&id=1004123512>> (Retrieved: April 21st, 2010)

²⁸ British Flag

²⁹ The Zambian National Anthem sings to the tune of *Nkosi Sikelele Africa* (God Bless Africa) which was composed by Enoch Mankayi Sontonga (1860-1904). Sontonga was a teacher from South Africa. In 1897, he composed the words of *Nkosi Sikelele Africa* for his pupils, but the song grew in popularity and was made a hymn. It became known as the Bantu National Anthem. In 1925, the South African Africa National Congress (ANC) party adopted it as its national anthem. In 1961, Tanzania similarly adopted it as its national anthem upon the attainment of its independence. In Zambia, there was a competition and words were derived from six leading contestants, one of them is believed to be a Briton, but the music and tune were those of *Nkosi Sikelele Africa*. On October 24th, 1964, a school headmaster from Chingola by the name of Chamululu conducted the choir of young Zambians who sang the national anthem as the flag was being raised.

³⁰ She presided as the Special Guest of Honor on behalf of Queen Elizabeth II.

³¹ Queen Elizabeth gave Kaunda a brand-new Rolls-Royce for use during the independence ceremony and the US government gave him a new Chrysler convertible.

³² Evelyn Dennison Hone (1911-1964) was the last Governor of Northern Rhodesia and a keen sympathizer of Kaunda. In the 1964 election, UNIP won 35 percent of the total European votes. Sir Evelyn Hone invited Kaunda to form the first Black government and Kaunda became the first Black Prime Minister of Northern Rhodesia on January 22nd, 1964. The Evelyn Hone College in Lusaka is named after Sir Evelyn Hone.

was hoisted to the flag post, on October 24th, 1964, Zambia was born!³³

By the Instruments of Independence signed and sealed by Her Majesty the Queen, Kaunda had become the new president of Zambia at midnight of October 23rd, 1964.³⁴ However, due to the hilarity and ceremonial procession and celebrations of the occasion, Kaunda was not to be sworn in by the Chief Justice as the first president of Zambia until around Ten O'clock on independence morning.

A *Times of Zambia* reporter describes the mood at independence as one of jubilation, happiness and celebration: “The mood in Lusaka, in particular was one of jubilation, happiness and celebration. In the evening, the whole city center was lit up in colorful electric bulbs.”³⁵ Independence celebrations continued throughout Zambia.

This was the mood that greeted the author on that Independence Day of 1983 at Mibenge Primary School. Those who were older and who had experienced the actual independence seemed to have been taken aback to 1964. But although celebrations were communal, there was no doubt in the author’s mind that only one person emerged, or rather being considered, a hero. It was Kenneth Kaunda. One would have thought that Kaunda had won Zambia’s independence single-handedly.

Despite Kaunda’s assiduous leadership and vision, the struggle for Zambia’s independence was an African community effort. At the Lancaster House³⁶ constitutional talks meeting in London, England, where Kaunda and his entourage subsequently chose October 24th as Zambia’s Independence Day, so as to be “on the same date and month on which the United Nations (UN) was created,”³⁷ Kaunda

³³ According to Grotperet *et. al.*, the flag of Zambia “was introduced to Zambians in June 1964 by Kenneth Kaunda; its base color is green, representing the grassland of the country and its agricultural products. The eagle in flight represents Zambian freedom. The orange stripe symbolizes the country’s (copper) mineral resources. Black represents the color of most of the population, and the red stripe is symbolic of the blood shed for freedom,” (*Historical Dictionary of Zambia, supra.*, p. 116)

³⁴ Instruments of Independence consisted of the constitution and other legal documents which declared Zambia an independent and sovereign state.

³⁵ *Times of Zambia*, “Zambia’s Independence: 1964 Celebrations Relieved,” <<http://www.times.co.zm.news/viewnews.cgi?category=8&id=1004123512>> (Retrieved: April 28th, 2009)

³⁶ On May 2nd, 1964

³⁷ *Times of Zambia, supra.* The other probable reason for choosing October 24th could have been so as to rhyme with Kaunda’s *United National* Independence Party (UNIP) which was first formed in 1959.

was flanked by political party leaders from the United Federal Party (UFP), Labor Party (LP) and many other stakeholders in Zambia's struggle for independence. Among them was Aaron Milner,³⁸ a freedom fighter who had "hosted several freedom fighters from the region including the late Mozambique president, Samorah Machel, South Africa's Oliver Tambo, and the late Zimbabwe Vice-president Joshua Nkomo, among others."³⁹ These men and women, collectively, sacrificed their lives for the political independence of Zambia. Many of them will never be sung in the heroes' hymnals, and yet they were indispensable to Zambia's independence and freedom. They were indefatigable in their quest for political emancipation. The struggle of the Zambian people cannot be adequately narrated without their contribution.

§1.4 Struggles of the Zambians

As Zambia comes of age and moved past its golden jubilee, it is a witness to the sacrifices of the Zambian fathers and mothers. They were motivated by something deeper than a military reveille,⁴⁰ and as Guevara notes, by a "soldier's response: 'Until death, if necessary.' It carries the solution to serious problems involved in creating our [world] of tomorrow."⁴¹ They were deterred neither by the whip of prison nor the sting of death. They stood and sang of their faith in Zambia with pride; they believed they were free. They promised they would work the land with great joy while remaining united.⁴²

³⁸ Aaron Milner had his Zambian citizenship revoked in 1980 for his alleged role in the late lawyer Edward Shamwana's coup attempt. At the formation of UNIP, Milner was elected UNIP's Deputy Secretary-General, the post that also saw him co-ordinate the movement of all arms from the neighboring Tanzania. In the first African government, Milner served as Parliamentary Secretary in the Office of the Prime Minister before becoming Minister of State for Presidential Affairs and much later Secretary-General to the Government and Head of Cabinet Civil Service. During the construction of the Tanzania Zambia Railway Authority (TAZARA), he was serving as Minister of Power Transport and Works, before moving on to Defence in the same capacity and finally Home Affairs, the last ministerial position he held before his citizenship was revoked.

³⁹ Nerbet Mulenga, "Freedom Fighter Aaron Milner Predicts a Better Zambia, Preaches Community Dedication," *Times of Zambia*, <<http://www.times.co.zm>> (Retrieved: April 29th, 2009).

⁴⁰ *Kwacha* literally means wake-up-call, dawn or daybreak. Reveille is a military term meaning a wake-up-call. See footnote #39, *supra*.

⁴¹ Ernesto "Che" Guevara, *The African Dream: The Diaries of the Revolutionary War in the Congo* (New York: Grove Press, 1999), pp. 58-59

⁴² Zambian National Anthem, Stanza One

Indeed, independence has accrued to the Zambians supreme authority over the land. Political authority has been attained, but are the people of Zambia economically or intellectually free? Are their laws strong enough to save them from themselves? Do they see in every human being potential for a dignified and right-based existence?

For Zambia, independence has always been an elephant in the room. Surely, is it independence when “Some two-thirds of Zambia’s 12 million-plus people live below the poverty-line? And more than 100,000 Zambians die every year from malaria and HIV/AIDS”?⁴³ Is it independence where, “there is only one lawyer for every 25,667 people”?⁴⁴ Is it, indeed, independence when Edward Mukuka Nkoloso⁴⁵ was refused US\$19.6 million (£11.9 million) by the United Nations in 1966 to be the first Zambian to walk on the moon, choosing, rather, to let “the glory [go] to the US, not [to] those intrepid Zambian astronauts who had walked on their hands or rolled down anthills in oil drums”?⁴⁶ Is it independence when “Zambia remains very poor and relies heavily on aid, which can be fickle”?⁴⁷ Is it independence when just at a stroke of a pen, African regimes can be changed without the people’s general will? Is it independence when the impact of Covid-19 in Africa, in general, and in Zambia, in particular, as the UN Secretary-General, Antonia Guterres, put it, threatens extreme poverty?⁴⁸ Is it independence when, to cure or prevent a pandemic such as Covid-19, Zambia has to depend on the same powers she freed herself from?

This book is the detailing of the political, economic and personal struggles of the Zambian people. Every time the word struggle is used in this book, it will connote the idea of striving, laboring hard, pain and anguish, and the exertion of relatively forcible effort to obtain an

⁴³ *The Economist*, “Less Poor, Less Free; Hope and Worry in Zambia,” November 21st, 2009

⁴⁴ Gary Haugen and Victor Boutros, “And Justice for All Subtitle: Enforcing Human Rights for the World’s Poor,” (May 2010 - June 2010), *Foreign Affairs*, Vol. 89, No. 3, p. 51

⁴⁵ Edward Mukuka Nkoloso was an ex-schoolteacher and self-styled director general of the National Academy of Science, Space Research and Philosophy and who was running his own space program in Zambia.

⁴⁶ Peter Collett, “Zambia Boldly Goes,” *New Statesman*, August 3rd, 2009

⁴⁷ *The Economist*, “It’s Looking Up a Bit; Zambia,” June 17th, 2006

⁴⁸ See UN, “UN chief says help needed to avoid extreme poverty in Africa on the back of Covid-19,” May 20th, 2020, < <https://www.rfi.fr/en/africa/20200520-africa-coronavirus-united-nations-antonio-guterres-financial-aid-economy-health-covid-19-poverty-security>> (Retrieved on September 30th, 2020).

objective. The author's approach in this book is based on that eternal Latin maxim of *Fiat Justitia ruat Caelum* or "Let justice be done though the heavens fall." He has labored to detail the story of the struggles of his people with the department of a cogent observer and the diligence of a linear historian.

Struggle can be the stringboard to progress, prosperity and democracy. It has been said that "The probability that we may fail in the struggle ought not to deter us from the support of a cause we believe to be just."⁴⁹ Struggle can be a catalyst for change: "Change does not roll in on the wheels of inevitability, but comes through continuous struggle. And so, we must straighten our backs and work for our freedom."⁵⁰ Struggle is, thus, a process, not only an experience. Like Barack Obama once said, "Today we are engaged in a deadly global struggle....If we are to win this struggle and spread those freedoms, we must keep our own moral compass pointed in a true direction." And indeed, that compass in the true direction, should continue to lead Zambia towards true liberation, because the attainment of independence was merely stage one in this common journey called ZAMBIA.

⁴⁹ Abraham Lincoln

⁵⁰ Martin Luther King, Jr.

Chapter 2 Zambia Then

*Here my people, I write, from over the seas, I write
To a people black and lovely, let me write
I am yours from abroad; I am a patriot and a child
Your own blood, a product of your need
To my motherland, in the fair and brown land
A place of splendid civilization, of a seasoned culture*

BRIEF INTRODUCTION

In this chapter, the author recounts his childhood experiences in Zambia relating the struggles of the Zambians at the personal level to his experiences as a youth in the Second Republic.

≈ Contemporary History ≈

AT THE END OF THIS CHAPTER:

1. You will appreciate the kind of Zambia the author grew up in;
2. You will understand the key influences that shaped the author's worldview; and
3. You will be introduced to the importance of education and knowledge in the fight against poverty.

MAJOR THEME:
Childhood in Zambia

§2.1 Luano Primary School

Although the author began his primary school education at Mibenge Primary School in the Samfya-Mansa district, he would not remain there longer than Grade Two Term One. Shortly after the death of his father in 1983, his elder sister, Mary Kalaba, took him to Chingola town where he would spend eight years of his teenage life. He was immediately enlisted at Luano Primary School in Grade Two Term Two in Kapisha compound. Luano was the least of all primary schools in Chingola.

The school was located in the poor compound of Kapisha where the only thing they prided in was the Kapisha Hotspring.⁵¹ Most children who attended Luano were from very poor families. Some of them did not wear shoes. The majority did not even have a meal before coming to school. Most people in Zambia are well aware of the corollary of poverty. However, one cannot understand the stinging power of poverty until one has had a chance to live in a shanty compound like Kapisha in the 1980s and 1990s.

The harsh and hustle of the Second Republic were experienced here for the author. For him, Kapisha constituted Zambia, the Zambia in which he was raised, or should it be said, in which he raised himself. He remembers the hardships of the Second Republic. If ever there was a time when he thought of life as meaningless, it was during his primary school days. Before his father passed away, his father shielded him from poverty. His father had worked hard both to provide and create a good life for the author. However, after the author's father was no more, things started going down from there. The author began to learn how to survive under very despicable economic conditions.

⁵¹ The Kapisha Hotspring is a natural phenomenon which spills out hot water. It lies about 15 kilometers east of Chingola. You could place an egg there and have it cooked perfectly within no time. As a child, the author visited the spring several times and could only wonder on the beautiful creation of God right near where he lived.

Each time the author went to buy paraffin from Kapisha to downtown Chingola, he passed by the residence of Edward Shamutete⁵² near Chingola Civic Center. The author sold paraffin in the nights in order to raise some money to pay for his school fees and buy school necessities. Shamutete's residence was huge and elegant. The author would wonder every time he passed there what it was like to live in such a mansion. Many questions would run through his mind. Although he had once experienced a relatively good life, all that was swallowed up in the poor economic conditions he then found himself. A respectable clergy has charged, thus, "Some people are bitter towards the rich. They hate 'those wealthy people.' When they pass by their two-storey houses up the street, they get jealous thinking about their crowded, little house with its small kitchen."⁵³ Late Dr. Myles Munroe could have been describing the author with his struggles with poverty in the 1980s.

However, if jealousy was the motive, then the events surrounding the *Chiluba Matrix* would clarify all that.⁵⁴ For Shamutete was implicated in a national plundering scheme between 2007 and 2009. While some people own mansions through ingenuity and hard work, some, like Shamutete, did so at the expense of the governed poor masses as it was later revealed.

Chingola was a microcosm of Zambia in miniature. The rich and powerful lived in the areas like Riverside, Nchanga South and Chingola downtown. The middle-income families lived in areas like Lulamba, Kabundi East, Chikola, Chiwempala and so on. The majority poor were squeezed in shanty compounds like Kapisha, Soweto, and so on.

By Zambian standards, Kapisha was the cleanest shanty-compound in Zambia following after Chingola itself which was voted the cleanest town in Zambia. Most people in Kapisha

⁵² Former CEO and Chairman of ZCCM

⁵³ Myles Munroe, *The Burden of Freedom* (Lake Mary, Florida: Creation House, 2000), pp. 84-85

⁵⁴ See Chapter 31.

were self-employed in vocational-related trades like carpentry, bricklaying, black-smith, and so on. Others were marketeers and small-scale traders in perishable farm-produce, second-hand clothes commonly called *kombo*, and other similarly situated trades.

Although when people retired or were fired from the lucrative mining or maid-servant jobs they relocated to Kapisha, most were self-made people, and eventually rising within the compound ranks to fend for themselves a life of reasonable existence. The rich ones by the Kapisha standards included bar-and-tavern owners like the proprietors of the Buseko Bar and Tavern, Chilemba Bar, and others. The best illustration of survival in these types of settings is predicated by late President Mwanawasa's father. Mwanawasa recalled that when his father, "retired as a houseboy to the mine captain, [he] started selling fish, apart from *kombo*, and he bought a small vehicle. He was going to Lake Mweru in Northern Province to buy fish until eventually he was a proud owner of four lorries."⁵⁵ Most people experienced life this way in Kapisha.

Social life in Kapisha revolved around three activities. On Saturdays and Sundays, people attended church, most notably, the Catholic Church. In the evenings the majority of men visited bars and taverns and pubs. Most boys and girls played soccer and netball, respectively, especially during after-school hours. The author studied hard for school and played soccer with the same passion.

In Kapisha sexual encounters were the order of the day. Kapisha, like Mibenge village, was a society where boys became men before their time and girls celebrated their puberty before most girls did in other towns. The author has recaptured the elaborate rites of passage ceremonies in a narrative poem titled *Ode to Aushi Women*.⁵⁶ His own escapades were initially a disaster. Like many boys growing up, the author had a fair share

⁵⁵ Amos Malupenga, *Lery Patrick Mwanawasa: An Incentive for Posterity* (Grahamtown: NISC (Pty) Ltd., 2009), p. 8

⁵⁶ See Charles Mwewa, *Song of an Alien* (New York: iUniverse, 2009), p. 114; also reproduced in Charles Mwewa, *Poetry: The Best of Charles Mwewa* (Ottawa: Africa in Canada Press, 2020), p. 155

of handicaps. Foremost was my age and height. He was what society considered shorter people, and that was a challenge in a world in which the taller and more spacious were prized. In Kapisha, he was conveniently nick-named *Young*, because he looked shorter and younger.⁵⁷ However, even at that tender age, the author realized that his height was an asset and not a liability. He came to love and embrace it.

§2.2 Long Parades

At Luano Primary School, the author had a rare privilege of learning the art of classroom leadership from Grade Two to Grade Seven. It did not matter which teacher took over their class, he was always chosen as captain (or monitor as he or she was known), of my class. Each time he was sent to collect books from the Headmaster's office he saw the portrait of former president Kaunda on the wall. Each Monday the students had a parade and would sing the National Anthem, there would be the mention of Kaunda.

In primary school, most social studies books, and in Grades Eight and Nine, all the civics books, had former president Kaunda from cover to cover. For him, and those who grew up in Kapisha, they had no knowledge of other Zambians who had fought and won Zambia's political independence. This is the same thing he had observed at Mibenge.

His chance came. Once when former president Kaunda came to Chingola, Luano Primary School was among all the schools lining up to welcome him. Students had lined up for over six hours before the president finally arrived. Even when he did, some of the students who were shorter and tinier did not have any chance of seeing Kaunda.

⁵⁷ The average height is considered to be 170 cm, while the tallest stands at 246 cm and the shortest at 70 cm. This, the so-termed politics of heights only holds water, mostly, in American society. According to this Western-based categorization, China is a society of relatively shorter people and the US of relatively taller people.

For some reasons the author got lucky. Because students did not know in which car Kaunda would be, they only banked on chance. Then all of a sudden, just near where the author stood, he saw a hand with a white handkerchief pop out of the Volvo. It was him. The author's intestines moved; it was like he was seeing God himself. But Kaunda was human - plain and simple. With all the pomp and splendor that preceded him, Kaunda was not a superhuman. Many, including this author, wondered why the entire nation regarded a fellow human being as *Wamuyayaya*.⁵⁸

As students were going home that day, the author began to think very hard. He was tired and hungry. And even if he was going back home, there was nothing there in terms of food. He was frustrated. Why would one-man so-called president be so protected, so honored, so venerated when the millions of them were living lives that were less than human? Why would a few people in government continue to enjoy the labor of the poor hard-working citizens while the majority was wallowing in abject poverty?⁵⁹ Why should others, very few in numbers, be so lofty and rich when myriads were basking in indecency, poverty and premature and uncouth deaths?

§2.3 Philosophical Basis

Shortly before going to Hillcrest in Grade Nine Term Three, two events had taken place which would shape the author's

⁵⁸ Kaunda had proclaimed himself a life president or at least through his UNIP cadres. *Wamuyayaya* means "forever". Some of his cadres would shout, "KK," and others would respond, "*Wamuyayaya!*"

⁵⁹ In 1906, Joseph M. Juran suggested that 80 percent of land in Italy was owned by 20 percent of the population. He coined the principle called the *Pareto*, named after an Italian economist Vilfredo Pareto, who made the initial observation. The *Pareto Principle* is known as the 80-20 rule or the law of the vital few because for many events, roughly 80 percent of the effects come from 20 percent of the causes. The author observed in Zambia that this principle happened to the detriment of the majority poor, who access only about 20 percent of the national wealth, even when they constituted about 80 percent of the population.

philosophy of life and his conviction of a democratic society, respectively. First, he had become a Born-Again Christian. The circumstances leading to his conversion were purely by accident. He had asked his then best friend, Elijah Sinyinza, if he could stay with Elijah during the days leading up to the examinations.⁶⁰ The author did so for two reasons: He wanted to be near to Kabundi Secondary School; and he wanted to take advantage of electricity which he did not have in Kapisha compound. Elijah lived with his brother in the Nchanga mine area. In Chapter 16 of this book, details have been narrated how this author's conversion happened.

§2.4 Witness to Multipartyism

The second event that shaped this author's philosophy of life happened at Buyantanshi Park where he had a rare opportunity to witness the excitement of the masses and hope of a return to multipartyism. On that innocently looking day, the month and date of which he could not remember, but it was towards the end of the year in 1991. At Buyantanshi Park were gathered a throng of people waiting for Frederick Chiluba to give a speech.⁶¹ Lloyd Sinyinza, Elijah's nephew, came with exciting news that Zambia had a new hero. He said his name was Chiluba and he spoke with a "nice accent." Then Lloyd said that Chiluba would use words like "harass" and "embarrass" in the same sentence. Later this author came to learn that what Lloyd was alluding to was a poetic technique of rhyming.⁶²

⁶⁰ Elijah and the author were like true blood brothers. In Lusaka, they visited each other frequently and their families have remained true to each other. In 2003, Elijah acting as the author's Best Man, contributed K10 million towards the author's wedding. The author married Clarice Kashila, who became Clarice Mwewa.

⁶¹ Buyantanshi means "Progressing" or "Moving Forward."

⁶² Later, the author read that Chiluba was not the first to string together the "harass-embarrass" coinage; Kaunda had used the same structure on January 17th, 1963, when he gave a maiden speech. Kaunda said, "We intend to create in this, our mother country, conditions that will attract investors to it.... But I am afraid to say that we have two things here that may continue

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The atmosphere was hilariously charged. People had such a sense of expectation the author had never seen before. He still remembers a blind singer with a banjo who sang *Tukekalakenge*.⁶³ He sang about how under Chiluba and Mwanawasa Zambia would be better again. It was akin to “Making Zambia Better Again or MAZABEA.”

Chiluba had delayed in coming. Then all of a sudden, the throng heard that Chiluba had arrived. This author could not see the presidential candidate at first. Then he saw him. He was a short man with a fair, smooth-skin, and very handsome. He carried an aura of dignity with him. Perhaps it was because of the excitement of the time. But whatever he was, people liked it. In fact, he did not even say much. He only said that he had delayed coming because some of Kenneth Kaunda’s stooges were bent on destabilizing the meeting. And the people cheered and hailed, “Shame, shame, shame!” This was this author’s first time to see Chiluba. The next time he saw him in person was when Chiluba visited Bread of Life Church for a service in 1998. During that service, Chiluba pledged K20 million to the church’s building project.

to *harass and embarrass* us....” (Colin Legum, *Zambia, Independence and Beyond: The Speeches of Kenneth Kaunda*, p. 4)

⁶³ Literally, “We shall live better,” in Bemba language.

Chapter 3 Shadowy Political Activism

*Open your mouth for the mute,
For the rights of all the unfortunate;
Open your mouth, judge justly,
And defend the rights of the afflicted
and needy - Proverbs 31:8 and 9*

BRIEF INTRODUCTION

In this chapter, the author explores his contributions to the Zambian political process as a community organizer. Special regard is given to the University of Zambia (UNZA) and its place in Zambia's socio-political development. The contribution of the author as leader of the community of Zambians in Canada is also canvassed.

≈ Politics ≈ Socio-political Activism ≈

AT THE END OF THIS CHAPTER:

1. You will appreciate the kind of socio-political influence the author grew up in;
2. You will further understand the key influences that shaped the author's worldview; and
3. You will be introduced to the essence of community activism of the author both at home and abroad.

MAJOR THEME:
Leadership;
Community Service

§3.1 UNZA – Political by Design

UNZA is political by design.⁶⁴ No matter from where one looks at it, UNZA is wired to protest, and sometimes, protesting for nothing at all. Tembo admits, “Before I went to the University of Zambia...I heard that it was too politicized.”⁶⁵ She heard right.

UNZA is a world, a nation within a nation. To all those who have had a rare privilege of passing along, as Elliot Phiri describes it, “The still waters of the Goma Lakes,” the old ways pass away, for better or for worse, and a new way of thinking, and even of doing things, emerge.

There are three things that happen to anyone who ever stepped a foot at UNZA. First, they are introduced to the true meaning of independence. UNZA is the hub of the liberal dogma, freedom rings loud and clear at UNZA. UNZA is Zambia’s center for intellectualism, defined by Mazrui as “an engagement in the realm of ideas, rational discourse and independent inquiry.”⁶⁶ Thus, UNZA has helped to shape democracy in Zambia both through intellectualism, and where it has been appropriate, through activism.

Second, UNZA teaches balance. UNZA students learn early that it does not pay to “wash books in water” or to “study in darkness.”⁶⁷ During the so-called *Gold Rush* period, usually in first year before students learn the color and taper of the institution, many sad experiences are usual. Many naïve first-year females are lured to the balconies of solidarity to taste the flavor of the most venerated *Monk Sausage*.⁶⁸ They may as well

⁶⁴ The University of Zambia or UNZA was founded in 1965 but it opened its doors to the first students in March 1966.

⁶⁵ Tabitha Mvula and Thomas Nsama, “Juliet Tembo – Life at UNZA,” *Post Lifestyle*, Sunday, December 4th, 2003

⁶⁶ Ali Mazrui, “Pan-Africanism and the Intellectuals: Rise, Decline and Revival,” in Thandika Mkandawire (ed.) *African Intellectuals* (Dakar: Codesria Books, 2005), p. 58

⁶⁷ See the author’s poem, “Idle Mind” in Charles Mwewa, *Song of an Alien* (New York: iUniverse, 2009), pp. 144-145

⁶⁸ Small, dried fish commonly called *Kapenta* in Zambia. It is sometimes shortened to *Monk Sauce*. *Kapenta* is a staple of the Zambian diet.

know, if they pay particular attention to the speech of the Vice-Chancellor, the only time he or she ever encounters the student body directly in their student life at UNZA, that life at UNZA is not linear.

It is, therefore, not a secret that many girls in the *Gold Rush* period are either deeply enchanted or are plainly promiscuous and open for abuse. The term *UNZA Open* is attributed to girls who have had a love affair with at least second-, third- or fourth-year male students at UNZA. It is ironic that future intellectuals are first fried in the pots of “broken virginities”⁶⁹ before they are cloaked into attires of borrowed brains.

From the *Gold Rush*, students emerge with different poses. Some become either reckless or ingratiate themselves as *UNZA Lumpens*, which in itself is an oxymoron. These are usually very bright students who simply love to make others pay, that is in peaceful times. They are dead-low drunkards who throw verbal sobriquets on sane campers. However, they become an asset during demonstrations, commonly referred to as *Vivas*. They constitute the frontline of vandals, rabble-rousers and political agitators during *Vivas* at UNZA.

Some emerge with unfinished business. If they are ladies they may acquire *Landlords*.⁷⁰ They are *Momas* in their own right and may exchange men more or less like under garments. They are partnered with *Mojos* who go around stroking women like selecting ripe mangoes from a bunch of greens.

The rest may fall in any of the two categories. They may have been strict Christians when they came to UNZA. These usually join such religious groups at campus as *Chi-Alpha*, Bread of Life, the Catholics, the Jehovah’s Witnesses, the Seventh Day Adventists and so on. These only know how to *pound* the Bible and are collectively known as *BAs*.⁷¹

The other category generally comprises self-defined *Monks*. They are cromulently known as *Inshimbi* or metal because they

⁶⁹ Song of an Alien, *supra*.

⁷⁰ This describes a relationship between a UNZA female student and a man outside the campus. These are usually prominent persons in the Zambian society.

⁷¹ Born-Agains

have a reputation of cramming for sciences and mathematics. They usually enlist in the School of Natural Sciences (NS). Special types of *Monks*, called *Bungwes*, have vowed never to come near the “scent of a woman.”

Third, UNZA teaches cooperation. The life of a *Monk*,⁷² *Mojo*,⁷³ *Moma*⁷⁴ or *BA*⁷⁵ at UNZA revolves around studies, sex and feeding. Students may come together in groups and form a *Kambis* or *Kambilombilo* for the purposes of economizing on spending. They are graced by young girls and boys who bring fruits and vegetables right to the *resz*⁷⁶ for sale. These boys and girls hail from the nearby shanty compounds like Kalingalinga. They are known as *UNZA Veg*. A common meal for most students, especially *Monks*, is *Nshima* with *Monk Sausage* or *Monk Chicken*⁷⁷ from well-pummeled *dust* or *powder* made on red-hot *Stone-age*⁷⁸ on the balcony.⁷⁹ After a successful *diving*,⁸⁰ some students, usually *UNZA-Diz*,⁸¹ those who have learned the *ropes*,⁸² may wonder out of campus to wash away the meal with a pint of Sheki-Sheki.⁸³

§3.2 Student Violence

The author’s philosophical approach towards UNZA student politics was one of caution. He did not particularly

⁷² Guys who chose to remain celibate

⁷³ Guys who indulged in highlife of girls and beers

⁷⁴ Ladies who indulged with men and loved wild parties

⁷⁵ Born-Again Christians, usually very strict on morals and dedicated to religion

⁷⁶ These are student residences or hostels. They include International, President, Kwacha, October, Vet, and so on.

⁷⁷ Common eggs are referred to as *Monk Chicken*.

⁷⁸ These are makeshift plate cookers from stoves.

⁷⁹ *Monks* call mealie meal dust or powder.

⁸⁰ Some students, especially those who are already broke, may from time-to-time *dive* or strategically visit other *Kambis* just at mealtime to have a chance of feeding with the group.

⁸¹ *UNZA-Diz* are those students who are routine drunkards.

⁸² Survival mechanisms

⁸³ Sheki-Sheki is a form of a locally brewed Zambian beer.

subscribe to the violent nature, or the resorting to vandalism each time there was need for government to intervene. He did not support students' stoning of innocent tax-payers' vehicles as a way of registering grievances with the government. His approach was to try and negotiate with government, even if government had a tendency of not listening.

This same philosophy was so instrumental in avoiding one immanent demonstration at UNZA during Hambwezya's tenure. The atmosphere at UNZA was tense. Hambwezya quickly ran to the author and asked for advice. A throng of the student body was gathering at the October Hostel in what was called *New Rez* (or new residence). Hambwezya and the author were consulting intensely on what to tell the body. Hambwezya had wanted this author to speak to them noting, "Since they respect you." He was right; the student body could have listened to the author, or would they?

The author declined to either appear with Hambwezya on the stage or to speak to the students. Rather, the author told him what to say and how to say it. He did. And it worked fantastically. After a few wrangles, the monstrous octopus had its tentacles cut and the noise subsided. As if a miracle had taken place, UNZA was calm again.

Hambwezya was relieved. He, however, accused the author of leaving him alone to be devoured by the wolfing student wrath. Of course, the author let him go alone purposely. First, Hambwezya had the mandate, the author did not. He was the legitimately elected president of the UNZA student body. Although the author had more leverage, he was, however, not the president of UNZASU. Second, the author did not want his name to be embroiled into the UNZA fracas.

Students have both moral and political rights to agitate against government. But during this author's time as a student at UNZA, he found student behavior of stoning and vandalizing the public's cars and property unacceptable. There was no justification for student rabble-rousing whenever there was demand for action from government.

In oppressive regimes, such as existed during apartheid in South Africa, although illegal, there was a moral justification for

the oppressed masses to resort to violence to register their grievances in defiance to bad laws. The situation in Zambia, especially in the Third Republic, did not warrant such behavior. In August 2009, Copperbelt University (CBU) students rioted and burned a vehicle belonging to a local businessman whom they also robbed of K200 million. Students at both UNZA and CBU continued to engage in similar behaviors to the detriment of the *Zambian infrastructural mishmash*.

§3.3 President 6-10

At UNZA, the author's room was in the President Hostel, room number ten, or President 6-10. This was his small cavity from 1996 to 2001. President 6-10, *alma mater*, was his, "Situation Room," of operations, ranging from academic, to religious, to socio-political activism. As a leader at UNZA in various capacities, the author received unsurpassed inspiration from three ladies; three women who, in the space of five years, did not only display moral virtue and excellence, but who UNZA should be proud of. One of these ladies, who also happened to be the niece to Charles Milupi, has gone on to become a great college lecturer. The second one is now a Veterinary Doctor while the last one specialized in Agricultural Economics. Almost all the persons the author influenced at UNZA became successful in their respective professions and all did contribute positively to the on-going progress of Mother Zambia.

It was here at President 6-10 in 2001 very early in the morning, around 5:30, one day that the author heard a knock on his door. When he opened the door, it was Hambwezya. He told the author that he and the UNZASU Executive were scheduled to meet late president Chiluba at State House that morning. He needed the author's advice on what to say. The author gave him his input. The next day, the author read in the papers that the UNZASU Executive had been to see the president at State House. And when he read what had been

discussed, he was so glad that it was the very ideas he had given Hambwezya the previous morning.

In the 1990s, Zambia had only two universities, UNZA and CBU. The educational, political and legal schools, among others, were all located at UNZA Great East Road Campus. The Medical School was located at UNZA Ridgeway Campus. By its design, UNZA was and has always been the center of political activism. Once one was accepted at UNZA, in one form or the other, they acquired a political department.

First, nothing came easily at UNZA. From registration, to scrumming for a few recommended available books at the library, to securing meal allowances, everything demanded a fight. Second, being one of the only two universities in a country of over twelve million people then, UNZA was and has always been the headquarters of free thinking and philosophical agitation.

At UNZA, everything took a political twist: Religion, culture, leisure, and everything in between were overtly politicized. In 2000 when the author was canvassing the support of the Catholic community at UNZA to be a part of UNZA-IFEC, the Catholic Chaplain, an astute Jesuit priest and lawyer, accused the author of “trying to win the Catholics to his side.”

UNZA was and has always been a distinct form of socialization. Girls came whole and graduated broken; boys came quiet and graduated vocal. Two places at UNZA determined students’ destiny: The rooftops and the Goma Lakes. At both places, plans were hatched, names changed, ideas born, and virginities broken. In this author’s published poetry book, *Song of an Alien*, he has captured the profligacy of the Goma Lakes in a poem by the same title.⁸⁴

During peaceful times, nobody cared what another did or said. But during disturbances, *mojos*, *monks*, *mommas*, and *BAs* joined forces in protest. And there was a history to that. Since its inception, UNZA students have shaped Zambia’s political landscape. UNIP’s landslide electoral victory in 1964 was partly

⁸⁴ Mwewa, “Goma Lakes,” in *Song of an Alien, supra.*, p. 124

premised on the people of Zambia's desire to advance themselves in terms of education.

Two factors necessitated the establishment of UNZA in 1966.⁸⁵ Out of a population of roughly three and a half million people, only about a hundred people were graduates. UNZA would serve to increase that number. Another, and probably more pressing factor, was that Kaunda needed to "honor his pledge over an accelerated expansion of educational facilities at all educational levels."⁸⁶ The establishment of UNZA would prove to be just an election campaign promise fulfilled or an improvement in educational delivery in Zambia; it would signify an essential force in forging Zambia's political temerity.

Mwanakatwe informed that students were among the pre-independence throng of pressure groups that joined forces with the political class to agitate for the end of colonialism:

In pre-independence days, practically all effective pressure groups among Africans recognized the urgent task of political and economic development. The African civil servants, the trade unions, church leaders and even students in government-owned and mission schools joined forces from time to time with the political class in the fight against colonialism.⁸⁷

UNZA students did not wait long after independence to carry on the tradition. According to Wele, the first form of student agitation at UNZA began in 1965 at the British High Commission to Zambia in Lusaka, "when the British flag was

⁸⁵ Officially, UNZA was established in 1965. Lectures and tutorials were first provided at Ridgeway Campus (former Oppenheimer College) near the University Teaching Hospital (UTH). Construction of permanent buildings for lectures and accommodation began in 1966 at what is now known as the Great East Road Campus. UNZA Great East Road Campus was completed in 1968.

⁸⁶ Patrick Motondo Wele, *Zambia's Most Famous Dissidents* (Solwezi: PMW, 1995), p. 42

⁸⁷ John M. Mwanakatwe, *End of Kaunda Era* (Lusaka: Multimedia Publication, 1994), p. 218

threaded by the first students.”⁸⁸ This happened after a rumor had circulated that four freedom fighters had been hanged in Southern Rhodesia without due process. This rumor was later disproved but not before the student agitators had tasted the bitter corners of the Lusaka Remand Prison.

§3.4 UNZA Closures

This author was accepted at UNZA in 1996 to do a four-year Bachelor of Arts degree. He was expected to complete it and graduate in 1999. But instead, he graduated in 2002. It took him six years to do a four-year undergraduate degree at UNZA all due to the closures of the institution. Usually, a nation’s educational standards are judged by the state and the quality of its highest institutions of learning. For Zambia, UNZA said it all in plain language.

Wele has cited about five UNZA closures between the First and Second Republics. The first closure took place on Thursday, July 15th, 1971. The reason cited for the closure was that government had received and considered “reports of discipline and lawlessness among students at university campus of UNZA.”⁸⁹ The UNZASU Executive and other students who signed a letter in which the students were alleged to have insulted the president on July 11th, 1971, were Ronald Penza, Cosmas Chola, Gerry Chabwera, Jonathan Momba, John Chileshe, and Enerst Kasula.

On July 7th, 1971, UNZA students demonstrated and on July 15th, 1971, late and former president Kaunda closed UNZA claiming that the students’ behavior was “highly insulting to the Head of State and quiet irresponsible.”⁹⁰ The students had demanded a say in the events happening in Zimbabwe. This was UNZA’s first closure.

⁸⁸ Wele, *supra*, p. 43

⁸⁹ *Ibid.*, p. 51

⁹⁰ *Ibid.*, p. 47

The second UNZA closure happened on February 10th, 1976, after “200 students...staged a demonstration in support of MPLA.”⁹¹ The Minister of Education cited provocation, intimidation and violence as having necessitated the closure.⁹² After six years, UNZA closed again for the third time. The student union leaders were agitated by the launching of the Institute of Human Relations.⁹³ The students did not see anything relevant in such an institute other than it would put the workers and peasants to sleep. The underlying objective of the Institute, which also had received the anointing of John Mwanakatwe,⁹⁴ was to promulgate the philosophy of Humanism. The students were averse to this school of thought which they considered as the first stage in the creation of a “man-centered society.” On April 21st, 1982, UNZA was closed.

The fourth UNZA closure was caused by hikes in tuition fees. Prompted by the IMF and the World Bank, UNZA had raised the fees by over 30 percent sending students into campus histrionics.⁹⁵ On May 18th, 1986, the UNZA administration⁹⁶ closed the campus because students were accused of “insulting the leadership of the Party and Its Government (or PIG).”⁹⁷ On June 30th, 1990, UNZA closed for the fifth time. It was this closure which was material to the downfall of former president Kaunda.

In the late 1980s, the IMF and the World Bank had introduced Structural Adjustment Programs (SAPs)⁹⁸ on

⁹¹ Wele, *supra.*, p. 57

⁹² Fwanyanga Mulikita; for a more comprehensive coverage of the second closure of UNZA, see Hamalengwa's *Thoughts are Free*.

⁹³ Or the School of Human Relations. It had to have two objectives: To conduct research in the sphere of human relations; and to be able to publish the *Zambia Journal of Human Relations*.

⁹⁴ Former Minister of Education

⁹⁵ Boarding fees rose from K1200 to K1900

⁹⁶ Under the Vice- chancellorship of Dr. Jacob Mwanza

⁹⁷ Wele, *supra.*, p.73

⁹⁸ SAPs or Structural Adjustment Programs refer to the austerity measures that the IMF imposes as prerequisites for further foreign aid, see Grotpteter *et. al*, *Historical Dictionary of Zambia*, p. 415.

Zambia. The students felt that the conditions attached to these stabilization programs ignored the structural problems of Zambia. Coupled with the gradual withdrawal of the subsidy⁹⁹ on maize announced on June 19th, 1990, by the then Prime Minister, Malimba Masheke, “Dissension over the increase reached such a feverish peak that the writing was evidently seen on the wall for the government.”¹⁰⁰

In Zambia, SAPs were partly the underlying cause of the 1991 pro-multiparty democratic movement. Previously, Kaunda and UNIP had shown a lack of commitment in the implementation of stabilization and SAP policies between 1973 and 1991. On many occasions, the UNIP government failed to fulfill the agreed targets and had the agreements suspended or cancelled. However, as the economic situation worsened, government was perceived as having been responsible for the economic crisis. Thus, the demand for democracy in Zambia was also an expression of opposition to the effects of structural adjustments.¹⁰¹

On June 26th, 1990,¹⁰² the students marched on Cairo Road in demonstration against the food shortages and price increases. Through the student incitement, the mob grew and widened its tentacles to include cigarette sellers,¹⁰³ marketeers and unruly youth. This mob transformed itself into a demolisher of supermarkets, shops and government buildings. Looting and rioting married and gave birth to a *Dark Tuesday*.¹⁰⁴

⁹⁹ Subsidy on mealie meal was gradually withdrawn from K114.50 to K269.00 for “Breakfast meal” and from K82.30 to K198.00 for “Roller meal.”

¹⁰⁰ Wele, *supra.*, p. 74

¹⁰¹ See Simutanyi, “The Politics of Structural Adjustment in Zambia,” p. 825

¹⁰² Frederick Chiluba, in *Democracy: The Challenge of Change* (1995) on page 64, places this date on June 25th, 1990

¹⁰³ Also known as *Mishanga-Sellers* in vernacular

¹⁰⁴ Tuesday, June 27th, 1990, prompted by an erroneous revelation that Kaunda had a stack of US\$5 billion in foreign banks insinuated by Gen. Christon Tembo, from UNZA to Chilenje, the mob ransacked and looted Kabulonga Supermarket, mistaken to have been owned by the Kaunda family. In fact, the supermarket was owned by Lendor Burton.

While events in the country, and specifically the closure of UNZA, were simmering, a pressure cooker was seething at ZNBC. It began with the surprise announcement: “Due to the escalating cost of living followed by the food riots, the Zambia Army has decided to take over the government. This is Lt. Mwamba Luchembe.”¹⁰⁵ The event was too much for Alexander Grey Zulu who announced that the coup attempt had been foiled by the commandos under the command of Brigadier General Weston Chanda.¹⁰⁶ President Kaunda, who was opening a Trade Fair in Ndola, was awakened to the “Lord is My Shepherd.”¹⁰⁷

The events surrounding UNZA demonstrations and closures, and the riots that rocked the City of Lusaka leading to the Luchembe coup attempt and the shaking up of the UNIP regime under Kaunda have been well captured in Chiluba’s book, *Democracy: The Challenge of Change*. “The University of Zambia has always been a center of political agitation. By the end of 1980s students and academic staff alike were predisposed to be dissatisfied with the government, which on several occasions had closed the university and disrupted the academic program, sometimes in retaliation against their political outspokenness.”¹⁰⁸

UNZA is, and has always been, a partner in the Zambian democratic process. Despite that, UNZA has also been a place where dreams have been shattered, minds deranged, and public infrastructure destroyed. This author’s role at UNZA was both of altruism and *quasi*-political. But upon relocating to Canada in pursuit of further studies, he decided to spend his spare time and energy serving the Zambian community there.

¹⁰⁵ Wele, *supra*, p. 171

¹⁰⁶ As Secretary-General of UNIP, Grey Zulu was the second most important politician in Zambia, and at ZNBC he announced that the coup was the work of one undisciplined soldier.

¹⁰⁷ Psalms 23 (Bible)

¹⁰⁸ Chiluba, *supra*, pp. 64-65

Chapter 4 Rural & Shanty Poverty in Zambia

Poverty and war can aggravate the evil in human-beings to commit atrocities unimaginable in human relationships. Poverty is evil.

BRIEF INTRODUCTION

In this chapter, the theme of rural poverty is brought to the fore. It discusses the historical events and actions that have relegated Zambia to a poorest and highly indebted nation. It exposes the impact of poverty on the productive demography of the nation.

The chapter then delves into the issue of shantytowns. Discussed in a historical context, the chapter ends by prescribing conditions necessary and the averment for a comprehensive resettlement policy.

≈ Politics ≈ History ≈
Poverty and Housing

AT THE END OF THIS CHAPTER:

1. You will understand why Zambia needs to shrink economic disparities within its population;
2. You will appreciate the unfortunate story of poverty and its devastating impact on the concept of humanity; and
3. You will know the reason why shantytowns mushroomed in Zambia and the need for a comprehensive resettlement policy to end them, permanently.

MAJOR THEMES:
Economic Disparities;
Rural Poverty; and
Shantytowns

§4.1 Poverty Despite Independence

In Chapter Seven, reference is made to the question of whether Zambia was ready to embrace independence in 1964. It is posited that Zambia was and the subsequent poverty condition does not controvert that position. The economy of Zambia, from the First to the Second Republics, is explored in chapters 22 and 23.

Despite political independence, Zambia faced an economic challenge. That challenge was inherent in four aspects of the Zambian economy: The mixed blessing of copper; the disorientation of the transport sector; the reliance on the capitalist economies; and the negligence of the manufacturing and agricultural capabilities, and of rural development.¹⁰⁹ Zambia had inherited political structures without economic resources.

Here is what justifies the genius of the founding leaders of Zambia – they were ready to take the bull by its horns. Since Godwin Lewanika,¹¹⁰ the Africans had been subjected to a game of cat and mouse. During the colonial period, the resources of Northern Rhodesia went to develop other territories. When the Colonial Office knew it had quite left nothing in Northern Rhodesia, it then decided to grant the so-called independence to Zambia.

Zambia, at independence, would have to depend on foreign expatriates to operate its major sectors including government

¹⁰⁹ See Timothy M. Shaw, “Zambia: Development and Underdevelopment,” (1976) *Canadian Journal of African Studies*, Vol. 10, No. 1, p. 7; Alistair Young, *Industrial Diversification in Zambia*; Douglas G. Anglin, “The Politics of Transit Routes in Land-locked Southern Africa,” in Zdenek Cervenka (ed.), *Land-locked Countries of Africa* (Uppsala: Scandinavian Institute of African Studies, 1973); Charles Elliot, “Growth, Development or Independence?” in Heide and Udo Ernst Simonis (eds.), *Socio-Economic Development in Dual Economies: The Example of Zambia* (Munich: Weltform Verlag for African Studies Institute, 1971); and Charles Elliot, *King Copper: The Extraction of Copper and Its Impact on Zambian Society* (London: Europe/Africa Research Report, 1971)

¹¹⁰ Godwin Lewanika was the first leader of the Northern Rhodesia Congress, which was shortly changed to Northern Rhodesia African National Congress (ANC)

services. Specifically, Zambia lacked capable educated people to run its government. At independence, Zambia's educated people could be counted. One of Zambia's notable, and the first Zambian university graduate, was John Mwanakatwe. On November 1st, 2009, the author had a rare privilege of moderating the Mwanakatwe Memorial Service in Toronto, Canada. At the service, Chisanga Puta-Chekwe¹¹¹ gave the following eulogy, reproduced below in part:

John Mupanga Mwanakatwe (JMM) achieved many firsts. He was Northern Rhodesia's first university graduate. He had a distinguished career as a teacher at Munali where he taught Bemba, English and Latin. He then scored another first by becoming the first African to serve as Principal of a secondary school. Another first came when late JMM was asked to serve as Assistant Commissioner at the Northern Rhodesia Commission in London. After the 1964 one person one vote election in Zambia, Mwanakatwe became the Minister of Education and presided over the desegregation of schools in the country. He later held other portfolios such as Minister of Finance.¹¹²

Compounding Zambia's rural poverty and poverty in general after independence, were external factors. Principal among these was political instability in the central-southern African region because of the struggles for freedom: "Conflicts with Rhodesia resulted in the closing of Zambia's borders with that country and severe problems with international transport

¹¹¹ Puta-Chekwe is one of the sons of Robinson Puta, a nationalist political figure of the 1950s who was active in trade union movements. Puta-Chekwe studied law at the University of Birmingham in England. A Rhodes Scholar, he received a Master of Law degree from the University of London, and B.A. and M.A. degrees in philosophy, politics and economics from the University of Oxford. On March 9th, 2009, Puta-Chekwe was appointed as Deputy Minister of Citizenship and Immigration and Deputy Minister Responsible for Women's Issues by Premier Dalton McGuinty, Premier of Ontario Province.

¹¹² Kaela Mulenga, "Memorial for Zambian Heroes" (2009)

and power supply.”¹¹³ Despite the constructions of the Kariba Dam¹¹⁴ and the Tanzania-Zambia Railways Authority (TAZARA),¹¹⁵ respectively, Zambia’s problems were still not solved.

Zambia continued to face the challenge of an increasing number of refugees pouring in from the neighboring countries. Zambia’s strong support for South Africa’s African National Congress (ANC) party, which had its headquarters in Zambia’s Capital City Lusaka, further created security problems with South Africa.

The twin most significant events in the history of Zambia after independence, as far as the national economic situation is concerned, were the Mulungushi Reforms of 1968 and the severe worldwide decline in the price of copper in the mid-1970s.

In April 1968, Kaunda announced the Mulungushi Reforms to restructure the Zambian economy. The government would acquire over 51 percent equity shares in the number of foreign-owned companies. The new structural arrangements would be controlled by the Industrial Development Corporation (INDECO). Two major foreign mining corporations were targeted: the Anglo-American Corporation and the Rhodesia Selection Trust (RST). The former became the Nchanga Consolidated Copper Mines (NCCM) and the later, Roan Consolidated Mines (RCM). The Mining Development Corporation (MINDECO) was quickly created as the mother-body of all parastatals in Zambia. This was followed by the Finance and Development Corporation (FINDECO), which allowed Kaunda to gain control of insurance firms and building societies. INDECO, MINDECO, and FINDECO came under an omnibus parastatal, the Zambia Industrial and Mining Corporation (ZIMCO) in 1972 with Kaunda as Board

¹¹³ *Ibid.*

¹¹⁴ The Kariba Hydroelectric Station on the Zambezi River provided sufficient capacity to satisfy the country’s requirements for electricity.

¹¹⁵ A railroad to the Tanzanian port of Dar-es-Salaam, built with Chinese assistance, reduced Zambian dependence on railroad lines south to South Africa and west through an increasingly troubled Angola.

Chairman. In 1982, NCCM and RCM were merged into the Zambia Consolidated Copper Mines Ltd (ZCCM). This completed the process of nationalization.

This was also the beginning of huge Zambia's foreign debt accumulation. In order for Zambia to compensate for this fall-out, the nation borrowed extensively from the international donors. However, "In 2005, Zambia qualified for debt relief under the Heavily Indebted Poor Countries (HIPC) initiative, consisting of approximately US\$6 billion in debt relief."¹¹⁶ Some bilateral debt was eventually cancelled, but this was excluding commercial debt. It was expected that the resources which went to servicing external debt would be used to finance rural projects.

§4.2 Theories of Poverty in Zambia¹¹⁷

Poverty in Zambia is unwarranted, and even unexplained. Zambia subscribes to two economic conundrums: The fact that all the factors that make nations wealthy are present; and the fact that all the conditions that make nations poor are non-existent. Despite that, the nation is still poor and struggling.

§4.2.1 Good Institutions but Still Poor

The brightest of economics' minds in the world have failed to explain why the major factors attributive in *Why Nations Fail* by Acemoglu and Robinson are not applicable to Zambia, and yet the nation is still one of the poorest in the world. Zambia has good political and democratic institutions, conducts free and fair elections every five years, is rich in mineral and climatic wealth, and has relatively credible infrastructures that exploit its resources. Most economic commentators identify good laws

¹¹⁶ Kaela Mulenga, "Memorial for Zambian Heroes," *supra*.

¹¹⁷ This section is taken in its entirety from Charles Mwewa, *HH is the Right Man for Zambia: And Other Acclaimed Articles on Zambia and Africa* (Ottawa: ACP, 2021), pp. 23 – 32; the article was first published under the title of, "Unjustified Poverty in Zambia."

and practices that motivate people to work hard as conveyor-belts for economic productivity. These, they assert, help to enrich both citizens and nations alike. Zambia is rich in both.

Zambia's relatively history of good government has permitted good institutions to take shape. A sincere disservice that most economic theories postulate is that, for Africa in general, and for countries like Zambia in particular, the people have not had enough time to absorb or otherwise unlearn their long history of tribal organization. In short, tribal organization is construed as a recipe for poverty in years to come. The assumption is that long lines of tribal chiefs have not empowered their subjects towards independent rational thinking as well as towards true economic freedom. Those who advance this thesis argue strongly, ironically, that Britain, for example, has benefited from its monarchical establishment, while those from chieftdom-type establishments have not.

This posture does not explain why Zambia is poor, either. In fact, the pre-colonial Zambian regimes worked to encourage tribal governance rather to decimate it. Through Indirect Rule, African chiefs were given mandates, albeit salaciously, to continue to rule the locals on pre-imperial patterns. By October 1964, Zambia was already being governed from Lusaka, evidence that a strong central government was deeply entrenched into the Zambian political proclivity.

§4.2.2 Reversal of Fortunes

Africa has experienced what is termed as “the reversal of fortune.” This is mostly attributed to European Imperialism, especially at the end of the 19th Century. At some time in the past, Peru, Indonesia, and India were very wealthy nations; the African continent as well was. European imperialists introduced corrupt “extractive” economic institutions, such as forced labor and confiscation of produce, to drain wealth and labor from the natives. In other words, the governing elites extracted incomes and wealth from the masses in order to enrich themselves. As uncouth and unpalatable politically as this postulation may seem, it still does not explain why a country like Zambia is poor.

A quick visit to one of the Zambian shanty compounds will reveal that people there live in conditions too despicable for human habitation. They sleep in conditions too drastic to be described. They eat once per day and carry on their day-to-day affairs in situations too inglorious to be explained. Yet, even the most human of the Zambian politicians just resign themselves to mere maintainers of the *status quo* when they get in power.

The national infrastructure is in deplorable conditions. Some bridges are as old as Zambia itself; some prisons as small as when the population of the country was only 3.5 million and still catering for a population of over 19 million.¹¹⁸ Hospital spaces, medical equipment and medicines, are in critical supply. Schools, and even the University of Zambia, are in unspeakable conditions – students and pupils alike barely survive, jeopardizing both the quality and delivery of education.

The Lusaka (Kenneth Kaunda) International Airport, still the same capacity as when it was built over 40 years ago, remains the same size and in deplorable conditions. City centers and towns are harbingers of disease and dirt; roads are in serious state of disrepair, with lethal potholes; and people die just when they reach their most productive ages. Occasionally, a new building or sets of buildings or malls or hotels pop out in some place, and there is great jubilation and celebration. And yet, such so-called developments have been long overdue – by the time certain ills and conditions of society are addressed, people have contracted diseases and even passed on. There is no sense of urgency on the part of the rulers; and there is no sense of spirit for protest on the part of the ruled. It's as if the governors and the governed have come to accept their conditions as fate. And worse still, credible institutions of the Bretton Woods keep satiating the economic image of Zambia with pontificated appraisals, such as the statement issued by the IMF mission that, “Zambia’s economy prospects of 2013 look good with real Gross Domestic Product (GDP) growth

¹¹⁸ As of September 17th, 2021, Zambia’s population was estimated at over 19 million people according to <https://www.worldometers.info/world-population/zambia-population/> (Retrieved: September 18th, 2021).

expected to be at eight percent while inflation is expected to be at six percent.”

Election debates are fuelled by politics of personality while issues that affect the majority are bypassed. Major media outlets like the electronic and print either report on what excite them and otherwise promote their philosophy and whims or are politically news based. There is generally a parochial worship of foreign-driven development, which for the most part, is only a conduit of neo-colonial punditry. A sense of the now blurs the efforts to invest for the future. An acceptance of politically defined progress limits the nation’s capacity to stretch itself further and explore new ideas, new ventures and new ways of approaching development.

§4.2.3 The Curse of Mineral Resources

Citations and including those nominated by the C.I.A all seem to highlight the mineral resources of Zambia more as a curse than a blessing. The so-called “curse of natural resources” has been depicted in statements like, “Zambia’s economy has experienced strong growth in recent years, with real GDP growth in 2005-11 of more than six percent per year. Privatization of government-owned copper mines in the 1990s relieved the government from covering mammoth losses generated by the industry and greatly increased copper mining output and profitability to spur economic growth. Copper output has increased steadily since 2004, due to higher copper prices and foreign investment.”¹¹⁹ Just when you think this salutation is sustainable, and then you read that poverty is still a significant problem in Zambia, and this is despite a stronger economy at any point in time.

A conundrum so devastating to national ethos, a statement so damaging to national conscious; an appraisal so demeaning to the national intellect; and an elegy to the nation’s productive future – this salutation remains a Zambian curse. Moreover,

¹¹⁹ KPMG International, “Zambia – Country Mining Guide,” 2013, p. 6, sourced from The World Copper Factbook 2012

and to add insult to injury, between 2005 and 2006, Zambia qualified for debt relief under the Highly Indebted Poor Country Initiative. About US\$6 billion was forgiven in debt relief. One would have thought that the politicians' foremost excuse for poverty in the country was dealt with, alas; poverty has remained a significant problem in Zambia.

If Zambia's dependency on copper makes it vulnerable to depressed commodity prices as has been postulated, the period between 2005 and 2012 refuted that claim. For in that period, the nation recorded high copper prices in addition to a bumper maize crop between 2010 and 2012. Moreover, Zambia, in economic terms, was barely affected by the 2008 world economic crunch. Yet, countries that were affected by the credit melt-down of 2008 recovered and are still richer; Zambia remains poor and one of the poorest in the world.

§4.2.4 The HIV/AIDS Excuse

Zambia had a high birth rate, of approximately 43.51 births/1,000 population in 2012 and at “35.459 births per 1000 people, a 0.77 percent decline from 2020.”¹²⁰ Zambia's death rate stood at 12.42 deaths/1,000 population in July 2012, and there was “about 6.32 deaths per 1,000 inhabitants in Zambia”¹²¹ between 2019 and 2021. The implications are huge. It is this dynamic that is material to the poverty debate rather than the HIV/AIDS excuse. While on one hand, there has been emphasis on fighting the HIV/AIDS pandemic, which some see as a menace to the productive age of the Zambian demographic, there has been, on the other, a denial that considering the number of births apropos to deaths in Zambia, the biggest problem, as far as poverty is concerned, has been in controlling the population spurts. The reason often advanced is that a relatively high HIV/AIDS burden and market distorting

¹²⁰ <https://www.macrotrends.net/countries/ZMB/zambia/birth-rate> (Accessed: September 18th, 2021)

¹²¹ <https://www.statista.com/statistics/581149/death-rate-in-zambia/> (Accessed: September 18th, 2021)

agricultural policies have meant that Zambia's economic growth has not dramatically decreased the stubbornly high poverty rates. This, too, does not explain why there is poverty in Zambia. It only highlights the failures in combating it.

§4.2.5 Disease Does Not Cause Poverty

Diseases cannot be blamed for poverty, because even as Acemoglu and Robinson have argued, "Disease is largely a consequence of poverty and of governments being unable or unwilling to undertake the public health measures necessary to eradicate them."¹²² Although tropical diseases like malaria kill a lot of children in Zambia, UNICEF has vouched that malaria has been under control, for "Zambia has made strides in malaria prevention and control in the last five years." The numbers of deaths arising from malaria in Zambia per year in 2021 was 8000. In fact, since 2012, there was a "decline in malaria incidence rates from 407 cases per 1,000 in 2014 to 336 cases per 1,000."¹²³ And by 2021, Zambia was aiming at being malaria-free.¹²⁴ This was not worse in comparison to Canada where about 75,700 people would die from cancer alone in 2012, and about 82,100¹²⁵ in 2019. Indeed, over 670,000¹²⁶ people died from Covid-19 alone in the US by September 2021,

¹²² Daron Acemoglu, James A. Robinson, *Why Nations Fail: The Origins of Power, Prosperity and Poverty*, p. 51

¹²³ *Reuters*, "Zambia Aims to Eradicate Malaria by 2021: Health Minister," June 27th, 2018

¹²⁴ *Ibid.*

¹²⁵ <https://www.canada.ca/en/public-health/services/reports-publications/health-promotion-chronic-disease-prevention-canada-research-policy-practice/vol-39-no-8-9-2019/notice-canadian-cancer-statistics-2019.html> (Retrieved: September 18th, 2021)

¹²⁶ *The New York Times*, "Coronavirus in the U.S.: Latest Map and Case Count," September 18th, 2021, <<https://www.nytimes.com/interactive/2021/us/covid-cases.html>> (Retrieved: September 18th, 2021)

and yet US is the most powerful nation with the largest economy in the world.¹²⁷

§4.2.6 Soil Quality Does Not Cause Poverty

Similarly, some analysts' arguments that, "Europe has glaciated fertile soils, reliable summer rainfall, and few tropical diseases; tropical Africa has unglaciated and extensively infertile soils, less reliable rainfall, and many tropical diseases,"¹²⁸ only partly explains why certain countries like Zambia are still poor.

Agricultural productivity has little to do with soil quality. The case of the Nile Delta and of the Rhine River Valley¹²⁹ are germane to this debate. It has nothing to do with the "ownership structure of the land and the incentives that are created for farmers by the governments and institutions under which they live," either. Zambia has one of the most liberal policies in the world in as far as land is concerned. And Zambians are among the most hard-working peoples on the global.

§4.2.7 No Political Instability but Still Poor

By purchasing power party (PPP), the ten poorest countries in Africa, namely Congo DR (\$400), Liberia (\$500), Zimbabwe (\$500), Burundi (\$600), Somalia (\$600), Eritrea (\$700), Central African Republic (\$800), Niger (\$800), and with the exception of Madagascar (\$900), and Malawi (\$900), have all been dogged by civil wars or critical political conditions. Zambia has not. On

¹²⁷ <https://www.usnews.com/news/best-countries/power-rankings> (Retrieved: September 18th, 2021)

¹²⁸ Jared Diamond, "What Makes Countries Rich or Poor?" a Review of *Why Nations Fail* by Daron Acemoglu and James A. Robinson in *The New Yorker Review*, June 7th, 2012, <https://www.nybooks.com/articles/2012/06/07/what-makes-countries-rich-or-poor/?pagination=false> (Retrieved: September 18th, 2021)

¹²⁹ See "Chapter 1: Agriculture on the Rhine," by T. C. Banfield, *Industry of the Rhine, Series I: Embracing a View of the Social Condition of the Rural Population of that District* (London: Charles Knight & Co., 1846), pp. 5-26

the contrary, Zambia boasts of inclusive economic and political institutions that distribute power broadly in society and which are subject to constraints. In Zambia, power may not be vested in a single individual or a narrow group; there is a thriving caucus of opposition political parties, and a truly remarkable and well-groomed civil society. And yet, and despite all the liberal democratic pluses, Zambia is still poor.

§4.2.8 Zambian Culture Does Not Promote Poverty

Some blame a work culture in Zambia. Critical analysis does not support that premise, either. The Zambian work situation will reveal that it is more of the work policies and not a work culture. Zambian work culture and philosophies, generally, support hard work, industry and diligence. A microscopic evaluation of the Zambian village lends credence to this assertion. There, people till their land from morning till evening. There, people have, traditionally, been self-sufficient for centuries. There, laziness is not only undesirable, but it is spurned upon as a societal ill.

§4.2.9 Other Theories on the Causes of Poverty

“Poverty in Zambia is the result of decades of economic decline and neglected infrastructure,”¹³⁰ it is argued. Economic decline may be a contributory cause to poverty. However, this does not explain situations when Zambian economy performed well. “Poverty in Zambia is rooted in historical, geographical and social factors.”¹³¹ This is a statement of fact, but it does not explain the cause of poverty. “Another major cause of poverty in Zambia is the government corruption and lack of monitoring

¹³⁰ Aishwarya Bansal, “The Top Five of the Largest Causes of Poverty in Zambia,” *Borgen Magazine*, August 3rd, 2017, <https://www.borgenmagazine.com/causes-of-poverty-in-zambia/> (Retrieved: September 18th, 2021)

¹³¹ *Ibid.*

of the public resources.”¹³² Indeed, this is generally true; corruption may prevent a certain section of the population from accessing national wealth. It is one of the causes, but it still does not explain the reason why throughout its history, even when Zambia had strong anti-corruption presidents, like Kaunda and Sata, the nation’s poverty situation simply worsened. “Illiteracy is widespread and is a huge hindrance for economic growth.”¹³³ Illiteracy can be a cause of poverty. However, in Zambia, illiteracy seems to be more a result of poverty than its cause.

§4.3 Real Action is Required

What is germane to the poverty debate is that a conscientious government addresses the problem without giving undue excuses. Addressing questions of why Zambia is poor have been the preoccupation of social scientists for the past more than forty years, and no tangible result has been achieved for the majority poor Zambians so far. Co-relating the presence or prevalence of war or famine in some countries; the role of effective central governments; the deleterious effect of corruption and corrupt government officials; and the over-used platitude of “resource-rich but lack capital needed to create infrastructures,” mantras are all only bywords.

What is required is *any* government in power, in concert with the *people* themselves, to frown upon poverty, treat it like a deadly disease, for so it is, and to move heaven and earth to remove it, permanently. What is required is doing; not talking. What is required is creating many opportunities; not proposing alternatives. What is required is using the profit from copper sales to create jobs for the unemployed, improve dilapidated schools and hospitals, resuscitate national infrastructure and erase shanty compounds and create modern housing in their place.

¹³² *Ibid.*

¹³³ *Ibid.*

Indeed, what is required is an ambitious program to rid the town-centers of squalors, street vendors and in their place create clean and responsible, taxable ventures. What is required is a policy on sanitation that penalizes anyone vandalising public property or throwing garbage¹³⁴ everywhere other than in designated bins, or urinating in open places rather than in well-maintained public washrooms,¹³⁵ etc. What is required is to ignore orthodoxy, and, instead, to educate and empower the people and who will in turn change their situations. A legislated poverty action plan that disdains poverty, educates on poverty, creates actionable programs, implements poverty strategies, acts, reviews and ends poverty, is required.

§4.4 Zambia without Poverty

Poverty has been a persistent issue in Zambia since independence. It is Zambia's enemy number one, and it should be ended. It is a manifest reality of over 80 percent of the population. There must be a legal strategy to the ending of poverty in Zambia. A comparative example can be drawn from the Quebec Model.¹³⁶

Quebec provides a shining example, and a political will, that is essential to ending poverty in Zambia and provides a framework for future adjustment. From the outset, it must be stated that poverty is not only an exclusive government problem. Poverty requires leadership from all levels of society: The community, the civil society and churches, government

¹³⁴ Rubbish

¹³⁵ Toilets

¹³⁶ In December 2002, the Quebec National Assembly adopted the *Act to Combat Poverty and Social Exclusion (Poverty Act)* becoming the first jurisdiction to do so in the world. The *Poverty Act* dealt with the "future of the poor" premised on the notion that fighting poverty itself contributes to participatory democracy, promotion and protection of human rights and more specifically of economic and social rights. Quebec's model of using legislation to fight poverty and promote economic and social rights could be a useful model for Zambia. [Except from this author's Master's Dissertation in International Business Law].

ministries and agencies, the private sector and the business world as well as the persons themselves who live with and experience poverty daily.

§4.4.1 The Quebec Model

What sets Quebec¹³⁷ apart is the decision its government made in 2002. In that year, Quebec unanimously passed an *Act to Combat Poverty and Social Exclusion* (the “*Poverty Act*”). The preamble to this Act is telling, and states, in part: “Whereas poverty and social exclusion may constitute obstacles to the protection of and respect for human dignity...the effects of poverty and social exclusion impede the economic and social development...the fight against poverty and social exclusion is a national imperative...”

The objective of this Act is well-spelled out in Chapter 1, namely, “To guide the government and Québec society as a whole towards a process of planning and implementing actions to combat poverty, prevent its causes, reduce its effects on individuals and families, counter social exclusion and strive towards a poverty-free Québec.”¹³⁸

Notice, the emphasis placed on: To combat poverty; prevent its causes; and reduce its effects. It is a comprehensive law that defines poverty as low income, lack of means, inability to make informed choices and absence of power by the victims of poverty. In other words, Quebec has in place an official poverty measurement tool. It has established targets and timelines, identifiable measurement tools, a verifiable community engagement process, mechanisms for accountability and reporting, as well as adequate investment, all set within a human rights framework of the Act.¹³⁹

In Quebec, it is an abuse of human rights to be poor. In other words, it is “illegal” to be poor in Quebec. This came so

¹³⁷ One of the ten provinces of Canada

¹³⁸ *Poverty Act*, Chapter 1

¹³⁹ Canada without Poverty <https://cwp-csp.ca/poverty/poverty-progress-profiles/> (Retrieved: September 15th, 2020)

eloquently when Quebec set to reduce poverty in the province by half over a ten-year period. Quebec intends to achieve the lowest levels of poverty in the industrialized world.

§4.4.2 The Will and Strategies

Zambia already has a legislated economic framework solidly embedded into the national constitution, thus: “The State shall endeavor to create an economic environment which shall encourage individual initiative and self-reliance among the people and promote private investment.”¹⁴⁰ However, this framework does not specifically combat poverty. It is an economic right or promise without a defined strategy. It is a vision of an economic action. Real actions in terms of specific legislation and action plans, are required to translate the intentions into reality.

There is a simple solution to Zambia’s poverty quagmire. The first two of which are limited government participation in the economic marketplace; and the unlimited private sector development. The Zambian society has become so apron-tied to government that it is almost impossible to fathom its existence without government intervention. Yes, very simple strategies exist to changing the Zambian poverty landscape, and the idea is already enshrined in the national constitution, namely, that, to best govern, government must govern least.

There is a difference between Socialism and a Welfare State.¹⁴¹ The former has lamentably failed and does not guarantee freedom of contract. In it the State, rather than an individual, is at the center of economic activities, directing, controlling and allocating resources. The later, on the other hand, has borne tremendous results wherever it has been implemented. The example of the Scandinavian States attests to this. Zambia must run away from Socialism and embrace the tenets of a social democratic society. To do so, government

¹⁴⁰ Article 112(b) of the *Zambian Constitution*

¹⁴¹ See Chapter 28 of this book for a comprehensive discussion on the Welfare State.

must not be an economic engine of the State but should only “endeavour to create an economic environment which shall encourage individual initiative and self-reliance among the people and promote private investment.” The key player should be an “individual,” not the State.

§4.4.3 Limited Government

The principle of limited government emanates from the idea that government is not in general charge of the State. Rather, that government plays a specific role in the economic marketplace. During the Second Republic,¹⁴² government played a parental role in the economy – directing and controlling every means of production and operations.

There is an underlying problem with this approach. No matter how competent government may be, it cannot manage the economy effectively and efficiently. If it does, it must stretch itself beyond limits. The result is mainly diminished capacity in the supply of vital national services such as payroll, healthcare, education, etc.

This approach places government at the job-creation table. When government is the sole or major creator of employment in the nation, it runs into the quandary of having to tax itself, thereby running into perpetual deficits.

Moreover, historically, in nations where government has been in general charge of the economy, high inflation rates have been the norm and not the exception. Under this approach, for government to be able to continue to provide vital services, government must print more and more money frequently to offset the deficit.

Not only will there be more money supply in the economy, but productivity will also suffer as a result of the lack of competition in the economic marketplace. With no productivity in the economy, also comes persistent dependability on the bilateral and multilateral donors.

¹⁴² See chapters 8 and 22 of this book.

Since 1991, there has not been a nation on the globe which has succeeded with Socialism. Socialistic monopoly – a system akin to the control of the means of production – has not worked well, either. Government, therefore, must play a very limited role in the running of the national economy, abdicating the larger share of economic responsibility to individuals or the private sector.

§4.4.4 Unlimited Private Sector Participation

The Zambian Government has recognized the inevitability of the private sector in fostering development in Zambia. Launching the 6th NDP in 2011, former President Banda reiterated, “The private sector remains crucial to Zambia’s development, and we will continue our work to provide a climate that encourages investment and partnership.” In Zambia, successive governments should implement an atmosphere conducive for businesses to operate and thrive. The private sector is the cornerstone of the free-market economic system. Zambia must embrace this because Zambia remains one of the most liberal markets in central-southern Africa.

According to the World Bank, “Private markets drive economic growth, tapping initiative and investment to create productive jobs and raise incomes.”¹⁴³ There are four benefits a private sector brings to an economy.

First, it creates productive jobs. Although government may now be the major employer in the Zambian economy, government alone, however, cannot supply all the jobs needed to satisfy economic demand. The private sector best does this by supplementing government insufficiencies. It creates jobs that both improve the economic well-being of the citizenry and contribute to national income through taxation. Employment

¹⁴³ Social Explorer, “Data Dictionary: World Development Indicators 2015,” <

https://www.socialexplorer.com/data/WDI2015/metadata/?ds=ORG&var=WDI12_012> (Retrieved: September 15th, 2021)

so generated by the private sector is necessary to improving consumer index and confidence, and thereby increasing the purchasing power of the Kwacha.¹⁴⁴

Second, it raises incomes. The single most important determinant of the people's economic well-being is their levels of income. The private sector, more than government itself, does this well. It gives people more money, and eventually, better spending.

Third, the private sector helps to drive economic growth by encouraging trade. No single nation commands comparative advantage on all goods and services. Trade brings balance in the economy by trading-off what is necessary with what is extravagant. In economic terms, trade ensures comparative advantage – the ability to produce a product or service with the highest relative efficiency given all the other products or services that could be produced.

Comparative advantage explains how trade can create value for both trading countries even when one can produce all goods with fewer resources than the other. This leads to the gains from trade. Hence, trade raises living standards. In short, trade generates exports and creates jobs. Zambia must embrace the tradition of entrepreneurship where small businesses and micro enterprises have a natural adaptation to Zambia's economic leading edge.

And fourth, it reduces corruption. People rarely steal from themselves. Political corruption is a brainchild of bloated bureaucratic, public-sector-run government. Corruption thrives in this environment, because people do not feel that they own the means of production. When people create employment and own businesses, they feel that they own the economy.

It is important to reiterate that Zambia already has a legislative regime required to change Zambia from a poverty stricken nation to one of prosperity. Unlike Quebec, all that Zambia lacks is a political will to hand over the running of the economy to the private sector. Government should cease to be

¹⁴⁴ The Zambian currency or ISO 4217 code-named ZMW as of August 22nd, 2012; the debased currency was official as of January 1st, 2013.

the engine of growth; its role should only be limited to that of facilitating conditions necessary for fair competition. In this role, government should act to legislate and regulate the liberty of contract. This will ensure that no single entity dominates the markets, a situation that could lead to worse consequences than when government is the sole participant in the running of the national economy.

When individuals are empowered to own means of production, to control and create jobs, they become custodians of economic activities, including harnessing their own private investment. Poverty simply means lack. When people have the power to control resources – within a conducive government encouraged economic environment – they will also have, as late Michael Sata used to say, “More money into their pockets.”

§4.4.5 Dethroning the Public Sector

Zambia has a magnanimous legal (constitutional) regime that provides for a government’s role in the economy as mostly that of creating an enabling environment for fair economic competition. By and large, the public sector in Zambia remains the single largest employer. Successive governments have expressed the need (intentions) to turn Zambia into a private-sector-oriented economy, but these governments have lacked the will to implement those strategies. Zambia should take aim at encouraging the full participation of the private sector in the economy.

First, government’s role in the economic marketplace, as already alluded to, should be that of a limited player which only facilitates growth. Government itself should be reformed to become a parallel sector. Coupled with this, is the idea of a smaller, more efficient government. Although government has a clear role in the economy, this should not be at the expense of private sector development.

A leaner government is a prudent and efficient utilizer of resources. It should be clearly understood that private sector development is not only Foreign Direct Investment (FDI).

FDI¹⁴⁵ refers to long term participation of a foreign country into another country. It usually involves participation in management, joint ventures, transfer of technology and expertise in such productive assets as factories, mines and land. In theory, FDI is said to contribute to development through taxation, local economic linkages, creation of employment and through externalities such as spillovers.

Second, an integrated approach to private sector development and implementation is indispensable to unlocking the rewards of efficient sectorial management. Zambia needs to move beyond identifying priority sectors to an integrated approach in growing the sectors, by identifying all the elements required, from tax incentives, legislative framework, infrastructure, skills, etc. There has been a tendency of spreading the resources very thinly across sectors and hoping that somehow this would have a multiplier effect and grow the sectors. This strategy had proven fruitless. Focus should be shifted from concentration on tax incentives to incorporating issues such as transportation, cost, license acquisition, etc., which are necessary in the establishment of businesses.

Third, there ought to be a generation and expansion of demand for the local market. The Zambian domestic market is small and lacks effective demand to generate growth which will lead Zambia to a strong upper middle-income economy. Export-led growth must be a priority. Since the effective privatization of the national economy launched by the MMD government in the early 1990s, Zambia has secured a sizeable market on export-interest products both in the region and internationally. This has been achieved mainly through trade agreements and other preferential market access initiatives.

However, effective utilization of these market opportunities has been hampered by supply constraints. Chief among these is Zambia's inadequately developed Standardization, Quality Assurance, Accreditation and Metrology (SQUAM)¹⁴⁶ infrastructure. Zambia's SQUAM infrastructure should be re-

¹⁴⁵ For a comprehensive study on FDI see Chapter 24 of this book.

¹⁴⁶ See Chapter 24 of this book

designed to meeting the standards of the importing countries, where high private standards are increasingly becoming dominant.

Next to SQUAM infrastructure development, Zambia needs to invest in other infrastructures that enhance productivity and at the same time increase competitiveness, especially in the transport and energy sectors. Instructively, this must continue to be done in collaboration with the neighboring countries. Transportation constraints have hindered Zambian competitive advantage in the region. The most viable remedy to this problem should be the re-direction of loans to investments that enhance productivity capacities. Support for development of service industries such as Information and Communication Technology (ICT), and Research and Development (R&D) facilitates private sector competitiveness.

Moreover, expansion of local markets will involve committing to adding value and diversification of products and export base so that Zambia becomes less dependent on commodity-trade. It is inimical for the nation of the stature of Zambia to hold on to only one major commodity (as recent as June 2015, mining remained Zambia's leading export earner). Fluctuations in the price of copper hamper Zambia's economic stability. Any decline in world commodity prices and demand should surely hurt GDP growth despite any requisite bumper maize crop harvests at any point in time. It will be economic suicide for Zambia to depend solely on copper and to fail to diversify in other non-traditional exportable commodities.

Fourth, services that promote private sector development should be decentralized and deregulated. Zambia has currently a largely inefficient public sector that fails to support private sector development. It is too large to adequately respond to the private sector's needs in real time. Moreover, it is incognizant of the existing business environment. There is need to instil professionalism and eliminate patronage (the awarding of contracts to private entrepreneurs and businesses based on loyalty to the ruling party). Civil servants should be allowed to think outside the box and ensure that economic priorities are not overridden by political devotion. Decentralization of the

public sector calls for a comprehensive public sector reform program. The result of this public sector reform will be an optimally sized and efficient civil service.

Decentralization of services that promote private sector development should be prioritized. Lack of decentralization has contributed to the slow migration of the Small and Medium Enterprises (SMEs) to bigger businesses. For example, an exporter in Chipata trying to sell their agriculture products will need a phytosanitary certificate from Lusaka. This automatically has a bearing on how frequent they will be able to export, and, of course, the price of their final exports. This reduces the country's competitiveness. A critical approach is not to view the SMEs only as a transitory initiative to bigger businesses, but also as creators of wealth for the owners and the nation. To do so there ought to be a change in mind-set, so that they grow their businesses to result in wealth creation as well as contributing towards attaining economic development and the *Vision 2030*.¹⁴⁷ The idea of a large and overwhelming public sector control is inimical to people's economic creativity. It only boosts public corruption.

Fifth, there is need to strengthen regulation on competition. In Canada, for example, at the provincial level, a *Consumer Protection Act*¹⁴⁸ has done a commendable job to ensuring that consumers are not unfairly treated in the marketplace. At the federal level, a *Competition Act*¹⁴⁹ and the *Canada Consumer Product Safety Act*,¹⁵⁰ regulate against malpractices such as collusion, mergers, and conspiracy, and the application of effective measures to encourage compliance with the federal regulatory system for consumer products, respectively. This has ensured that all participants are given an equal chance of success.

It is important to note that poverty is not a curse; there is no nation that is condemned to perpetual poverty. In economic

¹⁴⁷ Espoused and sustained by both the Mwanawasa and HH administrations. This author has proposed a 30-60-10 Vision aiming at making Zambia the first developed country in Africa.

¹⁴⁸ SO 2002, c 30, Sch A

¹⁴⁹ R.S.C., 1985, c. C-34)

¹⁵⁰ SC 2010, c 21

parlance, poverty is usually a result of poor economic planning, low national income, and in the case of Zambia, an unequal history and a culture of poverty. People need to reclaim the power to control their economic destiny. Zambians should elect to be innovative, creative and given to finding new and novel ways of manipulating their means of production into wealth for themselves and the nation. As discussed, Zambians need government to regulate contracts, but they are themselves to play a key role in generating their own income and wealth. The era of “*Fya government*”¹⁵¹ is long gone. The culture of dependence on government and donors must be minimized or vacated. Regulation of contract and deregulation of business enterprises should be encouraged.

§4.5 Transforming a Nation

History is littered with examples of great leaders. But whether they emerged from the metropolis of North America or the conurbations of Europe or squalors (slums) of the Islands or the favelas of South America, they all were considered great leaders because of the change they brought to their nations’ economies. Most importantly, because they showcased freedom of enterprise.

Franklin Delano Roosevelt served as US president from 1933 to 1945, practically the longest serving president in America. He rose to the occasion to salvage the US from the depression years. In April 1935, he created the *Works Progress Administration* (WPA). WPA provided jobs for the unemployed. The key feature of Roosevelt’s WPA project is that it did not syphon the private sector. Instead, WPA cooperated with the private industries. It built post offices, bridges, schools, highways and parks. It also gave work to artists, writers, theater directors and musicians. WPA was followed up by the *National Labor Relations Act* (the *Wagner Act*) which also created the National Labor Relations Board to supervise union elections

¹⁵¹ Or “I don’t care; these are government properties, not mine.” This attitude is a breeding ground for corruption.

and prevent businesses from treating their workers unfairly. In August 1935, Roosevelt signed the *Social Security Act (SSA)* of 1935, which guaranteed pensions to millions of Americans. SSA also set up a system of unemployment insurance – government became involved in the provision of critical care to needy children.

Cuba was another good example. Fidel Alejandro Castro Ruz created an egalitarian society in Cuba where the word “empowerment” acquired its highest honor. In no uncertain terms Castro declared, “I am not important, the people, not public, are.” And from 1961 he embarked on a remarkable educational/literacy campaign. The Cubans learned how to read and to understand their culture. Universal access to education and increased investment in people (human capital) remained a norm throughout his reign. Between 1989 and 1994, Cuba became a tourist hub for many Westerners – and still is. By 2008, tourism in Cuba was a viable industry. Castro revolutionized the health sector. The concept of “universal access to healthcare” was perfected in Cuba. There was no nation on the globe that could boast of having consistent surplus of medical personnel like Cuba had. In Castro’s Cuba, doctors and nurses had become humanitarian assets. Castro’s “Polo Científico” and the investment in the biotechnological sector have borne dividends for the island nation.

Cuba opened to FDI in a big way. In joint venture arrangements of state firms vis-à-vis the fruitful collaboration in nickel, oil, gas and electric power generation with Sherritt International,¹⁵² etc., Cuba emerged as a self-sufficient island in agriculture and, to some extent, mining and tourism. Unemployment, especially after the 1993 recession, was hugely curbed.

It is important to appreciate here that between 1989 and 1994, Cuba’s falling from grace from the Soviet’s subsidies as well as a 40 percent slump in income *per capita*, meant that Cuba

¹⁵² Sherritt International is a Canadian resource company, based in Toronto, Ontario. Sherritt is a world leader in the mining and refining of nickel and cobalt – metals essential for the growing adoption of electric vehicles

had to look within itself for survival; Cuba remained closed from the international world mainly due to the US embargo in Cuba. But the resilience, work ethic and determination of the Cuban people under Castro helped them to rebrand by “depenalizing”¹⁵³ the use of the US dollar, as well as legalizing the farmers’ markets, and liberalizing self-employment.

The story of Adolf Hitler is usually one where the baby is thrown away together with the water. This section does not glorify Hitler; he was the mastermind of the Holocaust and he committed other human atrocities. And *Lest We Forget*, history must record him as such.

However, Hitler introduced economic measures that should be studied and reviewed. After the Treaty of Versailles was signed on June 28th, 1919 (five years after the assassination of Archduke Franz Ferdinand), Germany came out of the First World War deflated, impoverished and depressed. But, by means of two five-year plans, Hitler had reduced unemployment to six percent, attaining the highest possible standard of living for the Germany people. His fiscal policies fostered trust and confidence and encouraged the private sector to hire and invest. This led to consumer spending “with an eye to the future.” By 1936, unemployment was brought down to its end.

After taking power, Hitler and his new government launched an all-out assault on unemployment. They stimulated the private industry. This they did mostly through subsidies and tax rebates. They also introduced marriage loans, massive public-works programs which promoted housing, railroad construction and various projects.

Caveat. Despite what has been mentioned, why is it that although the three leaders greatly accomplished much for their people, only Roosevelt stands out as a historically recognizable national transformer? Three reasons are proposed below:

First, both Castro and Hitler did a lot economically for their people, under the circumstances. However, Franklin Delano Roosevelt has entered the annals of history as the greatest of

¹⁵³ Reduction of the use of existing sanctions, and etc.

the three because he honored the Rule of Law. While both Castro and Hitler were great orators and economic planners, they ruled as tyrants and denied their people true freedom. The lesson for Zambia is that in true democracy, great economic architecture should move in tandem with the allowance for people's liberties. Freedom is true empowerment.

Second, in free societies, the end does not justify the means. Process is king. Although debatable, it is widely agreed by many observers that both Castro and Hitler had reshaped their countries' economies. By 1936, in Germany, everyone had employment. By 2008, in Cuba, nearly over 95 percent of Cubans could read and write. These are phenomenal feats anywhere on the global. But these successes have been suppressed because of what the ends entailed. Hitler's ambition led him to autocratic rule, committing the world's nastiest atrocities (holocaust) and subjecting the entire country to ignominy.

Cubans under Castro lived in fear, and generally without true and democratic freedom. Castro had single-handedly ruled Cuba for nearly 50 years since the revolution of 1959. During all these years, democracy was permanently non-existent. He may be loved for standing up to the Americans, but overall, when the elephants fight, it is the grass that suffers. Cubans in the long run have not enjoyed freedom as citizens of the free worlds have. Castro himself admitted in, *History Will Absolve Me*, thus:

Once upon a time there was a Republic. It had its constitution, its laws, its freedoms, a president, a congress and courts of law. Everyone could assemble, associate, speak and write with complete freedom. The people...had the power to elect new officials and only a few days remained before they would do so. Public opinion was respected and heeded, and all problems of common interest were freely discussed. There were political parties, radio and television debates and forums and public meetings.

Although Castro accused Fulgencio Batista of having erased the freedoms the Cubans enjoyed, he, Castro, did very little, if not nothing, to sustain those rights and freedoms.

Western nations like the US and freed African nations have practiced historical injustices such as discrimination or tribalism, but the Rule of Law has always trumped the rule of men. Economic liberalization and political competition in most Western and democratic states worldwide, have freed the citizens to be innovative and to thrive in economic enterprise. It is important to note that when people's political freedoms are suppressed, even in the presence of good economic policies, productivity is hampered and the resultant effect is disillusionment.

Had both Castro and Hitler erred on the side of freedom and liberty, with the prudent economic policies they had in place, perhaps, Cuba and Germany would have emerged as some of the most powerful nations of the known world during the respective reigns of these two leaders. From Cuba and German, we learn that strong, charismatic, intelligent and influential leaders are needed to revolutionize nations. However, from the Americans we learn that strength, charisma, intelligence and influence tempered with the magnanimous qualities of liberality, fairness, compromise and tolerance, as well as freedom, are of great and sustainable impact on the people.

African leaders in general, and Zambian politicians, must set very strong economic agendas. These should be vivid economic plans on how to end poverty and to liberate the people from shame and disillusionment. But at the same time, they must respect the laws of the land while protecting freedoms and promoting the liberties of individual citizens.

§4.6 Required Attitudes towards Development

There are, generally, two schools of thought on the reason why Zambia is poor. The first postulates that historical events such as slavery and colonialism are to blame. The other

countermands that African leadership is to blame. Critical review will show that neither history nor leadership is to blame; it is the attitude towards these that is to blame.

§4.6.1 Africans are Not Inherently Poor Leaders

From the outset, the myth should be debunked that Africans are inherently poor leaders. Africa can boast, historically and contemporarily, of prowess in leadership. Africans have built kingdoms, civilizations and mastered natural forces. Given its history, African leaders have also shown great alacrity and dexterity in the management of harsh economic structures left to them by the colonial regimes.

Africa has survived mainly because of its resilience and character of heart. But when it comes to the precarious economic conditions currently obtaining, African politicians and their attitude to leadership vis-à-vis their subscription to a “naïve mentality” have maimed Africa’s potential to be self-sufficient. Africa must continue to consider poverty an embarrassment, not an excuse.

The African, including the Zambian, media should desist from reporting about African politicians insulting each other in public while neglecting to discuss issues affecting millions.

§4.6.2 “We did not come here to ask for adoptions; we have a continent to return to, to develop.”

In 2005 and 2015, the author attended two respective concerts held in Canada featuring the African Children’s Choir. He noticed a radical shift in perspectives between the two concerts. In 2005, he could not avoid but get so embarrassed with the blunt solicitations for alms that he left the concert before it ended. In 2015, however, it was delightful to hear the choir’s leader stand up and announce, “We did not come here to ask for adoptions; we have a continent to return to, to develop.”

Americans and Europeans have embraced this attitude for millennia. Call it patriotism or love for country, they have always stood up for what is in their interest, and then cooperate in mutual concerns with other nations.

Africa has begun to export money, skillsets and brains to the developed countries more now than at any time in the past. At the same concert in 2015, an African volunteer stood up and announced, “We have specialty merchandise lined up for you. You can help educate Africa by purchasing any of the items outside.”

Such is the attitude that will develop Africa and Zambia. The willingness to take pride in what is African and to be ready to trade it with assets abroad, is the thinking of the future. In 2005, someone would have come up and asked for donations without practically giving any incentives. There was, historically, a delirious anchoring for Western free money, for alms and donations. But now, more than before, it is routine to hear of African self-made millionaires, artists, authors and even Nollywood is slowly but steadily penetrating many a Western home. Africa is beginning to believe that it can compete favorably with other continents.

When the author left his native country a few years ago, nearly everyone who met someone from America or Europe asked for money. In 2012, this author visited Zambia on a business trip, and successfully transacted a US\$1 million deal with a local Zambian businessman on behalf of a technology company in Canada. Africa and Zambia must now start to “give” to the West and not just to receive.

The biggest hindrance to what Africa and Zambia can be is in the attitude towards poverty. For many years, poverty was accepted as a reality. The poor had ceased to be a concern for decision-makers. For example, the numbers in Zambia are bad. But not bad enough to warrant the levels of poverty and stagnation in the land. There are enough resources to go round to every household in Zambia. The Zambian economy experienced strong growth between 2005 and 2013. The average real Gross Domestic Product (GDP) growth was more than six percent per year. After 1995, the Zambian government

did not experience losses in copper mine output. This is because it had privatized the industry and had greatly increased copper mining output and profitability.

Some economic growth took place. This has been the trend since 2004. In addition, foreign investment (as well as FDI) has boosted growth. The world economic crunch of 2008-2009 did not devastate Zambia, either. And between 2010 and 2014, Zambia experienced bumper maize harvests. Zambia's economy is strong despite the rare sharp depreciation of the Kwacha in March 2014. Even with that, government reacted quickly and mended the situation by revoking statutory instruments SI 33 and SI 55 in late March 2014. Zambia has adequate revenues to satisfy every citizen's need. By 2021, all that Zambia needed to do was to "boost tax revenues to curb fiscal deficit."¹⁵⁴

Zambian leaders should believe that they can change things for their people. It is also credible that there is enough money to be shared by every citizen in Zambia. High birth rates, high HIV/AIDS and Covid-19 burdens, and market distorted agricultural policies are not the cause of poverty in Zambia. They are simply the excuses that politicians use in order to dodge fixing real problems.

The economic disparity is irrational in Zambia; over 90 percent of the citizens survive on less than 20 percent of the nation's income. Every year, the nation accesses resources from the outside purportedly for health, educational, environmental or sanitary improvements. And yet the standards of healthcare, education, public infrastructure and so on, continue to worsen or remain the same. The editor of *Zambia Weekly* lamented: "Most of us are too busy getting on with our own lives to notice the abject poverty, inequality and suffering around us."

Politics is not about blame or petty jealousies; it's about issues facing the people. Zambian politicians can strategize and coin the appropriate language to demonize each other, but fail,

¹⁵⁴ Reuters.com <https://www.reuters.com/world/africa/zambia-needs-boost-tax-revenues-curb-fiscal-deficit-finance-ministry-2021-04-16/> (Retrieved: September 16th, 2021)

to the same extent, to coin strategies and solutions against the poor conditions their people are going through everyday. For example, former President Edgar Lungu once revealed, “Others are breathing with envy over Siamunene’s appointment.”¹⁵⁵ What the former president implied was that some people were jealousy of him over a political appointment. Admittedly, the president had crossed political lines in his quest for an “inclusive government”¹⁵⁶ to fish for a defence minister. But that had happened before in Zambia. To think of holding a political office as a right (and not a privilege to serve the people) is an attitude that must change if Zambia is to develop.

In the same week as the appointment of Siamunene, Hakainde Hichilema, then UPND presidential candidate,¹⁵⁷ held a press conference and condemned violence and constitutional violations by the ruling PF. Admittedly again, violence is bad and should be condemned by all. But who would hold a press conference to report on how *Bana-Mulenga*¹⁵⁸ from Chaisa compound was copying with her US\$0.99 a day-poverty situation? This is what a common Zambian experiences on a day-to-day basis. While politicians hold press conferences to condemn intermittent bad behaviors of some political cadres, rarely do politicians voice out against the injustice of not having three meals a day or of unemployment, or of dying from curable disease, or of lack of clean water, or of lack of access to adequate and quality education, or even of living in dirty and unsanitary compounds.

African politics in general, and Zambia’s in particular, must move away from the defeatist attitude of discussing persons (who they are, where they come from, how they look, and so on) to discussing issues facing the people, as well as crafting ideas that will lead to sustainable solutions.

¹⁵⁵ *Zambia Daily Mail*, “Siamunene Appointment Mark of Good Leadership,” August 13th, 2015 < <http://www.daily-mail.co.zm/siamunene-appointment-mark-good-leadership/> > (Retrieved: November 14th, 2017)

¹⁵⁶ *Ibid.*

¹⁵⁷ Hichilema was elected as Zambia’s 7th president on August 12th, 2021.

¹⁵⁸ Mulenga’s mother

The combination of poverty and ignorance is a recipe for national disaster. The illiterate poor can be both in danger and dangerous. They are in danger because a bag of mealie meal or a packet of cigarette can easily buy their way to blind loyalty. But they can also be dangerous because they can easily be used as rabble-rousers, agitators and violence-peddlers. These are people who may be corrupted by a bottle of beer – a reward for fuelling violence and forcing undecided voters to vote for their patrons.

And yet, these are people for which politics exist in the first place. There must be investment in working institutions and working systems. Focus should not be on individuals or a class of individuals; everyone, if they qualify, should be capable of running the institutions. In every election cycle, Zambians should ask questions, probe the candidates, and demand that they govern with a strategic plan. African leadership in general, and Zambians in particular, should acquire a “Yes, we can” mentality, a belief that with what the nation has, development is possible. The West, however well-intentioned and altruistic it may be, cannot change or develop Africa or Zambia for Africans or Zambians. Leadership must fashion solutions from the available resources.

§4.7 Shantytowns in Zambia¹⁵⁹

On November 27th, 2015, Pope Francis strode into Kenyan Kangemi shantytown and lashed out at the nation’s elite for neglecting the poor. The pontiff said, referring to the pathetic picture portrayed by the shanty compounds and perpetuated by the elites of the African governments: “These are wounds inflicted by minorities who cling to power and wealth, who selfishly squander while a growing majority is forced to flee to abandoned, filthy and run-down peripheries... To deny a family

¹⁵⁹ This was an article published in the *Zambian Eye*, by Charles Mwewa, “Zambian Shanty-Towns: Death-traps or Developmental Opportunity, Part III,” December 7th, 2015

water, under any bureaucratic pretext whatsoever, is a great injustice, especially when one profits from this need.”

The pontiff warned of “new forms of colonialism.” In colonial days, the invading nation plundered the dominated nations without having regard to the plight and wellbeing of the dominated. But direct, historical colonialism is now dead, except now a worse form of colonialism may be on the loose. The new form of colonialism, dubbed, “Internal Colonialism,” is worse, because it involves African governments subjecting their own people to despicable and inhuman conditions in terms of housing, sanitation, and so on. This form of colonialism is manifested in the form of shanty compounds.¹⁶⁰ that is only fit for dogs and pigs. This *internal colonialism* in Africa, manifests itself in the form of sprawling slums filled with tin-roofed homes, unzoned compounds and generally unplanned, disease-infested environs.

The pontiff, similarly, bemoaned what he termed as “the dreadful injustice of social exclusion.” It must be reiterated that Pure Capitalism cannot be advocated for Africa, or Zambia for that matter, in the context of housing, for example. Even the Province of Ontario in Canada regulated and placed housing under a control regime.¹⁶¹ Africa in general, and Zambia in particular, does not have mature institutions and the discipline necessary to implement pure capitalistic practices. In Africa, there is still room for social democracy where the equitable¹⁶² sharing and distribution of land, access to infrastructure and to minimum basic services should be made available to every citizen.¹⁶³

When the pontiff challenged, thus, “Our world has a grave social debt toward the poor who lack access to drinking water because they are denied a life consistent with their inalienable

¹⁶⁰ Shanty compounds are variously called Shantytowns, squallers or squalors, favelas or slums.

¹⁶¹ On May 30th, 2017, the *Rental Fairness Act* received Royal Assent to amend the *Residential Tenancies Act*, bringing back the Ontario rental scheme under government control.

¹⁶² Not equality

¹⁶³ See discussions on “Welfare State in Zambia” in Chapter 28

dignity,” he was on point. And his call must be taken as an urgent clarion. In a world where 70 percent of the earth is surrounded by water, it is an injustice that some people should still be going without clean water. It defeats the premises of political leadership if their people squeeze themselves in overcrowded slums infested with bugs and viruses and have no access to clean and safe water, The shanty compounds must be eliminated in Zambia. They are nothing but death-traps.

The pontiff called upon the African governments to consider developing the three “Ls” — land, labor and lodging. Kangemi compound in Kenya which, in 2015, was one of eleven slums dotting around Nairobi, East Africa’s largest city, with 50,000 residents living there without basic sanitation, was not different from Zambia’s Makululu, Kapoto, Kalingalinga, Mtendere, Kapisha-Soweto, Chaisa, Chibolwa, to mention but a few shanty compounds, dotted all around Zambian towns. Like in Kenya, in Zambia, most of the towns’ shanty compounds comprise a maze of single-roomed mud structures with iron-sheet roofing or cramped, high-rise buildings. These shanty compounds are an “injustice of urban exclusion” and should have no room in modern democratic societies.

§4.7.1 “Injustice of Urban Exclusion”

The “protection of fundamental rights and freedom of the individual”¹⁶⁴ should also be interpreted as the protecting of people’s lodging rights. An individual is further provided with the “protection for the privacy of his home and other property and from deprivation of property without compensation.”¹⁶⁵ And still further, there is provided for “the right to reside in any part of Zambia.”¹⁶⁶ Thus, Zambians have the rights and freedoms to reside anywhere they want, and to own property and to be guaranteed freedom from intrusion into their privacy. However, there should also be guarantees for the protection of

¹⁶⁴ *Constitution of Zambia*, Articles 11 and 22

¹⁶⁵ *Ibid.*, Article 11(d)

¹⁶⁶ *Ibid.*, Article 22(b)

descent housing. In the econography of modern statism, equality of opportunities is guaranteed, but not equality of results. Granted. But this will be inimical to the developing nations where ownership of decent housing is still a struggle or a privilege of a few.

§4.7.2 Constitutionalizing Decent Housing

The shanty compounds illustrate this precarious situation for Africa. Africa in general, and Zambia in particular, must constitutionalize decent housing as a basic human right. For Zambia, this process has already been initiated by the provisions cited earlier. All that is remaining is to amend the existing relevant laws to make it a violation of human rights where housing standards do not meet the minimum requirement for human decency.

Government should have the overarching right to enforce these standards. This can be done in two ways. One way of doing this is to create standards for housing in Zambia in which the current shanty compound sub-standards will be censured. The other way is to privatize housing so that competent developers can provide decent housing to the poor at subsidised cost. The law should make it mandatory to own decent housing, and then to have the force to demolish those houses which do not meet the required standards.

To effectuate this program, government should legitimize ownership of the houses in shanty compounds on a compensatory model basis, in phases. This will ensure that the people buy, or rent-to-own modern houses based on the value of their slum houses, with governments and other stakeholders balancing off the rest. Of course, as it is customary in Zambia, the questions that will emerge may have to do with funding. Funding is not key to this process. Funding is just a factor. But the will is. Successive Zambian governments have always found funds to travel, host games and extravaganzas, for all but relevant and more pressing priorities. Under this proposed

model, the priority is a right, and then health, safety and the decency of the citizens.

Demolition of the slum-like housing is not expensive. Any poor government on earth can do it. The people themselves who live in these death-traps will happily welcome this program, with some inconveniences here and there, of course. In order to create a win-win situation and to ensure that the program is self-supporting, with a minimal government and other aid, shanty compound owners whose housing are being demolished should be employed in the demolition process (and in some cases, in the construction phase). Mild inconveniences will occur, but these could be offset by effective planning and the implementation of the right approach.

§4.7.3 Misisi Compound: One of the Worst in Sub-Saharan Africa

Misisi compound has been identified as one of the five worst slums in Sub-Saharan Africa. Misisi, from best estimates, could have between 90 and 120,000 people living in there with an average life expectancy of less than 32 years. Lusaka, the Capital City of Zambia, has over 50 percent of its population living in adjacent shantytowns.

Living in the developing formations has not been easy for most residents. The standards of living have generally been low. Even for those who have the means of good living such as good jobs, money and power, the future is usually bleak or fickle and uncertainties loom large in terms of the politics and economies of these nations. The gaping disparity between the haves and have-nots is so large that some people are basically economic prisoners in their own nations.

Majority of the people live in shantytowns in Zambia, in some of the worst conditions in the world. These shantytowns tend to be unplanned and are often illegal. Houses are self-built using basic materials and the towns have fewer basic services such as running water, electricity, health facilities or sewage systems. These settlements developed as a result of chronic

housing shortage especially for the urban poor. Most shantytowns have developed on the outskirts of large urban centers.

People's lack of basic needs usually leads them to living a communal life sharing limited facilities like toilets, salt, cigarettes and space. That is the reason why when there is an outbreak of a disease like cholera, it spreads fast. Local brews like *Umunkoyo*, *Tobwa*, *Katata*, *Katubi* or *Chibuku* are usually imbibed from the same straw, thereby spreading ailments and communicable diseases all year round. And with the outbreak of the Coronavirus pandemic in March 2020, shantytowns may be the worst affected because of their congested and unplanned nature.

Every year, more people leave the Zambian villages to settle in the shantytowns. As a result, the shantytowns are some of the most over-populated areas in Zambia. With this increased over-population, comes the problem of service delivery, access to basic needs of life and early deaths for the majority who cannot survive. More than one-third of Zambians live in urban areas, many crowded into these shantytowns: "About 44.07 percent of Zambia's population lives in cities or urban areas, while 55.93 percent lives in rural areas."¹⁶⁷ The cities themselves leave much to be desired; they are usually an extension of the shantytowns only that some of them have limited access to scarce amenities and electricity. The cities and shantytowns exist in a symbiotic relationship – one feeding on the other as the other draws its survival blood from the other.

A common feature of the shantytowns is the prevalent of rubbish¹⁶⁸ heaps just adjacent to, and sometimes right at the heart of the compound. The marketplaces are harbingers of germs and diseases as people, animals and microbes mingle to jam through openly-cast and uncovered food and water. And there is no housing plan: Slum-huts are used as homes; streets

¹⁶⁷ Worldpopulationreview.com, "Population of Cities in Zambia (2021)," <https://worldpopulationreview.com/countries/cities/zambia> (Retrieved: September 18th, 2021)

¹⁶⁸ Or garbage, as it is referred to in North America.

are erratically structured, and women and children can be seen selling maize (corn) cobs on the streets. All along the roads and even in the commercial centers, people sell all types of merchandise, unplanned. The largest impact of HIV/AIDS has happened in shantytowns and there are fewer facilities for orphaned children. Those children who are not looked after within their extended families and communities end up living rough as street children in the cities. Over-population is generally credited for creating conditions necessary for starvation, disease or war.

This author lived in one of these *Zambian shantytowns* for a while. Even by the *Zambian standards*, shantytowns are a pathetic sight. They can only compare to pigsties of the Bible's Prodigal Son.¹⁶⁹ Colonialism had everything to do with it but, of course, it should not be blamed for everything. Before colonialism, *Zambians* lived in large village enclosures with plenty of space and with relatively good sanitation. But the colonialists needed the *Africans* as cheap labor. A policy was adopted requiring each employer to provide housing to their employees. Movements were restricted. And when labor was no longer required, the *Africans* were repatriated to their villages. Fast forward to *Zambia's* independence in 1964, the new government abolished the population moving restrictions. But soon this only attracted rural-urban migrations as the rural population hunted for employment and an affluent lifestyle in the urban areas.

Ironically, during the colonial days, the colonial government had put strict restrictions on town planning. It controlled town management to ensuring quality housing across the board. With the relaxing of these restrictions after independence, town management started to become erratic or unplanned. In addition, political caderism in the Second Republic¹⁷⁰ allowed UNIP ward chairpersons to dictate town planning. This

¹⁶⁹ See Luke 15:11-32 (Bible)

¹⁷⁰ The Second Republic was from 1972 to 1990. See a comprehensive discussion on the Second Republic in Chapter 8.

uncouth trend has continued today where councillors can allocate plots indiscriminately.

The biggest problem began with the new rural migrants who came to urban areas in search of employment. When they could not find housing there, they began to construct temporary housing units. In village settings, especially before independence, housing tenure was available. Chiefs and village headpersons could allocate space to their people. This systematic allocation of space was lacking in urban areas.

Since independence, there has been three trends in housing tenure: Where unemployed renters cannot afford to pay rent, and so they may occupy any space available for survival and this is mostly common in shanty compounds. Where owner-occupiers may construct houses for personal or family occupation and this is, again, mostly common in rural areas. And where those with access to housing may offer accommodation to relatives and friends.

In 1991, the MMD government under Chiluba ushered in a Third Republic.¹⁷¹ It came up with a new housing policy. Whereas the UNIP government before it had built houses to be rented out to people in formal employment, the new MMD government emphasised homeownership. It sold local and central government homes to occupiers. This was a good beginning, but it did not curb the shortage of houses. Those who bought these houses were already occupying them. The colonial government which had begun the problem of urban-labor migration had done a good job to avoid housing shortage by creating pool houses meant for rotational occupation. But the MMD government, while empowering sitting-tenants with homeownership, had worsened housing shortages by the sale of local authority and government houses without replacing them.

The factors that attracted the rural population to migrate to urban areas have been allowed to persist. These factors are mainly four: A concentration of developmental projects (industrial, services or manufacturing) in urban areas; biased

¹⁷¹ See a comprehensive discussion on the Third Republic in Chapter 20

developmental agendas by the successive governments; a view that Lusaka and major urban towns are suitable places to live in; and lack of a cogent resettlement policy or program in place.

In 2007, the Mwanawasa administration endorsed a plan to destroy illegal shantytowns that had mushroomed in Lusaka and other urban areas. But they had no resettlement plan in place. A similar program by the Zimbabwean government in 2005 had backfired.

There is a solution to this quagmire. And that solution cannot be a quick fix meant to woo votes. It should be a multi-layered and comprehensive proposal involving all stake-holders – renters, home-less people, shanty compound dwellers, government, the private sector, businesses, and to some extent, the international community – and should be carried out in the interest of the nation.

§4.8 Towards a Cogent Economic Policy

Having discussed the vagaries of poverty and the vileness of the shantytowns, the following is proposed. First, no model, theory or policy can do justice to the issue of economic prosperity in Zambia without the commitment to eradicating or reducing poverty. Poverty must be designated as a human rights issue and to censure it as a primary vehicle for social exclusion. The national goal must be to end poverty; not to remodel or cosmeticize it. Any definition of development is inadequate if the result fails to eradicate poverty.

Second, a declaration must be made that shantytowns are not just a social problem, but that they are a human rights issue. As such, decisive political will, vision and a resettlement policy must be devised to completely demolish shantytowns and replace them with decent housing. Any definition of development is inadequate if the result fails to eliminate shantytowns.

And third, a legal framework akin to the Quebec Model and a political determination akin to the Scandinavian social democratic agenda, are required to address the trio-issue of poverty, social exclusion and shantytowns in Zambia. There is

no developed formation that has not tackled and defeated (or is fighting to defeat) these three unacceptable conditions.

In Chapter 22, the economic models of the yesteryears are analyzed. Between 1964 and 1990, Zambia espoused mostly socialistic economic policies. This was justified by the UNIP government which had the monopoly of governance under President Kaunda. Mono-economy, cooperative societies, national development plans (industrial development) and the coupon system are reviewed in the context of a mixed-blessed gaping economic disparities.

Chapter 23, dubbed, “Economic Future,” looks at near-success economic models that, looking from a futuristic perspective, provides viable lessons of how not to manage an African economy.

Chapter 24 has been updated from version one to include a discussion on the *30-60-10 Economic Theory*, also known as a *Developed Zambia Vision*.

Chapters 25 to 29 all discuss in various degree of contexts, the economy or factors that may affect economic performance (such as corruption and technology) at both local and international levels. All these chapters augment and supplement the contents and spirit of Chapter 4.

Chapter 5 Pre-Independence Zambia

*Thou art depraved, O thinking man
And thy good to thy nature tied;
Born free, yet everywhere in chains,
And in forced freedom thine trust earns*

BRIEF INTRODUCTION

In this chapter, the story of pre-independence Zambia is told, with implications on the political and economic future of the nation. The creation of Northern Rhodesia is discussed and the first four of five significant events that laid the foundation of the difficulties and challenges Zambia would face after independence. The 1964 Barotseland Agreement is discussed in the context of competing traditional and state demands.

≈ History ≈ Politics ≈

AT THE END OF THIS CHAPTER:

1. You will learn that there were thriving kingdoms with organized governments in an area which became known as Zambia;
2. You will appreciate the unfortunate history of colonialism; and
3. You will understand the factors that set-in motion an unproductive foundation for Zambia's economic struggles.

MAJOR THEMES:

Pre-independence Zambia;
Colonialism

§5.1 Colonialism: Not an Excuse

There is a dodgy, uncontested but popularized view that colonialism should not be factored in discussions of the precarious economic, cultural and political conditions in which most African nations are found. Parag Khanna, a Senior Research Fellow at the New America Foundation, and author of *How to Run the World*,¹⁷² appeared Monday, February 21st, 2011, on CNN's *Parker Spitzer* and alluded to this interpretation. There is, downrightly, no excuse for dictatorial regimes such as existed in Libya, Egypt, Tunisia, or indeed, in Zimbabwe, which used colonialism as an ante for their autocratic harangues. But colonialism still remains a key factor in the discussion about Zambia's quest for true freedom. Colonialism laid the querulous foundation upon which the conflicts and economic and political problems Africa presently countenances are based. Discussing colonialism is inevitable for Zambia. If not for lessons to be learned, it should be for future resource and wealth preservation. Canada acknowledged that colonial practices such as residential schools were evil, "...the evil that we did in the past."¹⁷³ And the Queen of England called such practices, a "painful history."¹⁷⁴

Colonialism sold Africa to the West.¹⁷⁵ For example, in Namibia, "White Namibians make up just six percent of the population but control over 90 percent of the land."¹⁷⁶ Perhaps the Mugabe land reforms were too ambitious, but the truth remains that developed formations have always been custodians of their own resources; Africa has not.¹⁷⁷ Talib Ray

¹⁷² Parag Khanna, *How to Run the World: Charting a Course to the Next Renaissance* (New York: Random House Publishing Group, 2011)

¹⁷³ Justin Trudeau, Canadian Prime Minister, Launch of National Indigenous Day, Ottawa, September 29th, 2021.

¹⁷⁴ Queen Elizabeth II, Launch of National Indigenous Day, Ottawa, September 29th, 2021, via Twitter.

¹⁷⁵ See Baffour Ankomah, "The Trouble with Namibia," *New African*, June 2011, p. 41

¹⁷⁶ *Ibid.*

¹⁷⁷ *Ibid.*, p. 4

has, indeed, educated: “Today Africa is plagued with leaders who are confused by the thought that [other] countries are going to show them the way to economic independence. History has shown otherwise.”¹⁷⁸

It is, therefore, the position of this book that history must be brought to bear on events that have consigned Africa to a poor and diminished continent. In stating that, however, the author does not intend to demean the fact that Africans themselves have contributed to this state of affairs. Indeed, Marcus Garvey has correctly observed that, partly, “The...stumbling block in the way of progress in the race [African race] has invariably come from within race itself.”¹⁷⁹ However, that has been only in dealing with the symptoms of the disease rather than the cause of it.

In a controversial article dubbed, “African Solutions to African Problems.”¹⁸⁰ Musiitwa argues that (*sic*), “African’s failure to accept some responsibility for about 50 years of substandard leadership forces conversation to revert to the source of ‘all’ Africa’s development problems: colonialism.”¹⁸¹ Despite being written from an Afropolitan¹⁸² perspective, the article offers two irrefutable facts and one canard, a grave misconstruction about colonialism.

First, and undeniably so, colonialism is the source of, if not all, then most of Africa’s developmental problems. And this is clarified in the ensuing pages. Second, there is something like African solutions to African problems.¹⁸³ Third, admittedly,

¹⁷⁸ *Ibid.*

¹⁷⁹ Randal Robinson, *The Debt: What America Owes to Blacks* (New York: A Button Book, 2000), p. 81

¹⁸⁰ Jacqueline Muna Musiitwa, “African Solutions to African Problems,” *Mail and Guardian*, (May 30th, 2011)

¹⁸¹ *Ibid.*

¹⁸² Musiitwa, *ibid.*, defines Afropolitan as, “A cosmopolitan African, with global exposure and viewpoints, who retains a commitment to, knowledge of and passion for Africa.”

¹⁸³ However, this is not the reversion to, as Chailunga puts it, “build[ing] better thatched houses, and maybe deeper wells and encourage women to stay home, any suggestion for anything technically advanced is unAfrican” (Email of June 2nd, 2011). In Møller, Bjørn, *The African Union as a Security*

African leaders are responsible, too, for the underdevelopment of Africa, but African leadership is not sub-standard, and this book has demonstrated so.

§5.2 Interesting History

To think of the history of Zambia, is to think of that of Africa at large. Correctly, Zambia has been called the *Real Africa*.¹⁸⁴ The nature and environment of Zambia has changed from what Sir Charles Dundas, a colonial administrator of the old days described as, “flat, featureless bush and low forest land,”¹⁸⁵ to constituting now some of the most attractive landscapes of the world. Despite this, however, as Grant has

Actor: African Solutions to African Problems? (London: Crisis States Research Center, 2009), the research cites, “shared values and norms,” as necessary catalysts to African peace or development. (Also see Chrysantus Ayangafac, “African Solutions to African Problems,” *African Files*, July 9th, 2009; Samuel Wonwi Thompson, “African Solutions for African Problems?: National and International Responsibility for Conflict Resolution,” *The Perspective*, July 31st, 2004; and Alieu Jabang, “Africa’s Problems Require African Solution,” *The Point*, Tuesday, May 4th, 2010). “African Solutions to African Problems” became part of parlance as a matter of necessity, following the 1994 genocide in Rwanda when African countries watched the international community stand by as over 800.000 Tutsis and moderate Hutus were massacred by Hutu extremists. (See Chris Fomunyoh, “African Solutions to African Problems: A Slogan Whose Time Has Passed,” National Democratic Institute for International Affairs, February 9th, 2005). There is also an organization calling itself, “African Solutions to African Problems (ASAP)” in South Africa which mobilizes small groups of women to harness scarce local resources to address the needs of orphans and vulnerable children.

¹⁸⁴ The phrase, “Zambia: The Real Africa” was used in relation to Zambia’s tourism potential. That motto has now been replaced with, “Zambia, Let’s Explore.” The nature of Zambia is barely unspoiled attracting thousands of tourists from all over the world. Zambia is, unarguably, very rich in both scenery and wildlife, making Zambia the tourist heart of Africa. Experts agree that Zambia’s environment has remained unchanged since the very beginning of time.

¹⁸⁵ See Richard Hall, *Zambia* (London: Frederick A. Praeger Inc., 1965), p. 1

painfully acknowledged, Zambia hugely remains forgotten.¹⁸⁶ Grant laments, “Zambia is the forgotten country of Africa. Celebrities don’t go there, nor, it seems, do foreign journalists or world leaders. This is a pity because Zambia is both a beautiful and an interesting country.”¹⁸⁷

Beautiful, that is common knowledge, however, *interesting*, that is where the story begins. It is interesting because although Zambia has been in existence for decades, it seems that its history has been unfairly written from the 1900s for those who care, and from 1924, for historic record. There is, thus, an urgent need to accurately record history because it repeats itself, as the French say, “plus ça change, plus ça reste la meme,”¹⁸⁸ or indeed, as George Santayana has truthfully presaged, “Those who ignore history are doomed to repeat it.”

The rude reality is that Zambia is barely known outside its eight-bound borders. Its talents remain untapped, its resources undermanaged, and its image, if not mired in media reportages, is hardly known. “We have found that a staggering 60 percent of the wealthy highly educated people in North America, Europe and Asia either had never heard of Zambia or knew nothing at all about the country.”¹⁸⁹ What is unknown, or what has blatantly been ignored about Zambia, is the focal point of this chapter.

¹⁸⁶ William Grant was one of the last generations of British Colonial Service Officers in Northern Rhodesia (Zambia). He served there at the apex of the Federation of Rhodesia and Nyasaland from 1958 to 1961. In his book, *Zambia, Then and Now: Colonial Rulers and their African Successors*, Grant makes a hearty comparative analysis of the Northern Rhodesia (Zambia) under which he served as a Colonial Service Officer with the Zambia under the African successors. He calculates that Zambia was under British Government colonial rule for 40 years (1924 – 1964) and under self-government for 42 years (1964 – 2006). He charges that both have had almost equal time to make their mark.

¹⁸⁷ Grant, *Zambia, Then and Now: Colonial Rulers and their African Successors* (London: Routledge, Taylor & Francis Group, 2009), p. xi

¹⁸⁸ This may be translated into English as, “The more things change, the more they remain the same.”

¹⁸⁹ Mark O’Donnell, Tourist Council of Zambia chairman, *The Post* (July 25th, 2010)

§5.3 Early Inhabitants¹⁹⁰

The discovery of the fossils of the so-called Kabwe Man¹⁹¹ or Broken Hill Man at Broken Hill or Kabwe in 1921 shed more light as to who could have occupied Zambia in the far away past. Kabwe Hill Man could have been living in this area between 123,000 and 107,000 B.C or possibly as early as 248,000 B.C.¹⁹² Archaeologists have long established that *Homo Habilis* who lived about 1.8 million years ago and is considered the earliest human being known to the world, “lived also in Zambia.”¹⁹³ In fact, *Zinjanthropus* bones have been found in Zambia “not far from Lusaka.”¹⁹⁴

Nonetheless, the original inhabitants of modern-day Zambia could have been the Bushmen (also called Sans), who were hunters and gatherers and who also lived a nomadic life with Stone Age technology. They mainly gathered fruits and nuts, but they also hunted antelopes.

The Bushmen were the only inhabitants of the region until the 4th Century,¹⁹⁵ when the Bantu people started to migrate from the north. Historical records show that Iron Age began in Zambia in A.D 50.¹⁹⁶ The earliest Bantu speaking people who inhabited the territory could have been the “Ila who came into the country during the first century and introduced the Iron

¹⁹⁰ Reference is made from the notes the author posted on his former website <http://www.our-zambia.com>. Some of the source reference materials were taken from Wikipedia, the online dictionary.

¹⁹¹ *Homo Rhodesiansis*: Rhodesian Man was one of the first names for Kabwe Man

¹⁹² John J. Grotpeteter; Brian V. Siegel; and James R. Pletcher, *Historical Dictionary of Zambia, Second Edition* (London: The Scarecrow Press, Inc., 1998), p. xi

¹⁹³ Richard Hall, *Zambia* (North York: Frederick A. Praeger Inc., 1965), p. 5

¹⁹⁴ *Ibid.*

¹⁹⁵ In early years, the territory that is called Zambia had no recorded history. People moved around freely in a nomadic fashion, establishing settlements where they lived under the rule of African chiefs.

¹⁹⁶ Grotpeteter *et. al, supra.*

Age.”¹⁹⁷ By A.D 1200, the Tonga had settled at Sebanji Hill in Zambia.¹⁹⁸ The Bantu people had a far more developed technology. They were farmers and had iron and copper tools and weapons, as well as knowledge about pottery.¹⁹⁹

Even today the Ila and Tonga people are knowledgeable and good farmers in food production and cattle farming. They were sedentary and lived in small self-sufficient villages with a few houses, growing sorghum and beans, as well as keeping cattle and goats.

These early migrations were joined by the Bisa, Lala, Chewa, Lenje, Lozi, Lunda and Bemba by the 12th Century. The Mbunda, Luvale and Kaonde joined later. They “co-existed or integrated with people that were already there before them.”²⁰⁰ These all collectively speak a Bantu language which is linguistically similar. The similarities themselves could have arisen as a result of contiguous tribal proximity.

The early farmers practiced *Chitemene*²⁰¹ agriculture and they had to constantly move further south when the soil was exhausted. The indigenous Bushmen were either assimilated into the new culture or pushed aside into areas not suitable for agriculture. Agriculture led to the growth in population. By the 11th and 12th centuries a more advanced society was beginning to emerge. Even though most villages were still self-sufficient, long-distance trade was developing. Copper mining was intensified. Copper crosses were probably used as a currency. Ivory carvings and cotton textiles were other export commodities. One of the most famous archaeological sites for

¹⁹⁷ Government of the Republic of Zambia, *Interim Report of the Constitutional Review Commission*, Lusaka, June 29th, 2005, p. 13

¹⁹⁸ Grotperet *et. al, supra*.

¹⁹⁹ The Bantu people of Central Africa had used copper tools as back as the fourth century. When the representative of the British South Africa Company (BSAC) under John Cecil Rhodes came and signed mineral concessions with Chief Lewanika, and their subsequent claim to have discovered copper deposits in the area presently known as Zambia, the natives had been using copper for generations.

²⁰⁰ *Interim Report of the Constitutional Review Commission, supra.*, p. 14

²⁰¹ Slash and burn agriculture

this period is *Ing'ombe Ilede*.²⁰² The increase in trade resulted in larger political units and more complex social structures.

The period between the 16th and 19th centuries saw the emergence of organized Iron-Age kingdoms as well as widespread immigration. Four kingdoms were established in this period - and these were the Kazembe-Lunda in the north which centered around the lower Luapula River, the Bemba in the north-east, the Ngoni²⁰³ in the east and the Lozi in the west on the upper Zambezi River.

The territory of the present-day Zambia, being far inland,²⁰⁴ did not have direct contact with non-Africans until relatively recently in its history. Arab and Portuguese traders were visiting by the 18th Century. The first recorded visits by Europeans to the area we presently call Zambia were the Portuguese.²⁰⁵ Manoel Caetano Pereira²⁰⁶ and Dr. Francisco Jose Maria de Lacerda²⁰⁷ visited Zambia in 1796 and 1798, respectively. Both came via Tete in Mozambique to Mwata Kazembe's Capital to try and get the chief's agreement to a Portuguese trade route between their territories of Mozambique and Angola. Lacerda died within a few weeks of arriving at Kazembe's Kingdom but left a valuable journal which was carried back to Tete by his

²⁰² At *Ing'ombe Ilede*, trade in the form of batter system boomed. Batter system is the exchange of goods for goods.

²⁰³ The Ngoni under Zwangendaba crossed the Zambezi River in 1835 and moved north. It is believed that they crossed the Zambezi River under the Eclipse of the Sun. "The Ngoni in the Eastern Province of Zambia fought many wars before the arrival of the White man. However, the Ngoni warriors did not constitute a standing army in the sense of the modern armies of today. Albeit, they had drawn lessons from Shaka Zulu's approach to warfare, and that partly explains their success as they moved from South Africa to the north. They were eventually halted by European armed forces with their superior weapons in 1898." (Bizeck J. Phiri, "Civil Control of the Zambian Military since Independence and Its Implication for Democracy.")

²⁰⁴ Zambia is a landlocked country; it does not have a seaport or coastline.

²⁰⁵ The Arabs came in as traders and merchants, while the Europeans were missionaries, civil servants, commercial farmers, miners, adventurers, and entrepreneurs.

²⁰⁶ He was a mixed person of Goanese and Portuguese blood; he was a trader.

²⁰⁷ Francisco Jose Maria de Lacerda was an explorer.

priest and which was later translated into English by the explorer Sir Richard Burton.

It is believed, however, that the Portuguese first settled in Zumbo, Mozambique, in 1720, which is just across the Luangwa River from Zambia, at the confluence with the Zambezi River. Around 1820, they had settled on the Zambian side at Feira.²⁰⁸ So, it is very likely that they were visiting the Zambian territory between 1720 and 1820.

§5.4 Terra Nullius

It would be posited from the outset that the history²⁰⁹ of Africa in general, and then of Zambia in particular, as written by European historians is highly misleading.²¹⁰ Africa teemed with thriving civilizations as far back as the 13th Century. Ancient states such as Ghana, Mali, Bornu, Axum, Kivu, Benin, and the Bantu kingdoms in central-southern Africa were hives of political, economic and cultural hegemonies.

The colonial doctrine of *terra nullius*,²¹¹ which dominated the 1884-5 Berlin Congress in the quest to acquire land in Sub-

²⁰⁸ Modern day Luangwa

²⁰⁹ In his *Society Must be Defended*, Michel Foucault posits that the victors of a social struggle use their political dominance to suppress a defeated adversary's version of historical events in favor of their own propaganda, which may go so far as historical revisionism.

²¹⁰ Zambia is as large as France, Switzerland, Austria and Hungary combined, covering 750,000 square kilometers and lying in the tropical belt on South Central Africa. Zambia is about 10 to 18 degrees south of the Equator. Zambia is located on a high plateau, averaging 1,300m above sea level. Zambia lies within the tropical latitude with the general plateau height giving it a moderate climate which has earned Zambia the nickname, the "air-conditioned state." The climate is very temperate with little humidity (only in wet season). The country, although landlocked, has many lakes and rivers with beaches and water spots. There are three distinct seasons: Cool and dry from May to August; hot and dry from September to November; and warm and wet from December to April. Only in the valleys of the Zambezi and Luangwa rivers is there excessive heat and it is only during the hot and dry season. Also see the Preface to this book.

²¹¹ "Empty land"

Saharan Africa, was a suppressive thesis which postulated that colonized land was empty of human inhabitants and, therefore, could be claimed and settled in by colonists. The Berlin Congress, ironically, declared *terra nullius* the very land in which gigantic ancient states and empires thrived to be shared among the major European powers for occupation and colonization.

The very idea of congressing to share Africa with “no single African representative at Berlin,”²¹² by ambassadors, who had not set foot in Africa,²¹³ is grossly exploitive. Britain, France, Germany, the US, Belgium, Italy, Japan, and many nations in Europe in their imperial quest deemed Africa “unclaimed space,”²¹⁴ culminating in the “biggest land grab in history.”²¹⁵ A prominent statesman has noted this irony in the context of the relationship between the public law of Europe and African law:

If we take a look at the historical facts, we shall see, in the first place, what legality used to be taken to mean in Africa and what it was which used to be called “African law” as opposed to “the public law of Europe”; an African law illustrated – if one can apply the term – in the monstrous blunder committed by the authors of the Act of Berlin, the results of which have not yet disappeared from the African political scene. It was a monstrous blunder and a flagrant injustice to consider Africa south of the Sahara *terra nullius*, to be shared out among the Powers for occupation and colonization, when even in the 16th Century Vitoria had written that Europeans could not obtain sovereignty over the Indies by occupation, for they were not *terra nullius*.

By one of fate’s ironies, the declaration of the Berlin Congress which held the Dark Continent to be *terra nullius* related to regions which had seen the rise and development of flourishing states and empires. One

²¹² Alexander Grey Zulu, *Memoirs of Alexander Grey Zulu* (Ndola: Times Printpak Zambia Ltd., 2007), p. 4

²¹³ See Firstbrook, *The Obamas*, p. 104

²¹⁴ *Ibid.*, p. 99

²¹⁵ *Ibid.*, p. 100

should be mindful of what Africa was before there fell upon it the two greatest plagues in the recorded history of mankind: the slave-trade, which ravaged Africa for centuries on an unprecedented scale; and colonialism, which exploited humanity and natural wealth to a relentless extreme. Before these terrible plagues overran their continent, the African people had founded states and even empires of a high level of civilization.²¹⁶

Ammoun raises five very scintillating issues. In the first place, the consideration of Africa south of the Sahara *terra nullius* was robbery of gigantic proportion to Africa. Europe could not, in essence, deny that it had neither the moral nor legal justification in branding Africa an empty land. In the second place, declaring Africa an empty land was a clear disregard for African law.²¹⁷ For even before borders and boundaries were demarcated in Africa, powerful states and great empires had existed which secured their spheres of influence through conquests.

Even up to now Africa continues to face debilitating mutinies through tribal and civil wars owing to the fact that many of its clans were displaced through the scramble for land by the major European powers following the Berlin Congress. The imperial scramblers cared less what would result from the vicious dislocations.²¹⁸ In Zambia for example, to date, there

²¹⁶ Fouad Ammoun, "Separate Opinion of Vice-President Ammoun," in M. Hamalengwa, C. Flinterman & E.V.O. Dankwa, (eds.), *The International Law of Human Rights in Africa* (Dordrecht: Martinus Nijhoff Publishers, 1988), pp. 137-138

²¹⁷ In Zambia, for example, "The first law that existed... was the indigenous law of the tribes." See John Hatchard and Muna Ndulo, *The Law of Evidence in Zambia: Cases and Materials* (Lusaka: Multimedia Publications, 1991), p. 1

²¹⁸ Mbulo argues in the case of the Makololo and the Luyi or Lozi people whom he conceives were one people before colonization, thus, "[Dr.] Livingstone tried to deal with the Makololo and Lozi (the Borotsi, later Barotse, as David Livingstone called them) throughout as separate peoples, an aspect of the European colonial attempt to rationalize African peoples by tribalizing them. The fact still remains that Africans are one people. People of southern and central Africa all originated from the Luba-Lunda kingdoms

exists dislodgments among people who presently occupy the eastern part of Zambia. The Chewa people of Malawi and of eastern Zambia are one and the same people who were dislodged by boundaries drawn by the colonists. The same could be said regarding the people who inhabit the Luapula Province. These people do not only share the border but both the cultures and traditions with the people in southern Congo DR.²¹⁹

In the third place, the Act of Berlin designation of areas in which great states and empires had thriven *terra nullius* was meant to dominate Africa, and in doing so, to take advantage of the plentiful human and natural resources to power the accoutrements of the Industrial Revolution in Europe. Ambition and a relentless quest to occupy other territories in order to exert imperial supremacy was the ultimate motivation for declaring Africa an empty land.

In the fourth place, Europe advanced the principle of *terra nullius* in Africa because of Africa's strategic advantage for mobilizing resources. Ancient kingdoms in Africa were established in regions with enormous environmental and climatic conditions suitable both as protective castles and mineral wells. Europe had learnt this from political and Christian missionaries who were on expedition to Africa in the last half of the 19th Century.

Fifth and last, both slavery and colonialism were an affront to the future interest and well-being of Africa. Slavery has moral and economic consequences wherever it has been experienced. The longevity of slavery is tantamount to the potential human and economic losses a group of people suffers. In Africa, slavery lasted for over four hundred years. In human and economic terms, this meant depletion in human capital and future productivity.

speaking the Bantu languages" (Potpher Mbulo responding to "President Banda Should Set up Barotse Commission of Inquiry" by Henry Kyambalesa on *Zambia News Features*, October 31st, 2010)

²¹⁹ Also see Chapter One

The implicit consequence of slavery is the breaking, dehumanizing of the human spirit, which in the long run reduces a people to less than humans, unable to exercise independent rational thinking, and perpetually dependent on others for intellectual and creative advancement. According to M'Bokolo, "Four million slaves [were] exported via the Red Sea, another four million through the Swahili ports of the Indian Ocean...nine million along the trans-Saharan caravan route, and eleven to twenty million across the Atlantic Ocean."²²⁰ Slave trade is an international crime.²²¹

Colonialism, on the other hand, is *anathema* to a people's political and economic gains. Colonialism did to Africa's political destiny what slavery did to its emotional and intellectual esteem. As argued previously, and more than slavery, it was colonialism that set the foundation for civil wars and ethnic tensions in Africa:

For a full three months the European nations haggled over the partition of the continent, completely ignoring any of the cultural or linguistic boundaries already established by the indigenous populations. By the end of February 1885, Africa had been carved up into fifty irregular countries. In this "imperial" map of Africa, borders were often drawn arbitrarily, with little or no regard for ethnic unity, regional economic ties, migratory patterns of people, or even natural boundaries.²²²

Thus, to date, this pattern of ethnic-based conflicts can be found in Chad, Liberia, Ethiopia, Congo DR., Sudan, Guinea, Kenya, Nigeria, and so on. The manner in which Africa was shared was highly injurious to the future of African peace. Queen Victoria, the most acquisitive of all imperial forces, even

²²⁰ Elikia M'Bokolo, "The Impact of Slave Trade on Africa," (April 1998) *Le Monde diplomatique* (English edition)

²²¹ See Firstbrook, *The Obamas*, p. 91; however, it would be improper not to mention that slave trade was rife in Zambia where the last slave cargo was stopped at Chipata in 1898.

²²² *Ibid.*, p. 104

suggested acquiring ‘the big mountain [Kilimanjaro] in Africa’ for her grandson, the Kaiser of German.²²³

§5.5 Theories of Domination

It seems in the history of civilization that for a people to dominate another people, such a people first have to advance a theory or thesis against the dominated. In the case of Africa, there was an overwhelming theoretical basis as to why the Black people of Africa deserved to be enslaved and colonized. Europe and America used a two-pronged hook of racism and H. Rider Haggard’s *King Solomon’s Mines*²²⁴ to justify the enslavement and colonization of the Black Africans, respectively. Historian Basil Davidson writes:

The racism that we know, was born in Europe and America from the cultural need to justify doing to Black people, doing to Africans, what could not morally or legally be done to White people, least of all to Europeans. To justify the enslavement of Africans, in short it was culturally necessary to believe...that Africans were inherently and naturally less than human.... That was the cultural basis...of the slave trade and of the modern imperialism of Africa which followed the slave trade.²²⁵

Experience in the West still tells a great deal about European and American thinking about Black Africans. Never did the author question his own sense of intellectual prowess until he relocated to the West. From the beginning, he was greeted with an aura of doubt, doubt that even what he thought he knew was less peremptory in the light of historically held views about the

²²³ *Ibid.*, p. 106

²²⁴ H. Rider Haggard, *King Solomon’s Mines* (London: Casselle and Company, 1885)

²²⁵ Carina Ray, “We Have a history,” (January 2008), *New African*, No. 469, p. 24

Black people of Africa. Black people, for the most part, in the presence of their Western counterparts have to repeatedly prove themselves first before they could be accepted. As modern as 2007, biologists such as James Watson²²⁶ still promulgated the Kantian racial sobriquets that, “Africans have received from nature no intelligence that rises above the foolish,”²²⁷ joining the long line of the so-called Western thinkers like Votaires, David Hume, Georg Hegel and Hugh Trevor-Roper who have fed imperialistic avarice with impetus which has contributed to the subjugation and plunder of Africa.

Colonialism was founded on a very strong theoretical base. In *King Solomon’s Mines Revisited: Western Interests and the Burdened History*, Minter asserts, “[Haggard’s] *King Solomon’s Mines* came off the press in London in September 1885, only six months after the European powers had met in Berlin to set the rules for dividing up Africa.”²²⁸ This book gave impetus to what would become of European imperialism in Africa. It, in part, informed the doctrine of *terra nullius*, and this resonated with the thinking of the time. Hegel’s claim that Black Africans exist in the *Infancy of Humanity* became “the ideological justification for colonialism.”²²⁹ Zambia, just like Africa in general, lost more than a thousand years that not even hard labor could compensate for in Europe’s scrambling for Africa’s territories. Europe and the Americas on the other hand, gained much more than they could possibly need for a long time to come.

²²⁶ James Watson was involved in the discovery of the structure of DNA. In 2007, he declared that the people of African descent were not as intelligent as the people of European descent. This is even though research has shown that race is indeterminate of intellectual dexterity. Consequently, Watson’s pontificating has gone a long way in dealing a dearth blow to the people of African descent, especially in perpetuating inequalities in the workplace. His racist stance was so influential that he has adamantly stated that, “People who have to deal with Black employees find this not true” that all people are equal.

²²⁷ See Carina Ray, *supra*.

²²⁸ William Minter, *King Solomon’s Mines Revisited: Western Interests and the Burdened History* (New York: Basic Books, Inc., 1986), p. 3

²²⁹ Ray, *supra*, p. 24

It is against this background that a detailed narrative of pre-independence Zambia will be told. This is bearing in mind the fact that what is discussed is a quintessential analysis of Zambia's genuine desire to rubble off the shackles of unjust enrichment by colonial powers, the legacy of unequal treatment, and to celebrate the tremendous bravery of those who struggled with their might and life for Zambia's political independence.

§5.6 Invasion of Zambia

Life as we know it in Zambia, concentrated mostly in urban areas, was an invention of European expedition to Zambia. About 2000 years ago, there about the time of Jesus Christ, the indigenous Zambians were hunter-gatherers. They lived by collecting wild fruits and hunting game for food and using the skins of the animals as marts. Between the 15th and 19th centuries, these indigenous Zambians were displaced by advancing Bantu²³⁰ speaking tribes migrating from the Luba and Lunda kingdoms in what is present day Congo DR and Angola. They were flanked by the Ngoni people from the south towards the end of the 19th Century. To understand the composition, expedition and migratory adventures of these people, it is important to pay attention to their oral traditions and local myths and legends. One such rich tradition, which also forms part of the historical recollection of the people we call the Bemba in Zambia happened between the 15th and the 19th centuries.

Young²³¹ has argued against tribal histories, contending that, "Most of them describe in more or less picturesque detail, how a tribe was founded by a band of adventures."²³² He admits that these stories may contain, in general, a large kernel of truth, "but it is important to realize that they do not necessarily give

²³⁰ Human beings or simply people

²³¹ Andrew Young, *A History of Zambia* (New York: African Publishing Company, 1973)

²³² *Ibid.*, p. 63

us the literal truth.”²³³ Accordingly, he devalues them as mere myths. Their main purpose, he reminds, is not to record what really happened, but rather, to explain and justify the customs and institutions of the present day.²³⁴

However, it is vital to understand that these stories are based on historical facts. Indeed, their memory has been compressed and transformed into moral lessons for today, and that should not be a nefarious assumption why they should be believed. For the most part, Western history is recorded, but it was not always so. Homer depended on local myths and legends to write the *Odyssey* and the *Iliad* in 800 B.C. Similarly, most of Zambian history in pre-European invasion period can only be deciphered from local myths and legends, and also now through anthropology as well as archaeology.

The Bembas are those who consider themselves subjects of the Chiti Mukulu, the Bemba’s only paramount chief. They live in villages of 100 to 200 people and numbered 250,000 strong at Zambia’s independence.²³⁵ There are over thirty Bemba clans, named after animals or natural organisms, such as the royal clan, “the people of the crocodile” (Bena Ng’andu) or the Bena Bowa (mushroom clan). They were the people who finally put a halt to the northward stride of the Nguni, Sotho-tswana and Ngoni people.

Reference shall be made to the Bembas as a way of illustrating the incomprehensive nature of the doctrine of *terra nullius*, dispelling the notion that the descendants of Zambians were landless before colonialism. Similar histories such as of the Lozi people²³⁶ of Zambia provide irrefutable evidence of the

²³³ *Ibid.*

²³⁴ *Ibid.*, p. 64

²³⁵ Jay Samungole, “History of the Bemba People” (Lusaka: Unpublished, 2010)

²³⁶ From “History of the Lozi People” by Jay Samungole, (Lusaka: Unpublished, 2010), used by permission:

The Barotseland region of Zambia represents a large autonomous kingdom in the Western Province. The earliest known tribe of the Lozi people to settle in the area, the Luyi, migrated from Katanga in the Congo. They were ruled by a long

flamboyant and booming kingdoms in the area which came to be called Zambia.

§5.7 Kola²³⁷

In a country called Cula or Kola, there was a chief called Mierda. He had a number of sons by different wives, but one day he heard of a woman with ears as large as an elephant's, who said she came from the sky and belonged to the crocodile

line of female rulers until their settlement on the Bulozhi flood plain. The earliest of these rulers was named Mwambwa, who was succeeded by her daughter, Mbuyuwambwa. According to legend, they both married Nyambe, the "maker of the world, the forests, the river, the plains, all the animals, birds and fish." Mwanasolundwi Muyunda Mumbo wa Mulonga, a.k.a, Mboo, the son of Mbuyuwambwa, was chosen as paramount ruler of the Lozi, becoming the first male ruler in history. Thereafter, all his successors, as Litunga, have been males. A revolution in 1840 removed the ruling dynasty from power. The whole of Barotseland then fell under the rule of the Kilolo, led by Sibitwane, brother of the great Moshesh of Lasotho, for the next twenty-four years. The Lozi dynasty continued to oppose them wherever possible and maintained its leadership and traditions in exile. A rebellion again in 1860 enabled Lutangu Sipopa, a son of Litunga Mulumbwa, to seize his chance to establish his claim to the throne. He defeated and virtually exterminated the Kilolo four years later and restored the fortunes of the dynasty. Litunga Sipopa's assassination by his bodyguard in 1876 triggered a contest for the succession. Although his nephew, Mwanawina II, secured the throne, though powerful, he was deposed in favor of his popular cousin, Lubosi, two years later. Litunga Lubosi I or more popularly Lewanika, succeeded on the death of his cousin in 1878, was himself deposed and driven into exile in 1884. He escaped to Angola, gathered an army and regained the throne in late 1885. Highly intelligent and keen to modernize his kingdom, he embraced the missionaries as a means of educating his people. He also recognized the risk of White settlement and arranged to accept a British Protectorate in 1890 in order to protect his people and lands from encroachment.

²³⁷ Samungole, *supra.*, used by permission.

clan. Her name was Mumbi Mukasa, and the chief married her. They had three sons, Katongo, Chiti and Nkole, and a daughter, Chilufya Mulenga. The impetuous young men built a tower that fell down and killed many people. Mukulumpe was furious. He put out Katongo's eyes, and banished Chiti and Nkole. Mukulumpe pretended to relent and called back the exiles. However, he had dug a game pit to kill the three of them. Katongo, though blind, warned his brothers by using his talking drum. When they arrived at the palace, the king humiliated them by subjecting them to menial work. Chiti and Nkole left the kingdom for good, and took with them their three maternal half-brothers Kapasa, Chimba and Kazembe and their entourage.

They fled east, until they came to the middle reaches of the Luapula River. Chief Matanda of the Bena Mukulo ferried them across. In their haste, they left behind their blind brother Katongo and their sister Chilufya Mulenga, who Mukulumpe had locked up in a house without doors. They dispatched their half-brother Kapasa to break out Chilufya Mulenga, which he did ingeniously. But on the way to Luapula, Kapasa fell in love with Chilufya. When it turned out she was pregnant, Kapasa was disowned by Chiti. The group meanwhile had fallen in with a 'white magician,' Luchele Ng'anga. When they arrived in Luapula, Kazembe decided to settle there, but Nkole and Chiti were uncertain. When Luchele Ng'anga conjured up a fish from a mortar, they took this to be an omen to head eastwards, and moved toward the plateau of the Chambeshi River, near Lake Bangweulu.

They crossed the Safwa Rapids, and the Luchindashi River, where there was a quarrel between two women, and part of the group stayed behind, forming the Bena Nona (mushroom clan), the royal clan of the Bisa people.

The others continued southwards where they encountered the Lala people, who asked them for a chief, and were given a man called Kankomba. The migrants then turned eastwards to

the Luangwa Valley and among the Nyanja²³⁸ and the Senga (or Nsenga) peoples, they encountered a chief called Mwase. Mwase's wife, Chilimbulu, was very beautiful, and her stomach was adorned with elegant cicatrizations. Chiti fell in love with Chilimbulu and seduced her when Mwase was out hunting. When he returned and caught them in the act, the two chiefs fought, and Chiti was grazed by a poisoned arrow, after which he died.

Nkole and his followers took Chiti's body with them, looking for a grove suitable for his burial. They encountered the magician Luchele Ng'anga again, and he directed them toward a majestic grove called Mwalule or Milemba. At Mwalule, they found a woman called Chimbala. They also found another visitor, the Bisa headman Kabotwe, who was there to trade and pay respect to Chimbala.

After Chimbala gave them permission to bury Chiti, they managed to get Chimbala to marry Kabotwe, ensuring Chimbala's ritual ability to purify those who buried Chiti. Kabotwe became the keeper of the grove, and received the title Shimwalule, which his matrilineal descendants inherited.

²³⁸ The people who are considered to be the Nyanja are actually the Chewa people. Nyanja is a dialect which developed in trading centers with its root being Chewa. In some instances, Nyanja and Chewa are taken as one because the difference between them, if any, is minimal. There are presently over 1.5 million Chewa throughout Malawi and Zambia, however the Chewa are not considered people of Malawi, nor people of Zambia, but people from the Nyanja group of Bantu. The history of the Chewa people includes a number of stories of fact, tradition, ancestral beliefs, and spiritual influence creating the modern-day Chewa culture. Legend holds that over one thousand years ago, Bantu speaking people of Nigeria and Cameroon migrated to – among other places – the Luba area of Zaire, or what is now known as the Democratic Republic of Congo. The Nyanja group of Bantu settled within the Luba area known as Malambo and conquered more and more land from other Bantu peoples. Eventually, their central locale shifted from Malambo to the region of Choma; a vast mountainous and plateau region known today as northeastern Zambia and northern Malawi (formerly Nyasaland). In Malawi, the Chewa are predominantly concentrated within the central region, surrounding the Capital City of Lilongwe, in areas such as Dedza, Kasungu, Dowa, Ntchisi, Mchinjui, Ntcheu, Salima, and Nkhota Kota.

However, Nkole had sent out a party to raid cattle from Fipa chief Pilula to provide an ox hide shroud for Chiti. Then, he dispatched a party to avenge Chiti's death, killing Mwase and Chilimbulu. Their bodies were burned at Mwalule, but the smoke overcame Nkole, who also died, and now also had to be buried at Mwalule.

The Kola migrants adopted matrilineal succession, and Chiti and Nkole were succeeded by their sister Chilufya Mulenga's son. He was also called Chilufya, and was too young to rule as chief, so Chiti's half-brother Chimba ruled in his place. The Kola migrants left Mulambalala, their site near Mwalule and crossed the Chambeshi River north. The disgraced Kapasa, however, settled on his own in Bulombwa, driving out Iwa chief Kafwimbi and his cattle.

The others traveled westward up the Kalongwa River, where two men, Kwaba and Chikunga found a dead crocodile. As the chiefs were of the crocodile clan, this was taken as a good sign. Here, the Kola migrants made their Capital, Ng'wena (Crocodile) on the Kalungu River and settled in the surrounding country. The groups then living in the area were called Sukuma, Musukwa, Kalelelya and Ngalagansa. They were driven off or killed by the Kola migrants, who were by now called the Bemba.

When Chilufya the king grew up, Chimba handed him the royal bows belonging to his uncles Nkole and Chiti. Chilufya thereby gained the praise name 'Ca mata yabili' (of the two bows). Chilufya, however, insisted that Chimba keep Nkole's bow, allowing him to find his own village at Chatindubwi, a few miles north of the Kalungu River.

Thereafter, the Bemba became many. New villages and chiefs were founded, and many chiefs succeeded Chilufya. All of these paramount chiefs took the name of the original founder, Chiti Mukulu (Chiti the Great).

§5.8 Thriving Kingdoms

From this account, as too is from that of the Lozi or the Nyanja peoples, it is clear that the descendants of Zambians

were a well-organized people with thriving kingdoms, laws and order. They acquired lands and held claim to territories by conquests. In the places where they finally settled, whether by conquest or *jus soli*,²³⁹ they set up political structures and hubs of power. Among the Bembas, for example, the Paramount Chief or Chiti Mukulu was the supreme ruler, who was assisted by chiefs and headmen. Similarly, among the Lozis, the Litunga is assisted by subordinates known as *indunas*.

By the 19th Century, the descendants of the modern-day Zambia had an established traditional legal system consisting of sound customs and conventions. Land was collectively owned by the people entrusted to the chief as the guarantor of land rights. The chief in turn delegated the demarcation and distribution of land to local headmen.

What was true of land policy in the present-day Zambia between the 15th and 19th centuries was also true of Britain between the 11th and 13th centuries. In 1066 a Norman General via Normandy by the name of William the Conqueror, occupied what is known as England. He found no harmonized law and different groups were resolving their particular disputes according to the customs of that particular area. William introduced a Feudal System²⁴⁰ and appointed a form of circuit court system to arbitrate land and criminal matters on his behalf. These circuit judges necessitated a common application of legal precedents throughout the land based on the principle of *stare decisis*.²⁴¹ These common customs became known as the common law.

²³⁹ Right of soil

²⁴⁰ Where land ownership was exclusively in the hands of the King

²⁴¹ The term *stare decisis* originates from the Latin maxim of *Stare decisis et non quieta movere*, which means “to stand by decisions and not disturb the undisturbed” or simply, “Let the decision stand.” It is a theory of the common law system which stipulates that the decision of a superior court is binding on an inferior court and on a court of co-ordinate jurisdiction so far as it is a statement of the law which the court is bound to accept. This doctrine demands that rules or principles of law on which a court rested a previous decision are authoritative in all future cases in which the facts are substantially the same.

By the mid of the 19th Century, Europeans comprising explorers,²⁴² traders and missionaries began to penetrate Zambia. Notable among them was David Livingstone, a medical doctor from England who, in the company of his African helper Chuma,²⁴³ claimed to have discovered the Victoria Falls in 1855.²⁴⁴ The Livingstone town²⁴⁵ in the Southern Province of Zambia is named after David Livingstone.

The brilliance and magnificence at the sight of the African continent could have stunned Livingstone. His explorations in the interior could have changed his view of what had been termed the Dark Continent forever.²⁴⁶ Grant, attesting to this fact on Livingstone's first view of Africa, nods: "A vivid sunrise of silver, gold and blood red tinged its beauty with something a

²⁴² Most of these explorers were ruthless against the Africans. For example, the journalist Henry Morton Stanley who met Livingstone at Ujiji on November 10th, 1871, and greeted Livingstone with those famous words, "Dr. Livingstone, I presume," is believed to have used, "excessive violence, racial abuse, and condescending language towards Africans" (Firstbrook, *The Obamas*, p. 98).

²⁴³ In 1997, the author wrote a poem called *Chitambo* (for this is the place in central Zambia where David Livingstone's heart is buried) in tribute to Chuma who helped Livingstone travel the almost impassable jungles of Africa. This poem is found on page 93 of *Song of an Alien*, *supra*.

²⁴⁴ David Livingstone did not discover the Victoria Falls; he renamed the falls which was called Mosi-oa-Tunya (or the smoke that thunders) by the indigenous people. This event informs us of the popularity of the doctrine of *terra nullius*, even before it was made official by the Act of Berlin in 1885.

²⁴⁵ Named after David Livingstone, see more at §18.1.

²⁴⁶ While to the White Europeans Africa was "dark", it was only in as far as Europe remained ignorant about both the thriving civilizations and booming trade taking place there, way before a European stepped foot on Africa. Firstbrook attests, "Trade with both the Arabs and the Chinese [as early as 1414, a huge fleet of 62 Chinese trading galleons and 190 support ships under the command of Zheng He had crossed the Indian Ocean and landed on the African coast] disproves the myth that Africa – the 'Dark Continent' – had little or no contact with the outside world until it was 'opened up' by Europeans" (Firstbrook, *ibid.*, p. 85; also see Korwa G. Adar and Isaac M. Munyae, "Human Rights Abuses in Kenya under Daniel Arap Moi, 1978-2001," (2001) *African Studies Quarterly*, Vol. 5, No. 1

little intimidating, even frightening. How must Livingstone and the early explorers have felt on seeing it for the first time?”²⁴⁷

The *first most significant event* that would shape Zambia’s political and economic history happened in 1888. In that year, John Cecil Rhodes sent his emissaries Joseph Thomson, Frank Elliot Lochner and Alfred Sharp to make treaties with King Lewanika. In 1890, the emissaries arrived in Barotseland.²⁴⁸ They obtained mineral right concessions from the local chiefs, including Chief Lewanika in what is the present-day Western Province of Zambia.²⁴⁹

§5.9 British South Africa Company

In 1891, John Cecil Rhodes and his British South Africa Company (BSAC) or the Company brought the administration of the territory under the charter of BSAC and administered it as a colony in two units of North-eastern and North-western Rhodesias.²⁵⁰ Attempts at unifying these two territories failed

²⁴⁷ Grant, *Zambia – Then and Now*, p. 25

²⁴⁸ However, prior, in 1872, the first English traders had arrived at the court of Sipopa in Barotseland.

²⁴⁹ However, the emissaries penetrated far inland in search of mineral deposits. For example, in 1910, Moffat Thompson “discovered” Nkanga (Kitwe) copper source.

²⁵⁰ Section 14 of the Royal Charter of October 29th, 1889 entrusted the administration of Rhodesia to the BSAC and authorized thus: “In the administration of justice to the said peoples or inhabitants careful regard shall always be had to the customs and laws of the class or tribe or nation to which the parties respectively belong, especially with regard to the holding, possession, transfer and disposition of lands and goods, and testate or intestate succession thereto, and marriages, divorces, legitimacy, and other rights of property and personal rights, but subject to any British laws which may be in force of the territories aforesaid and applicable to the peoples or inhabitants thereof.” (Hamalengwa, “The Legal System of Zambia: Law, Politics and Development in Historic Perspective,” in P. Ebou Bodzi-Simpson, (ed.), *The Law and Economic Development in the Third World* (New York: Praeger Publishers, 1992), p. 23). Thus, from the inception of colonialism, the British government had introduced a dual legal system in Northern Rhodesia (Zambia) of the African customary law and the English common law.

principally because of opposition from the White European settlers. The settlers abhorred the practice of employing Africans in administrative posts. This is very important and revealing to the future of Zambia.

The European settlers did not favor the idea of amalgamation because that would mean Africans taking up administrative posts. They feared this move because it would empower the Africans for leadership. The settlers preferred to relegate the Africans to low and general laborer jobs. This was the *second most significant event* in the history of Zambia. Zambia would, consequently, encounter massive shortages of educated leaders at independence. “In education, for example, Zambia had only 100 university graduates, about 1,500 had school certificates...and 7,000 had attained Form II certificates.”²⁵¹

In 1911,²⁵² the two territories of North-eastern and North-western Rhodesias were formally amalgamated and Northern Rhodesia was formed. Northern Rhodesia remained a charter colony of the BSAC as a British sphere of influence until 1924. On April 1st, 1924, Herbert Stanley was appointed Governor of Northern Rhodesia. Subsequently, the administration of Northern Rhodesia was transferred to the British Colonial Office and Northern Rhodesia became an official British Protectorate with its Capital City at Livingstone.²⁵³ In 1935, the Capital City was moved to Lusaka.²⁵⁴ According to Hamalengwa, “Zambia was incorporated into the world

²⁵¹ *Times of Zambia*, “Zambia’s Independence: 1964 Celebrations Relieved” (October 2004)

²⁵² See John J. Grotperger; Brian V. Siegel; and James R. Pletcher, *Historical Dictionary of Zambia, Second Edition* (London: The Scarecrow Press, Inc., 1998); other records place this event in 1916.

²⁵³ “The colonial state and government were basically set up to cater for the interests of the Crown [British government] and colonial settlers as well as international capital that was centered in the copper industry.” (Hamalengwa, “The Legal System of Zambia: Law, Politics and Development in Historic Perspective,” *supra*, p. 22)

²⁵⁴ The name Lusaka is derived from a village headman called Lusaaka who occupied the limestone area where the present Lusaka City is situated. His palace could have been located where the Manda Hill (National Assembly) is today.

economy as a Company State beginning from the end of the 19th Century. The Company, British South Africa Company (BSA Co.) had been given mineral rights over the territory.”²⁵⁵

The wealth and survival of Zambia is tied to copper. In 1895, Frederick Russell Burnham of the BSAC did not discover copper by accident. The BSAC had stated in its aim that it wanted to exploit the mineral wealth north of the Limpopo River, extend the railways and telegraph system, and encourage colonization, *et alia*. “To develop and work mineral and other concessions under the management of one powerful organization, thereby obviating conflicts and complications between the various interests that have been acquired within the region and securing to the native chiefs and their subjects the *rights reserved* to them under several concessions.”²⁵⁶ The BSAC had predetermined interest in Northern Rhodesia.

§5.10 Treaties or Hoaxes

The supposedly “rights reserved” for the natives were only a hoax, as after 1889 the BSAC began, in effect, to plunder first the western portion of Zambia, and later the northern trail. It carried out manufacturing of commercial and trading businesses, searched and dug for diamonds, gold, copper, coal and precious stones. The Company further carried out business in banking, sold and manipulated metals, manufactured and imported arms and ammunitions, and administered the affairs of the Company and of the native Africans. As mentioned before, effectively from 1889, Zambia became a Company State under the Royal Charter of October 29th, 1889.

By definition, a treaty, like a contract, is a settlement or agreement arrived at through negotiation. A treaty gives rise to

²⁵⁵ Munyonzwe Hamalengwa, *Class Struggles in Zambia 1889-1989 & The Fall of Kenneth Kaunda 1990-1991* (Lanham: University Press of America, 1992), pp. 21-22.

²⁵⁶ F.L Coleman, *The Northern Rhodesia Copperbelt 1889-1962*, as quoted in Hamalengwa, *Class Struggles in Zambia 1889-1989 & The Fall of Kenneth Kaunda 1990-1991*, p. 25

binding obligations between parties that make it. It may outline the rights and responsibilities of the parties as they are agreed upon. However, treaties are only binding on parties that have adhered to them, save for peremptory norms.

Modern treaties are sanctioned by international law and are consummated in the 1969 *Vienna Convention on the Law of Treaties* which defines a treaty as an agreement between two or more nation-states over matters that they have agreed upon. Enforcement and interpretation of these treaties is as well governed by international law. By extension, a treaty can also refer to any agreement or contract that describes an agreement made between parties other than nation-states.

Imperialists used two approaches to dominating other territories: Conquest or treaties. Through treaties, European nations, such as Britain, recognized the natives' occupancy, ownership and governance of the territories they wanted to colonize.

Northern Rhodesia was providentially positioned in the sense that treaties, rather than conquests,²⁵⁷ were used to secure its territorial domination. The representatives of the BSAC used concessions to grab mineral and other rights in Barotseland. The term *concession agreement* refers to a type of negotiated contract which gives a company the right to do specific business in an identified territory. In the case of King (Litunga) Lewanika and the BSAC, a mineral concession agreement meant an agreement which granted the concessionaire (the BSAC) exclusive right to do business in Barotseland in exchange for some carefully negotiated terms.

²⁵⁷ Zulu attributes this approach to the subsequent peaceful and orderly independence transition as opposed to military operations in other colonized African countries: "In Northern Rhodesia [Zambia] and Nyasaland [Malawi] the nationalist struggle took a constitutional route mainly because these territories, although under the racial Federation, still enjoyed certain rights as protectorates under Her Majesty's government through the Colonial Office. The territories of Portuguese Africa were considered as 'overseas provinces, hence the intransigency of the minority to African agitation for self-rule." (Zulu in *Memoirs of Alexander Grey Zulu*, p. 5)

As shown earlier, by the last half of the 19th Century, most tribes in the territory that would become Northern Rhodesia had strong and well-established kingdoms. To secure their kingdoms, leaders of these kingdoms often solicited for alliances with other strong kingdoms, missionary organizations or, in the case of Litunga Lewanika, chartered companies.

Lewanika wanted British protection from the nearby Matabele Kingdom.²⁵⁸ The Matebele had trekked upwards from the Zulu Kingdom of Shaka Zulu.²⁵⁹ The Matebeles were under their leader Lobengula. Lewanika also wanted protection from the Portuguese and from some of his own dissident subjects. However, that was not enough reason to *sell* the entire territory or most of the productive or mineral-laden land.

On June 26th, 1890, Lewanika signed a concession with Cecil Rhodes' representative, Frank Lochner.²⁶⁰ "The concession covered *all* Lewanika's country, allowing the Company to engage in manufacturing, mining, banking, the provision of infrastructural works and the importation of arms and ammunition."²⁶¹ Basically, all the talk about signing treaties or

²⁵⁸ Or the Ndebele Kingdom

²⁵⁹ Shaka Zulu was an illegitimate son who became one of the most decorated warriors in Africa. He devised a short-specialized spear he called *Assegai* and coached his *Impis* (warriors) to fight barefooted and attack his enemies very early in the morning.

²⁶⁰ The Lochner Treaty was signed by Lubosi Lewanika of the Second Regime of the Litunga Royal Establishment, himself the successor of King Lubosi of the First Regime. He was the 18th Litunga. The line of the Litungas or Lozi rulers from (1) Queen Mwambwa are: (2) Queen Mbuyawamwambwa (3) King Mboo Muyunda Mwana Silundu (4) King Inyambo (5) King Yeta I Ya Musa (6) King Ngalama wa Ingalamwa (7) King Yeta II Nalute Mucabatu (8) King Ngombala (9) King Yubya Ikandanda (10) King Mwanawina I (11) King Mwananyanda Liwale (12) King Mulambwa Santulu (13) King Silumelume Muimui (14) King Mubukwanu (15) King Sipopa Lutangu (16) King Mwanawina II (17) First Regime: King Lubosi; Second Regime: Lubosi Lewanika (18) King Tatila Akufuna (19) King Litia Yeta III, CBE (20) King Mwanang'ono Imwiko I (21) King Mwanawina III, KBE (22) King Mbikusita Lewanika II (23) King Ilute Yeta IV (24) King Lubosi Imwiko II

²⁶¹ Cedric Pulford, "Barotseiland: A Unique African Kingdom"
<http://www.pulfordmedia.co.uk/i_pages/i_features/african.htm>
(Retrieved: May 31st, 2010)

concessions by the Africans with the Europeans at that time was a ruse. The Europeans, unlike the Africans, were on a mission on the African soil. They had left the comfort of their own lands for much more than just simple adventure or expeditions as they called them. They were wealth hunters, and wherever they found it, they used every arsenal at their disposal to acquire it.

It is travestying that Africa continues to fall for simple tricks even in the 21st Century. Africa tends to mistake openness to courtesy. By nature, Africans in general, and Zambians in particular, are very welcoming people. The author remembers when he was a child in the villages of Mibenge how they welcomed every stranger to their homesteads. It was customary then, and still is, that they treated their visitors with utmost courtesy. However, the acts of kindness they are so famous for have brought them nothing but poverty and have been used against them. This is not to advocate for meanness or unwelcoming attitude. History has proven that those who came to the African villages took advantage of the African courtesy and grabbed the wealth of Africa to the detriment of the Africans.

The presence of the BSAC in Barotseland is the point in issue. The agreement Lewanika reached, if it can qualify to be an agreement at all, was, for the most part, a one-sided deal. Moreover, it cannot be said that Lewanika wanted the BSAC protection because he believed the Company would protect him. Thirteen years after being swindled of mineral rights in Barotseland, the Company literally obliterated Lewanika's most feared neighbor, Lobengula of the Matebele people. Pulford writes that within a few years, Lobengula, Lewanika's arch-rival was dead. The 1893 Matabele War started over a small incident when the telegraph link was cut, and the wire stolen. The Chartered Company treated this as a *casus belli*.²⁶² Maxim guns made short work of Lobengula's *impis*. The king fled his Capital, Gubulawayo (Bulawayo), and soon died, probably of smallpox.

²⁶² "Justification for acts of war" from Latin *Casus* or case, and *Belli* or bellic, literally "of war."

However, the process of assimilation was by now unstoppable for Lewanika. Barotseland became absorbed into Northern Rhodesia at first under the Company and, from 1924, as a British Protectorate.²⁶³

The Company did not only sign more treaties, it went ahead and plundered Lewanika of resources.²⁶⁴ One of the conditions for grabbing the wealth of the Lozi people of western Zambia was in exchange for some members of Lewanika to study in London, England. In 1898, Lewanika was again hoaxed into another concession called the Lawley Concession.

This concession “reduced Lewanika’s annual subsidy from £2,000 to £850 and gave the Company judicial powers in disputes between Whites or Whites and Blacks. It was the blueprint for the Lewanika Concession of 1900. This affirmed the Company’s administrative authority over the king’s domains. It excluded prospecting in the Barotse heartland – and yet an astonishing postscript provided that if gold in worthwhile quantities was not found outside the reserved area, it could be sought inside the reserved area.”²⁶⁵ The Company until 1909 soldiered on and grabbed all the arable land in Barotseland.

In 1917, Paramount Chief Yeta appealed to the British government claiming that the Company’s “rights were obtained in its capacity as the government – the inference being that without the responsibilities of administration, it must also abandon its rights.” In short, the African chief had come to realize too late that the Company had played the game of *cat and mouse* and had plundered the area of its wealth and yet not taking full responsibility of developing or administering the area competently. From the beginning, the relationship between the

²⁶³ *Ibid.*

²⁶⁴ Cecil Rhodes was not the only colonialist filled with avarice and disregard for the African continent. One called Karl Peters, described as the “Man with blood on his hands” by the people of East Africa, and the man whom both Kaiser Wilhelm II and Adolf Hitler later feted as the ideological hero of German, is said to have made a total of twelve bogus agreements with the Sultans, grabbing a total of 60 thousand square miles of the East African mainland. Peters is believed to have treated the Africans with cruelty and angst. See Peter Firstbrook, *The Obamas*, p. 105

²⁶⁵ *Ibid.*

Company and the British government was suspicious, described by some as “a peculiar one.” In fact, the Company’s revenue in terms of royalties from minerals had risen from £12,781 in 1925 to £300,000 in 1937.²⁶⁶ This was nearly half of the total Northern Rhodesian government income from the mines.

The Company has been cited as an “accomplice in the intrigue of continued African servitude”²⁶⁷ with the colonial establishment. The Company owned “large tracts of land throughout the territory from which it collect[ed] royalties or rent.”²⁶⁸ Thus, any agitations by the Africans for political independence were seen as treasonous to its business interests. Consequently, the Company did “everything to support Welensky and his gang.”²⁶⁹

To return to the argument, the Company maintained that it signed legitimate concessions with the Africans. It relied upon the bogusly created agreements to advance its thesis of the acquisition of land and mineral wealth in Barotseland. For all intents and purposes, the details of the Lawley Concession beg for elucidation. For “if gold in worthwhile quantities was not found outside the reserved area, it could be sought inside the reserved area” was a clear mark of the subtlety of the nature of these agreements.

For one, it is doubtful if Lewanika read it this way. For another, it is even cynical, because there is, hitherto, no record to show that a similar version of the agreement in the Lozi language in which the Litunga was eloquent was present. This line of thought is attested to by the article which appeared on the front page of the *Toronto Star*.²⁷⁰

²⁶⁶ Richard Hall, *Zambia, 1890-1964: The Colonial Period* (London: Longman Group Ltd., 1976), p. 88

²⁶⁷ Skeva Soko, “Independence for Zambia,” (March 1962) *Africa Today*, p. 17

²⁶⁸ *Ibid.*

²⁶⁹ *Ibid.*

²⁷⁰ Peter Edwards, “Lawsuit a Century in the Making,” *Toronto Star*, (Tuesday, May 17th, 2011)

More than a century ago, a blind Ojibway chief from Northwestern Ontario named Missabay marked an 'X' on a treaty written in English, *a language he did not speak*. The chief *didn't have a lawyer acting for him* or his people from the Mishkeegogamang First Nation and played no part in negotiating the treaty.²⁷¹

The British MO in imperial conquest in colonial domination was the same everywhere. In Canada, it involved an Ojibway chief who was neither proficient in English nor did he consent to the treaty. And yet the so-called James Bay Treaty No. 9 came into being as a legitimate agreement.

And as mentioned above, for example, Yeta was himself confused of what he was doing; he thought that he was signing the treaty with the British government. Generally, "These treaties were hardly worth the paper they were written on, as it is unlikely that the Africans had any idea of what they were actually ceding."²⁷²

Subsequently, it is reasonable to believe that in the case of Litunga Lewanika, he could have construed the agreement as securing a smaller portion, as was customary for the African kings or chiefs in those days to do to their subjects and to the foreigners for temporary exploitation. In the absence of verifiable translation of the agreement to the contrary, the contract was at best a one-party formality and at worst a non-binding indenture.

The Barotseland Concession lacked credibility from the word go. The witness present, Col. Colin Harding, whose job was to attest to the signing of this resource-depleting exercise, was himself schemed into the process. He was, in fact, not told the details, and the activities surrounding the signing were highly suspicious. Harding is quoted as saying: "On more mature consideration [Lewanika] realized that it carried him further than he had meant to go."²⁷³ Contrary to writers like

²⁷¹ *Ibid.* (Emphasis added).

²⁷² Firstbrook, *The Obamas*, pp. 105-106

²⁷³ Pulford, *supra*.

Caplan who contend that the concessions were desirable for the Litunga, a material witness vehemently disputes that fact.

Harding informs that Litunga Lewanika shortly after being lured into signing this agreement regretted. He realized that the Company representatives had hoodwinked him. Not only was the Litunga guilty of what he had been crooked into doing, Harding was also as culpable: “I would like to say here that although I was present when this Ratifying Treaty was signed and my name was appended as a witness to the other signatures, the full contents of the document were not divulged to me,”²⁷⁴ Harding distances himself.

Pulford has examined this whole so-called treaty at length and has made scintillating discoveries. For example, he postulates that the 1890 and 1898 were not the only treaties the Company caused the Litunga to sign, *volenti non fit injuria*; more were to come. By a simple exchange of letters in 1904, Pulford intimates that Lewanika gave the BSAC farming and settlement rights throughout his kingdom except the Barotse valley and the area near Sesheke.

To understand the nature of the treaties Lubosi Lewanika of the Second Regime signed with the Company, it is important to examine the person of the Litunga through whom the Company accomplished its dream. On November 4th, 1885, Lewanika recuperated his throne by a bloody battle which toppled Tatila Akufuna. From there he became the most sympathetic of all the Litungas to Western philanthropy. It is easy to understand why. He had just regained his throne after being deposed by Ngambela Mataa in September 1884. Mataa installed Tatila Akufuna. Fearing for another overthrow, he welcomed the Company with both hands. Immediately on June 27th, 1889, he signed the Ware Concession. Just a year after that, on June 26th, 1890, he signed the Lochner Concession.

Lewanika then attended the Coronation Ceremonies of King Edward VII and Queen Alexandra at Westminster Abbey in London in 1902 and was, subsequently, decorated with the

²⁷⁴ *Ibid.*

medals of King Edward VII in the same year.²⁷⁵ More to his tribute, he abolished slavery on July 16th, 1906, and was again decorated, this time, with the medals of King George V in 1911. He was succeeded by another ambitious Litunga, King Litia Yeta III, on March 16th, 1916. Yeta III continued the legacy of Lewanika and won the title of the Commander of the British Empire (CBE) on January 1st, 1946.²⁷⁶

The above background is necessary to understanding why it was easy to dupe Lubosi Lewanika in signing treaties between 1889 and 1909.²⁷⁷ Consequently, the Wallace Concession was reached in 1909. According to Pulford this treaty reiterated farming and settlement rights except in areas where prospecting was prohibited, such as the heartland. He adds that villages and gardens in Barotseland were uprooted, albeit with unconscionable consent and shoddy compensation. “The consent need not be that of the people affected, however. It could also be given by the High Commissioner of the territory – i.e., a Briton.”²⁷⁸ The colonialists had not only the ambition to invade another territory, but the courage, too, to usurp land rights and authority natively reserved for the African traditional

²⁷⁵ “Before 1900, Lewanika at one time protested to London and to Queen Victoria that the BSAC agents had misrepresented the terms of the concession, but his protests fell on deaf ears. Why? It is because he was in the first place chosen for convenience. The British were the masters of deception. They had just used the Litunga. The Litunga came back from London crowned as a British knight and he still wears that spectacular British uniform at the Kuomboka Ceremony while the British just laugh at our naïvety. We must be fools, indeed” (Mbulu).

²⁷⁶ See Lubosi Muimui, “The Litunga of the Lozi People,” Access Kuomboka and Cultural Affairs (September 5th, 2010)

²⁷⁷ These events remind the author of the verdict Judge Reilly of Kitchener court in Ontario, Canada gave to one of their clients on April 18th, 2011. The judge began by calling their client “an evil person; you’re a clever liar – but your lies didn’t convince the jury.” Then the judge hammered that this client “took advantage of” the vulnerability of two pimps with extensive criminal records. The victims were White, and their client was Black. So, if those who allegedly take advantage of the vulnerability of others are evil and clever liars, the Company took advantage of the vulnerability of Lewanika, and therefore, could, in the words of Judge Reilly, it should be deemed evil and a clever liar.

²⁷⁸ Muimui, *supra*.

rulers. Through a meager wage, they could buy most chiefs who in turn would render their services of soliciting for manpower for the colonialists. According to Dauti Yamba, a chief might be suspended from receiving his monthly wages, but to the people he stilled ruled.²⁷⁹

§5.11 Foundation for Democracy

It has been mentioned elsewhere in this book that Zambians are by nature liberal and democratic. If democracy was promulgated in Greece and found its niche in the American Declaration of Independence, democracy was, however, a common feature of the African chiefs and kings in the territory we now call Zambia.

What is more and this is in refutation of common assumptions to the contrary, the African kingdoms, though militaristic in expanding their kingdoms, in governance, they pursued the Rule of Law to the letter. In the territory we now call Zambia the Rule of Law did not emanate from the British *Magna Carter*;²⁸⁰ it was inherent in their customs, practices and government structures. In the case of Litunga Lewanika, Harding proffers evidence to this end:

Colin Harding, who traveled up the Zambezi from Victoria Falls to Lealui, gave an account (in *Remotest Barotseland*, 1905) of Lewanika's daily routine. He sat in the courthouse between 9am and 10am, hearing complaints, promulgating laws and attending to other government business. The *indunas*, or senior officials, representing the people, sat on

²⁷⁹ M.C Musambachime, "Dauti Yamba's Contribution to the Rise and Growth of Nationalism in Zambia, 1941-1964," (1991) *African Affairs*, Vol. 90, p. 270

²⁸⁰ The *Magna Carter* or the Great Charter of England of 1215 required the English King John to proclaim certain liberties and to accept that his will was not arbitrary. The *Magna Carta* was the first document that limited the king's powers by law and protected the privileges of the barons or subjects of England. In essence, the *Magna Carta* introduced the Rule of Law to England where even the king himself was not to be above the law.

his right. They alone had the right to criticize the king. In *Far Bugles*, Harding praised Lewanika's "charming personality," his "loyalty and other inherent virtues." When the Litunga visited London for the coronation of King Edward VII, with Harding in attendance, the king and his retinue were found not to touch alcohol. "Lewanika's whole and consistent attitude was befitting a gentleman and a great native ruler," Harding wrote.²⁸¹

Lewanika died an honorable man, a king of meritorious distinction. However, Zambian history will not forget the injustices the Barotseland, and by extension, Zambia has suffered through colonialism. There are those who still argue that the poverty and economic difficulties Zambia experiences in the 21st Century are far detached from historic corollaries. This book begs to differ, and the plunder of western Zambia by the BSAC over a period of 20 years justifies this assertion. Until Zambians revisit their history, Zambia will continue to be foreign owned. Colonists hoodwinked local African chiefs into signing shoddy treaties and claim mineral and other rights, and this is a lesson our history books should never sideline.²⁸²

§5.12 Colonial Administration

In October 1998, the author had a brief pleasure of passing through London, England. Though brief,²⁸³ but his mind was

²⁸¹ Pulford, *supra*.

²⁸² In 1890, a treaty was signed between Lewanika and BSAC, what became known as the Lochner-Concession. The concession sloppily gave BSAC the right to carry out mineral extraction in Barotseland. This treaty, in fact, represented the start of the colonization of what would become Zambia. This western part of Zambia became an English protectorate – the Barotseland Protectorate - under British protection.

²⁸³ While *en route* to Lusaka via Heathrow Airport, the author decided to see London for a while as his plane would not be boarding until 12 hours later. He got a pass and stormed into London. In the shortest period of time, he had been to Victoria Railway station, Shepherd's Bush marketplace, shopping and various other adventures.

actively engaged. It is a well-known fact that Zambia did not only inherit the British system of education, but the British edifice as well. The Zambian education system is itself full of British overtures. Sometimes one would think as though Zambians were being groomed to live in England rather than in Zambia. In England, presently, there could be as many as two million Zambians living there, approximately the entire population of Lusaka. From the Victoria Train Station in Central London to the African market at Shepherd Bush, it is clear that what became of Zambia originated from Britain.

Since 1888 when the first BSAC officials entered Barotseland, the territory we call Zambia had come under British influence. Others would argue that, in fact, British influence extended earlier than the recorded history as the BSAC officials would have been to this area unofficially and surveyed the land, or how else could they have known of the existence of massive copper reserves in the territory.

John Cecil Rhodes, who is discussed in §5.15, had a massive dream of connecting the dots of the British pockets into a great British Empire across Africa. He envisioned building a railway or road network running from Capetown in South Africa to Cairo in Egypt. The famous *Cairo Road* in Lusaka remains an essence of Rhodes dream. “Cairo Road – the name was a claim, a boast, then still a reality, if a tenuous one, that a person could drive right over the continent [of Africa] from Capetown in South Africa to Cairo in Egypt without leaving the British-controlled territory.”²⁸⁴

The British could be accused of anything, but lack of administrative prowess is none of it. In territorial vastness, the British Empire, at its peak, could have surpassed even its precursor, the Roman Empire. Good administration necessitated both its grandeur and influence. In Northern Rhodesia, the British administrative genius was everywhere.

At the helm, in London, was the Secretary of State for the Colonies. The Secretary of State appointed the Territorial Governor, who was the highest-ranking government officer in

²⁸⁴ Grant, *supra*, p. 26

Northern Rhodesia. Under the Governor was the Secretary of Native Affairs who headed the Ministry of Native Affairs (MNA). The MNA, “decided all appointments in...the Provincial Administration.”²⁸⁵

In Northern Rhodesia, the Provincial Administration (PA) comprised districts under a Provincial Commissioner. Under him²⁸⁶ were five districts each headed by a District Commissioner. The District Commissioner was assisted by District Officer Cadets – “It was therefore said that every [District Officer] Cadet carried a potential Governor’s baton in his knapsack, but at the end that was a fallacy. After Sir Evelyn Hone, there would be no more Governors.”²⁸⁷

District Officer Cadets were assisted by District Assistants, the only difference between them being, as Grant puts it, “that District Officers had degrees, usually honors degrees from ‘good’ universities, an achievement which was deemed to convey superior ability.”²⁸⁸ Grant later writes that with the District Assistants he had a pleasure to work, there was no single sign of inferiority in terms of either efficiency or judgment.

Still under the District Assistants were Learner District Assistants, who later on were assisted by African Administration Assistants and clerks.²⁸⁹ After independence, the Learner District Assistants and clerks easily assumed the positions left behind by the district and provincial officers, and etcetera.

²⁸⁵ *Ibid.*, p. 30

²⁸⁶ Him but not her; the commonest feature of British colonial administration was the lack of gender equality - women were not appointed to administrative roles. So, in almost one hundred percent of the cases, the officers of the British colonial administration in Northern Rhodesia would be men.

²⁸⁷ Grant, *supra.*, p. 30

²⁸⁸ *Ibid.*

²⁸⁹ These were Africans who were being prepared to assume the administration of Northern Rhodesia after independence. One such was Freddy Achiume, who was one of the first Administrative Assistants in Northern Rhodesia, and who was enlisted in an Africanization program meant to prepare Africans for the hand-over of power.

It is not a surprise that the colonization of Northern Rhodesia began in earnest in the western portion of modern Zambia. Shortly after the 1890 Lochner Concession, the BSAC took control of mineral and land rights in Barotseland. This western part of Northern Rhodesia became an English Protectorate, sometimes known as Barotseland Protectorate. Northern Rhodesia was officially a Company State until 1924 when the British government took over full administrative control of the territory as a British Protectorate.

There is no denying that the western part of Zambia played a vital role in the journey to Zambia's colonization. Despite the fact that Lewanika might have been deluded into signing the treaties that gave the BSAC enormous freedom to exploit not only western Zambia, but the rest of the country as well, the treaties were, nevertheless, enforceable. If not intelligently handled, western Zambia would pose a big challenge to the vision of a united Zambia. However, Kaunda, Lewanika and the Queen of England had other plans through the Barotseland Agreement of 1964.

§5.13 The Barotseland Agreement 1964

The Barotseland is Zambia's political Achilles' heel. As explained in this book, the area we now call the Western Province of Zambia was the first to enter into treaties and concessions that would later define the nation of Zambia. By independence, these treaties were still in force. After independence, however, there was need to redefine the place of western Zambia, vis-à-vis, the new nation's geopolitical landscape. This was partially achieved through the Barotseland Agreement of 1964 (Agreement).

In the wake of the group calling itself the Barotseland Freedom Movement (BFM) and its attempt at lynching Alliance for Democracy and Development (ADD) president, Charles Milupi, on December 18th, 2010,²⁹⁰ revisiting the Agreement is

²⁹⁰ *Zambian Watchdog*, "Soldiers Put on Alert as Barotse Secessionist Try to Release Prisoners," (Sunday, December 19th, 2010)

in order. Realizing that the Barotseland issue would come up at some point in Zambia's future, on April 16th, 1964, the government of Northern Rhodesia and the Litunga of Barotseland reached a provisional agreement to "conclude a permanent agreement."²⁹¹ This permanent agreement was concluded on May 18th, 1964, at the Commonwealth Relations Office in London. It was signed by Dr. Kenneth Kaunda, then Prime Minister of Northern Rhodesia; Sir Mwanawina Lewanika III, K.B.E, Litunga of Barotseland; and the Right Honorable Duncan Sandys, MP, Secretary for Commonwealth Relations and for the Colonies. Hon. Sandys' signature signified the approval of Her Majesty's government.

The Litunga acted "on behalf of himself, his heirs and successors."²⁹² This is very important in regard to the demands of the BFM. All the people of Barotseland, now Western Province, were represented in the Agreement. Moreover, the people of Barotseland, through the Litunga, agreed to "proceed to independence as one country and that all its peoples should be one nation."²⁹³ By signing the Agreement, the people of Western Province recognized that it was in the interest of Zambia's peace to be a unitary state. In addition, the Agreement did more than just uniting Zambia; it also terminated all "treaties and other agreements subsisting between Her Majesty the Queen of the United Kingdom of Great Britain and Northern Ireland and the Litunga of Barotseland."²⁹⁴

The Agreement came into force on Zambia's Independence Day. It guaranteed Western Province of the protection of human rights and freedoms. The people of Western Province acquired the same rights of appeal from the decisions of the Zambian courts and under customary law as all the peoples of Zambia. In addition, the Litunga of Western Province was

²⁹¹ Her Majesty Stationary Office, *The Barotseland Agreement 1964* (London: Eightpence Net, 1964); also available at Namakando Nalikando-Sinyama, "The Barotseland Agreement 1964," Namzybraveheart.Blogspot.Com (June 2009)

²⁹² *Ibid.*

²⁹³ *Ibid.*

²⁹⁴ *Ibid.*

recognized as the principal local authority for the government and administration of Barotseland. The Litunga would preside over issues related to customary law in the matter of land, forests, fishing, hunting, game preservation, control of bush fires, the supply of beer, and reservation of trees for canoes, among many others.

In stating that, “Government will provide peace and security to the Western Province”²⁹⁵ in the wake of riots instigated by the BFM, then Home Affairs Minister Mkhondo Lungu was in order. The government of Zambia under the Agreement is in charge of keeping peace and order throughout the entire nation. Moreover, pursuant to the Agreement which has provision for unlimited “jurisdiction and powers of the High Court of Zambia in relation to writs or orders,”²⁹⁶ demands for cessation can only be decided by the High Court of Zambia.

It is imperative to note that calls for cessation are reverting, and even unwarranted, in the case of Barotseland. The position adopted in this book is that calls for the cessation of Western Province from Zambia are inimical at four fronts. First, it is highly unlikely that Western Province can stand on its own economically. The resources of Western Province cannot sustain the province for long. Indeed, the province is graced with land, rivers and minerals. However, and in relation to the overall survival of the area, the province stands to benefit from the collective allocation of the resources of Zambia as a whole.

Despite the Barotse Royal Establishment (BRE)’s vision, or indeed, of the Movement for the Restoration of Barotseland Agreement (MOREBA),²⁹⁷ of a stand-on-its-own country, in the interest of Zambia as a unitary state, the cessation is a no-brainer. Mpombo agrees: “I am a solid supporter of Zambia as a unitary state but at the same time government must be cautious not to embark on reckless measures that can plunge

²⁹⁵ *Lusaka Times*, “Zambia: State Warns Western Province Rioters,” (Monday, December 20th, 2010)

²⁹⁶ The Barotseland Agreement, *supra*.

²⁹⁷ The coinage of MOREBA, namely, “Restoration of Barotseland Agreement,” is itself an oxymoron; since by restoring the Agreement, they are actually consolidating Zambia as a unitary state.

this country into a serious political crisis.” However, notwithstanding Mpombo’s gallantry in settling political scores with President Banda, the only reckless measure that can plunge Zambia into chaos is acquiescence to cessation.

Second, Zambia should cavil to any idea that misinforms of the long-established unity of the nation. Cessation of Western Province from Zambia may, in the main, portend travesty for the progress and development in terms of the economy and democracy. For over fifty years, the unity of Zambia has been perpetuated mainly through tribal compromises in the allocation of administrative boundaries, official language affiliation and, in the Second Republic, through the motto of *One Zambia - One Nation*.²⁹⁸ Thus, “We are all essentially one and the same people. And recognition of our oneness has, no doubt, been the lynchpin of the enhanced and unmatched national unity which our country has enjoyed since independence.”²⁹⁹

Third, under the Agreement, the Litunga enjoys tremendous rights and privileges unequalled to any traditional chief in Zambia. The mineral rights and treaties Barotseland entered into with the British government terminated at independence. Consequently, and pursuant to first above, Barotseland could be deprived of its economic anchorage if the cessation became efficacious.

Fourth, politically, legally and morally, Western Province remains a significant part of Zambia. In more ways than one, Western Province has come to define the unity which has solidified Zambia’s independence. In that sense alone, the Agreement is one of the most important instruments of Zambia’s independence, and provides an anchor to the cause of unity, peace and development in Zambia. The aforementioned notwithstanding, claims that the Litunga acquiesced to the colonization of Zambia as advanced by

²⁹⁸ The *One Zambia - One Nation* motto was effectuated by the then Western Province Minister, the late Sylvester Chisembele. See *Weekly Angel* of March 20th – 26th, 2006 at page 10. See also §6.9

²⁹⁹ Henry Kyambalesa, “President Banda Should Set up Barotse Commission of Inquiry,” *Zambia News Features*, (Sunday, October 31st, 2010)

Caplan³⁰⁰ needs confutation. Assertions like Caplan’s have gone indubitably giving the impression that colonization could be justified.

§5.14 Caplan’s Misleading

Equally as important to the mineral plundering debate of Zambia, is the fact that the copper deposits could be found everywhere in the present day Copperbelt Province of Zambia in the 19th Century. Frederick found the natives wearing copper bangles, bracelets and local farmers using copper implements. The natives had been using copper even prior to the arrival of the European settlers. The Company can, thus, not claim it held mineral rights to the territory because it was responsible for “discovering” the deposits.

Most books detailing the history of Zambia deliberately omit these points. This is understandable. Most of the primary sources from which the history of Zambia is crafted were the works of European researchers and writers. The history of Zambia itself was written from this Euro-centric perspective. It is, therefore, expected that salient dynamics bordering on self-incrimination would be omitted.

Caplan contends that Africans actively sought for European domination.³⁰¹ In the case of Lewanika of Barotseland, Caplan concludes that Lewanika learned from the Shona and Ndebele revolutions of 1896-7 which were crashed. In order to avoid the Shona-Ndebele mistakes, Lewanika willingly entered into the Lochner Treaty which Caplan describes as “the most important example of accommodation in that area of the continent.”³⁰² This assertion is not only historically misleading, but also misplaced, too.

The Lochner Treaty which Caplan asserts was signed because Lewanika had learned a lesson from Lobengula of the

³⁰⁰ Gerald L. Caplan, “Barotseland’s Scramble for Protection” (1969) in *Journal of African History*, x, 2, pp. 277-294

³⁰¹ *Ibid.*

³⁰² *Ibid.*

Matebele or Shona-Ndebele revolution of 1896-7, happened before the fact. So, Lewanika could possibly not have foreseen the clash. The Lochner Treaty was signed in 1890, way before the Shona-Ndebele clash. John Cecil Rhodes was driven by imperial motive, not altruism, when he exploited the territory which became Zambia. He was first and foremost a colonizer, then a businessman.

§5.15 John Cecil Rhodes

A quick glance at John Cecil Rhodes will reveal that he was an influential, shrewd and profit-motivated colonizer. John Cecil Rhodes was born in 1853. By the 1900, he was one of the most powerful personalities, businessmen and politicians in South Africa. His influence was felt both at home and abroad. Williams described the extent of Rhodes' influence in this manner: "He is the only colonial statesman who has to such extent struck the imagination and affected the thoughts of Englishmen at home and abroad."³⁰³

Caplan's assertion of Rhodes as an accommodator of the African interests is a falsity when one considers the *modus operandi* of his mission in Africa. First, he had wanted to conquer Africa at any cost, proposing a railway from the Cape to Cairo. In this quest only imperial glory mattered, the interests of the natives did not. Second, Rhodes was not such a man who would accommodate the natives and Williams himself attests to this fact:

Less than six years later the "cypher's" name was on every tongue as the *autocrat* of one of the greatest industrial undertakings in the world, as Prime Minister of his colony and as the founder of what promised to be a vast new dominion for the Empire. At home, indeed, the quality of his eminence was never so incontestable as at one time it was in South Africa. To many he was a bugbear - the type of the dishonest and

³⁰³ Basil Williams, *Cecil Rhodes* (New York: Henry Holt & Company, 1921), p. 4

unscrupulous politician, who uses politics to rig the market and the wealth thus acquired to corrupt politics, a man who filched away an empire and *slaughtered innocent savages* or plotted against a friendly state to put money into his own and his fellow-conspirators' pockets.³⁰⁴

It is important to observe a few things here. Rhodes died in 1902. The above words were written in 1921, barely two decades after his death. Rhodes is described as an autocrat. An autocrat is “a ruler who has absolute power, a person who expects obedience.”³⁰⁵ This is not a kind of a person who would accommodate the people who Williams calls “innocent savages.”³⁰⁶ The dictionary defines savages as people who are “primitive and uncivilized.”³⁰⁷ Evidently, Rhodes plundered the Africans both of their rights and natural resources in order to advance both his and the imperialistic *agenda* of the British Empire. Rhodes was a murderous, corrupt and dishonesty politician and sadistic imperialist.

§5.16 Second Scramble³⁰⁸

The *third most significant event* in history that would affect the Zambia of today was the scramble for Zambian copper deposits by two most powerful nations on earth, Britain and the US. In 1925, extensive copper deposits were discovered on the

³⁰⁴ *Ibid.* (Emphasis added).

³⁰⁵ Angus Stevenson, (ed.), “Autocrat,” *Oxford English Dictionary, Second Edition* (Oxford: Oxford University Press, 2002), p. 43

³⁰⁶ Williams refers to “slaughtered innocent savages.” Rhodes was, thus, a murderer of the Africans, whom they called savages. This explains why his successors cared less for the plight of Africans in Northern Rhodesia.

³⁰⁷ *Ibid.*, p. 621.

³⁰⁸ In May 2011, the Mandela Institute at the University of the Witwatersrand, Johannesburg, was offering a PhD scholarship at the University of Bern on the second scramble for Africa; also see BBC of May 19th, 2011; David Blair, “Why China is Trying to Colonize Africa,” *The Telegraph*, (August 31st, 2007); Julio Gody, “Second Scramble for Africa Starts,” Blackpresence.co.uk (May 29th, 2009); and John Ghazvinian, *Untapped: The Scramble for Africa’s Oil* (Orlando: Harcourt Inc., 2007)

Copperbelt, 15 years after Thompson “discovered” copper deposits in Nkana (Kitwe). Two companies competed for domination of the copper fields. The first was the Rhodesian Anglo-American Corporation, a British company based in South Africa. The second was the Roan Selection Trust, a US company. Both companies began constructions on the Copperbelt.

In 1931, in order to increase investment profits, the American cartel started to restrict copper supply. This was bitter-sweet to Northern Rhodesia. Unable to meet demands, consumers sought alternative and cheaper materials instead of copper. The result was that the price of copper crashed. Many employees were sucked. White Europeans returned to South Africa while Africans went back to their villages to farm.³⁰⁹

A thorough investigation of the forgone is proper in the light of the future economic implications for Zambia. In a nutshell and bearing in mind the 1931 restrictions on copper supply leading to the crash of the price of copper, commandist policies have always posed a challenge in the case of Zambia. Shortly after the attainment of independence, the economy of Zambia thrived despite very few educated Zambians. This economic boom would continue throughout the First Republic.³¹⁰ In 1972, through the Chona Commission, the UNIP government made one major error, a repeat of the scenario under investigation. Zambia’s economy remained strong in the First Republic mainly due to the perpetuation of the free-market practices and the absence of a commandist economy.³¹¹

³⁰⁹ Fluctuation in copper prices is oft-cited as one of the causes of Zambia’s economic malaise. However, the 1931 scarcities in the copper supply were artificially created by the cartel.

³¹⁰ Generally, the period between 1964 and 1972 is referred to as the First Republic. This period is synonymous with great economic boom, a thriving democracy and massive political pluralism in Zambia. However, it was just a matter of time before economic deficiencies inherited from the colonial administration would be felt.

³¹¹ Chiluba, *Democracy: Challenge of Change*, p. 120

The example of the 1930s in Northern Rhodesia is one future Zambia's political leaders and technocrats must not ignore. Despite the fact that only two companies dominated at the time, competition was still necessary to ensure maximum productivity. When this was denied and the *invisible hand*³¹² completely obliterated, the economy of Northern Rhodesia broke down.

Something very dramatic needed to be done in order to offset the mini-recession of the 1930s. At the 1932 conference of copper producing nations held in New York, Rhodesian companies objected to interventions and sought for free competition in the copper marketplace. By 1933 normalcy had returned to the industry (thanks to a return to competition both at local and global levels), previous restrictions on competition had elapsed and Northern Rhodesia was once again in a very powerful position. Consequently, the BSAC sold all its mining rights to the Northern Rhodesia government.

This last move, together with the British style of Indirect Rule,³¹³ consolidated British colonization of Northern Rhodesia. A high-flying school of thought supposing why Britain decided to impose indirect, as opposed to direct, rule on Northern Rhodesia is that Britain did not have adequate resources to running direct governments. The official policy on Indirect Rule in Rhodesia was adopted by the British colonial

³¹² First proposed by Adam Smith, the idea of *invisible hand* implies that human needs are best served by free competition in the economic marketplace. The only role of government is to enforce the rules of property and contracts to make competition possible but not to direct the process itself. However, as evidenced in the wake of the 2008 economic meltdown, regulation of key financial sectors was necessary if the market economy was to be saved from greed.

³¹³ The British concept of Indirect Rule was enumerated by Lord Lugard. Like the French policy of *Association*, the system delegated power to local chiefs and others with pre-existing claims to local power. However, these powers were given to people sympathetic to British interests. The local chiefs collected taxes, decided outcomes of local disputes, and quelled any anti-British sentiments and riots among the people. The system worked so well that Britain did not have to expend any more capital than was necessary to control its African colonies. This had an added advantage of keeping Britain's financial and personnel costs to a minimum.

administration in 1928. “This policy meant that the British settlers would utilize existing African institutions such as chiefs and local courts to govern Africans. To effectuate Indirect Rule, the Native Authorities Ordinance and the Native Courts Ordinance were passed in 1929.”³¹⁴ It is alleged that for the most part, colonialism was hardly felt in areas ruled by chiefs such as the villages. However, colonialism meant occupying and controlling lands and resources which, historically, belonged to the Africans. Moreover, Indirect Rule gives credence to the veracity that the Africans had functional institutions even prior to colonialism. The notion that Africans could not rule themselves was, therefore, superfluous.

The distinction between direct and Indirect Rule was fundamental. Before 1924, the Company’s Native Commissioner did not regard it as part of his functions to build up the role of the chiefs in local administration. But if that was the case, why then was Indirect Rule imposed? Lord Hailey explains: “The general effect of the policy was to preserve the outward form of the indigenous systems, but to *undermine the authority of the chiefs* both by making them depend on the administrative officer and by taxation which *obliged large numbers of men to leave their villages for considerable periods of time.*”³¹⁵

Indirect Rule was not designed to empower the African chiefs, it was a calculated policy aimed at destroying the power of the African chiefs. It was a cover-up designed to “undermine the authority of the chiefs.” It was even more; it was meant to disrupt the African village so that able-bodied men could leave for service in the European haciendas for meager pay. In fact, Europeans knew exactly what they were doing. They, for instance, knew that one day the Africans would evict them from Africa, and the administration fashioned a stratagem: “For two or three generations we can show the Negro what we are: then

³¹⁴ Hamalengwa, “The Legal System of Zambia: Law, Politics and Development in Historic Perspectives,” in P. Ebow Bondzi-Simpson, (ed.), *The Law and Economic Development in the Third World* (New York: Praeger Publishers, 1992), p. 23

³¹⁵ Richard Hall, *Zambia* (London: Frederick A. Praeger, 1965), p. 103 (Emphasis added).

we shall be asked to go away. Then we shall leave the land to those it belongs to, with the feeling that they have better business friends in us.”³¹⁶

Colonialism was business as usual; it was a long-term investment in Western Capitalism. Indirect Rule constituted what in vernacular is called a *Mouse Bite*.³¹⁷ It was a ruse designed to tame the hatred and pain of domination in the Africans. But the colonialists knew too well that it was just a matter of time before the Africans would rise and claim their land back.

The mastermind of Indirect Rule, Sir Frederick Lugard,³¹⁸ thereafter, Lord Lugard, popularized what he called “dual mandate” in his book *The Dual Mandate in British Tropical Africa* published in 1922. The central thesis of the book, which became an essential reading for every ambitious cadet in the African territory, was that “The imperial power would stay in [Africa] while it could, impact what it felt was good for the indigenous people and then retire gracefully but keeping her trade after the flag had been lowered.”³¹⁹

Implicit in this philosophy was the development of Indirect Rule. This did not happen as the Africans became more and more marginalized. After 36 years, the administration would again claim it was empowering the Africans for administration through an Africanization program. The truth is, the administration did not prepare the Africans for self-rule,³²⁰ but for trade keeps “after the flag had been lowered.” This trend of using Africa as a source of raw materials and capital has

³¹⁶ *Ibid.*, p. 104

³¹⁷ A mouse is known to bite hard while cautiously tenderizing the wound so that the victim least feels the pain. In that way, the rodent can inflict a far-reaching damage.

³¹⁸ Lugard fought against the Arab slave owners in Nyasaland in 1888. He became the doyen of the British administrators in Africa. He retired in 1919 as Governor-General of Nigeria.

³¹⁹ Hall, *supra.*, p. 104

³²⁰ Self-rule was not given to the Africans; it was fought for. Specifically, “Zambia’s penultimate step in the progress towards independence, self-rule was attained as the result of the Order-in-Council of January 3rd, 1964.” (See Gropeter *et. al.*, *Historical Dictionary of Zambia*, p. 396)

continued today imbued in such subterfuges as donor support or responsible philanthropies:

Why do we with open eyes
Let the thief in and robe
Why do we with a piece of paper
Surrender all we have
Why have we allowed wealth-hunters
Who masquerade as democrats,
To erase our memory of history
Why all this while we say, nod and finally sign,
Placing a dagger against hope?

§5.17 Africans Pay

The *fourth most significant event* in Zambian history that has had enormous impact on both the stability and conflict resolution dynamics of the Zambian society happened in 1935. This time it was not the moving of the Capital City from Livingstone to Lusaka. Rather, it was the first recorded shooting to death of six Black Africans by the White Northern Rhodesian police.

Just when relations between the White Northern Rhodesian government and the Black Africans were poised to be going in the right direction, mostly due to the announcement made by the British government,³²¹ the unspeakable happened in Northern Rhodesia. The Africans were peeved with the shooting to death of their six countrymen. In 1935, the rates of

³²¹ In 1930, the United Kingdom Secretary of State for Dominion Affairs, Lord Passfield, announced that the interests of the natives should be paramount in Northern Rhodesia. That proclamation meant that where conflicts arose over interests between the settlers and the natives, the interests of the natives should take precedence over those of the settlers.

Lord Passfield's announcement was a fundamental shift in British foreign policy given the imperialistic nature of the British Empire at the time. It is the position of this book that it was this softening in policy that would be responsible for Zambia's independence thirty-four years later.

the hut tax on the Copperbelt were raised.³²² This led to strikes in Mufulira, Nkana (Kitwe) and Roan Antelope (Luanshya). The shootings happened when the White police was sent in to restore *order* in Kitwe.

The struggle of the Zambian people has also been, for the most part, the struggles of a working class.³²³ Removed from their lands in rural areas in order to work the mines and amass capital for the colonial capitalists, the Africans in Northern Rhodesia were underpaid, heavily taxed and harshly treated. In this way, therefore, colonialism manipulated capital and labor, two of the four means of production.³²⁴ The other two are land and technology. In the communiqué just before six of their counterparts were brutally gunned down and several others wounded, they brought out their common concerns:

Listen to this all who live in the country...we wish on the day of April 29th every person not to work, he who will go to work, and if we see him, it will be a serious case. *Know how they cause us to suffer, they cheat us for money,*

³²² A hut tax was a tax on every dwelling, payable in hard currency. Peter Firstbrook, in *The Obamas*, defines it as, “an iniquitous levy on a society that did not have a cash economy” (p. 121). The hut tax was a precursor to the poll tax, which in the 1930s, was levied on all able-bodied males of 18 years and above. In *Historical Dictionary of Zambia*, Grotpeter *et. al.* inform that the hut tax was first proposed in North-eastern Rhodesia in 1901. It required every adult African man to pay three shillings per year for each hut he claimed, up to a maximum of six. The intent was to penalize polygamists and those supporting elderly relatives. It was payable in cash, as Firstbrook has alluded to, but this was only until 1905 when it could be paid in the form of rubber or forced labor services. By 1913, hut tax was adopted throughout the territory. Those who collected the hut tax came to be known as *Collectors*. However, the tax revenues paid only a fraction of administrative expenses. So, the real purpose of the hut tax was not to raise revenue; it was, rather, to encourage African men to seek work in the mines or on the White farms. The hut tax was, however, dropped in the late 1940s, “making the poll tax the main tax upon Africans” (p. 365).

³²³ For an extended discussion on the working class in Zambia, see Hamalengwa’s *Class Struggles in Zambia 1889-1989 & The Fall of Kenneth Kaunda 1991-1991*.

³²⁴ Capital, labor and productivity constitute the three ingredients of economic growth.

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*they arrest us for loafing, they persecute and put us in gaol for tax. What reason have we done? Secondly, do you not wish to hear these words, well list this year of 1935, if they will not increase us more money stop paying tax, do you think they can kill you, no. Let us encourage surely you will see that God will be with us. See how we suffer with the work and how we are continually reviled and beaten underground. Many brothers of us die for 22s. 6d., is this money that we should lose our lives for?*³²⁵

This incident is unprecedented in the history of Zambia. There are three observations here. First and foremost, it was “how they cause us to suffer, they cheat us for money, they arrest us for loafing, and they persecute and put us in gaol for tax.” The statement is self-evidence of the brutality of the colonial administration against the plight of the African workers. The people of Zambia endured cruel and inhumane treatment at the hands of the foreign entities in their own home country.³²⁶

Second, the Africans mine workers asked, “Do you think they can kill you, no”? Sadly, they were killed. Six of their comrades were short dead when they went on a strike, and this was because they wanted equal pay and equal rights in the mines. To think that the colonial machine came to Northern Rhodesia to help develop the colony would be an understatement and a grave injustice to those who perished for their rights.

Third and last, the mine workers take us down into the heart of the abyss; they allow us to see what happened underground: “See how we suffer with the work and how we are continually reviled and beaten underground. Many brothers of us die for 22s. 6d., is this money that we should lose our lives for?” The mine workers did not only suffer emotional, mental and

³²⁵ Translated by an African Clerk who was present at the scene, quoted in Hamalengwa, *supra*, p. 30 (Emphasis added).

³²⁶ In many respects, Africans still suffer from both systematic and systemic discrimination in employment, access to status bar, and in various other areas of life when they immigrate to other countries.

physical abuse at the hands of the colonial masters, they also lost their lives, lives that could have been categorized as accidents in official reports.

Despite their infuriation, the Africans in Northern Rhodesia used the death of their six countrymen to get organized politically. They established the first Tribal Elders' Advisory Council and then the African Urban Advisory in the Copperbelt, Central and Southern provinces.

§5.18 World War II

In 1939, Britain entered into World War II. This meant that Northern Rhodesia militias had to participate into the war on Britain's side. It was during this period that Northern Rhodesia experienced a great boom in the sale of copper which was in high demand for electric cables. As these events were unfolding in favor of the Africans in Northern Rhodesia, the White European workers were biting their nails. They threatened to strike but they feared that Africans would replace them. The Africans were willing to accept low pay.³²⁷

Moreover, the settlers' approach towards the Africans was that of marginalization. The Africans were expected to work in the mines but not to earn a good pay, to carry out the theory of Indirect Rule, but not to aggrandize its substance. Sadly, in 21st Century Africa, this discrepancy has been allowed to mushroom and take root. To many in Europe and the West, Africa is a lost cause, just as it was a Dark Continent in the 19th Century.³²⁸ But

³²⁷ It is important again here to see. Whereas Britain's policy of Indirect Rule gave relative freedom to African chiefs to control their own people – although such freedom only existed on paper – economic opportunities did not come that easy for the Africans. This same pattern would follow shortly after Zambia became independent. The colonialists were forced to grant the Africans political independence but not economic independence.

³²⁸ In fact, there has been a tremendous misrepresentation of Africa as a Dark Continent. As argued in this book, Europeans have written *our* history, mostly, from *their* perspective. By the time Europe was “discovering” Africa in the 15th and 16th centuries, Africa had been the cradle of life and civilization. Between B.C 285 and 247, Ptolemy II, King of Egypt had

it should never be forgotten that it was, in part, the hydro-power of Southern Rhodesia that illuminated the Industrial Revolution, the gold of South Africa that brightened the world's economic portfolios and the copper of Northern Rhodesia that won the war!

In 1939, thirteen Africans were killed in Kitwe when they threatened a strike for pay raise. This was just four years after the six perished. In 1935, the six Africans were killed for protesting a hut tax increase. In 1939, the thirteen were killed for seeking a pay raise. In the light of these two unfortunate events, it is clear that the settler government did not see Africans as equal partners in development. However, in the context of historical fairness, these shootings were insignificant in comparison to the Lumpa Uprising³²⁹ which resulted in the

translated the first portion of the Hebrew Scriptures (the Torah or "Law") into Greek at Alexandria. Thus, "Africa [is] the cradle of Biblical translation" (see Bigelow, *White Man's Africa*, p. 2). If, therefore, the Bible is the symbol of *light*, why would a continent that received the first Biblical translation be *dark*? Moreover, Africa is also the first main home of Christian literature. In B.C 300, the earliest Latin version of the Scripture was made in Africa in the Coptic language of Egypt. And by 1200 A.D, Christian bishoprics were still in existence in Nubia, Africa.

Not only was Africa the cradle of life, civilization and *light*, but Africa was also one of the first places to establish authentic trade. In 1150 A.D, Songhai merchants of Jenné founded Timbuktu, which became the center of trade in western Sudan. And politically, between 1308 A.D and 1331 A.D, the Mandingo Empire of Melle had reached its height of power under Mansa Musa. In fact, the empire was so extensive that it covered the whole of western Sudan. These historical facts, are, therefore, in direct contradiction with the popularized notion that Africans inhabited a "Dark Continent" and were devoid of economic, political or, indeed, religious organization.

³²⁹ The story of the Lumpa Uprising is one rarely talked about in Zambia. The Lumpa Church was founded by a woman called Alice Lenshina Mulenga Mubisha. The Lumpa (literally "better than all others") movement was formed in 1953 and by Zambian independence, had a following of over 100,000 members. Lumpa's attack on witchcraft, alcohol and polygamy seemed to have been well received by the people in villages. However, the movement was getting more powerful and becoming a threat first to the colonial, and in 1964, to the new Zambian government. In 1958, it built a grand cathedral at Zion and by 1964, it openly opposed earthly authority, rejected both government registration of the Lumpa Church and paying

“death of 700 church members during police and army attack.”³³⁰ But it should not be forgotten that it was due to colonialism and the struggles for independence that the Lumpa Uprising took place.

A breakthrough partially came in 1946 when some few educated Africans in Northern Rhodesia formed the Federation of African Welfare Societies.³³¹ It is important to note here that, as is expounded in §6.2, Africans had already been organized in this way as early as 1912 at Mwenzo Mission.³³² However, the 1912 associations were village-based and conducted their business mostly in vernacular languages.

taxes. The church formed its own villages in defiance of established order and an affront to the traditional authority. The movement challenged the legitimacy of the Nationalist Party and of UNIP. Adherents of the Lumpa movement and UNIP cadres clashed violently. In 1964, the Prime Minister of the African majority government, Kaunda, sent in two battalions of the Northern Rhodesia regiment. Violence erupted leading to the death of between 700 and 1500 Lenshina followers. Many villagers fled in thousands to Katanga in the Congo. Kaunda banned the Lumpa Church in August 1964 and proclaimed a State of Emergency that was retained after independence and lasted until 1991. Lenshina was arrested, imprisoned, released in 1975 and arrested again in 1977 for disobeying a probation order by holding a church service. She died in 1978.

³³⁰ Norbert C. Brockman, “Lenshina Mulenga Mubita, Alice c. 1924 to 1978: Lumpa Church, Zambia” in *An African Biographical Dictionary* (1994)

³³¹ This was the first association of Africans, unlike the earlier African Urban Advisory Council, that conducted its affairs in English. Generally, the period between 1941 and 1964 saw the rise not only of the spirit of nationalism, but also of men and women whom history has unfairly silenced. Indeed, works like those of Henry Meebelo, David Mulford or Robert Rotberg, have attempted to cover the mass evolution of nationalism in Zambia. However, even such impeccable works seem to omit on certain men and women who worked relentlessly to birth the new nation of Zambia. Thus, Musambachime has charged, “Mentioned in passing or simply forgotten are veteran politicians who pioneered the fight for independence” (“Dauti Yamba’s Contribution to the Rise and Growth of Nationalism in Zambia, 1941-1964,” (1991) *African Affairs*, 90, p. 259). He mentioned some of such men as Dauti Lawton Yamba, Dixon Konkola, Miles Kaweche Banda, Nelson Nalumango, Paskale Sikota, Safeli Chishala, Henry Kasokolo, among so many.

³³² Mwenzo Mission was opened by the Church of Scotland in 1895.

In 1948, the Federation of African Welfare Societies was changed to Northern Rhodesia Congress with Godwin Mbikusita Lewanika as its leader. This development could have reinforced the existing African Urban Advisory councils because they sent in delegates in 1948 and formed regional councils whose representatives met as the African Representative Council (ARC). In 1949, the African Mineworkers Union (AMWU) was formed.³³³ In 1952, Godwin Lewanika was succeeded by Harry Mwaanga Nkumbula as head of the Northern Rhodesia Congress, which was shortly changed to Northern Rhodesia African National Congress (ANC).

³³³ Other records have 1948 instead of 1949, see, for example, Grotpeter *et al.*, *Historical Dictionary of Zambia*.

Chapter 6 Independence

*They fought as a band of soldiers;
They died while fighting, as martyrs,
Some are presidents if they lived,
And others have scars to show for.*

BRIEF INTRODUCTION

This chapter discusses the last of the five significant events before independence that would impact the political and economic direction of Zambia. It also discusses the struggles for independence in greater details, including the genesis of political organization in Zambia.

≈ History ≈ Politics ≈
The economy

AT THE END OF THIS CHAPTER:

1. You will learn about the genesis of political organization in Zambia;
2. You will appreciate the unfortunate impact of the 70 years of foreign rule in the territory that became Northern Rhodesia; and
3. You will know about the effects of economic neglect of Northern Rhodesia impacting the present-day Zambia.

MAJOR THEMES:

Pre-Independence State;
African Political
Organizations;
Central African Federation;
Plunder of Zambia's
Resources

§6.1 The Resistance

Zambian independence was achieved through struggle. From the outset, the Africans knew that gaining independence from the colonial government would not be without resistance. The struggles for independence, and indeed, struggles for equality and freedom in general, are viewed from different angles by different players affected differently. For colonial Britain and the European settlers, agitations by the Africans were viewed as lawless propaganda against the legitimately legislated laws.

For the Africans, however, fighting for freedom was unalienable right. There is no price to match the value of freedom. These assiduous men and women gave up all, including life itself, to liberate their people from slavery and colonialism. Their spirit is captured in two statements made by two of Zambia's greatest freedom fighters.

Brave Alexander Grey Zulu writes: "My love for Zambia and the African continent can only be surpassed by those who died during the struggle for independence."³³⁴ This is the spirit that fought for Zambia's independence as will be explained in the following pages. The Zambian fathers and mothers who fought for independence did not do so only because of the likelihood that they would be leaders of an independent nation. But they also fought for the unlikelihood that they would live to see an independent nation. They were living martyrs and patriots at best.³³⁵

In *Looking Back, An Extraordinary Life*, the daring Mwaanga elucidates, "I held the view that the struggle for independence had of necessity to entail hardship and sacrifice on the part of those who were involved. No freedom fighter leads a

³³⁴ Zulu in *Memoirs of Alexander Grey Zulu*, p. 462

³³⁵ We their brood their glory will save
 Never to forget the blood they shed,
 In their footsteps we fondly wade,
 Attesting to hearts strong and brave
 ("Heroes of Freedom," from: Mwewa, *Song of an Alien*, p. 83)

comfortable life.”³³⁶ Zulu and Mwaanga expose the philosophy and spirit that enabled the Zambian fathers and mothers to soldier on in their freedom quest.

A Catholic Landowner of Hungary orates, “Woe to the nation which raises no protest when its rights are outraged! It contributes to its own slavery by its silence. The nation which submits to injustice and oppression without protest is doomed.”³³⁷ There is no doubt that in Europe those who led expeditions to Africa and secured lands and territories are immortalized and celebrated. Indeed, they brought great wealth and prestige to the Empire and survived the harsh and dangerous terrain and predacious forests of Africa. To them, too, this Hungarian Oracle may apply.

However, there is no continent or a people in recorded history who have suffered at the hands of other human beings like the Africans. Don Taylor in his book, *The British in Africa*³³⁸ has not found any comparison in all of history with all its barbarities and cruelties a major race of people separated from the rest of humanity, civilization and denied basic human freedoms, even to exist as a free people, like the Africans have.

From the background given in the preceding paragraphs, the story of Zambia’s struggle for independence is written. It is also vital to mention that the Zambian freedom fighters had to contend more with the *impistic*³³⁹ resistance of the White settlers in Northern Rhodesia than with the Colonial Office in Britain.

To solidify its base and ensure that the Africans did not achieve their independence objective, the White settlers resorted to the use of questionable political tactics and legal instruments.³⁴⁰ In letter as well as in spirit, it was the same

³³⁶ Vernon J. Mwaanga, *Looking Back, An Extraordinary Life* (Lusaka: Fleetfoot Publishing Company, 2000), pp. 13-14

³³⁷ Zulu, *supra.*, p. 1

³³⁸ Don Taylor, *The British in Africa* (New York: Roy Publishers, 1964)

³³⁹ Shaka, the greatest king of the Zulus was the first to invent a short spear called *Assegai*. His soldiers who used the *Assegai* were known as *Impis*. “Impistic” is used in this fashion here, albeit with a negative connotation.

³⁴⁰ Both Sir Evelyn Hone and Sir Roy Welensky had stakes in the continuity of the oppressive Federation and colonialism. Hone was born in Northern Rhodesia, and naturally felt he had the right to the land. Hone, in particular,

colonial regime that had instituted apartheid in South Africa which oppressed the Africans in Northern Rhodesia.

The regime, like in apartheid South Africa, passed laws like the *Preservation of Public Security Act*,³⁴¹ the *Public Order Act*³⁴² and the *Emergency Act*.³⁴³ These instruments were “administered brutally and indiscriminately.”³⁴⁴ Like apartheid South Africa, the regime of some “70,000 Whites [ruled] three million Africans interpreting [the Africans’] political ideals as communistic.”³⁴⁵ And, too, like apartheid South Africa, the regime allowed every White in Northern Rhodesia to own a gun or “encouraged [them] to purchase one. The Africans, on the other hand, [were] legally not permitted to own firearms.”³⁴⁶ Sadly, both UNIP and the MMD have used these same repressive colonial laws to limit political participation in the Second Republic and to quail dissidents in the Third Republic,

did not take in well to the rising of UNIP; he adopted terror and intimidation techniques to cower the Africans from seeking for independence. He divided the African chiefs into superior and inferior categories so that those chiefs who refused to ban UNIP in their areas were removed from positions of power and privilege. Welensky, similarly, was adamant to the independence of Zambia. Using the concept of a “multiracial society” as a ruse, while reacting aversely to Macleod’s constitution, he devised ways and means of delaying independence. More importantly, Welensky knew of the strategic importance of Northern Rhodesia; it was the life-blood of the Federation through its copper mines. More than Hone, Welensky went even as far as doctoring knighting privileges on some selected African chiefs in order for them to denounce any African political party that would seek for the independence of Northern Rhodesia. Indeed, it is strongly believed that the federal regime was responsible for the knighting of Sir Mwanawina so that he could ban UNIP from Barotseland (See Soko, “Independence for Zambia,” pp. 16-17).

³⁴¹ *Preservation of Public Security Act*, Cap. 112 of the laws of Zambia

³⁴² *Public Order Act*, Cap 113 of the laws of Zambia

³⁴³ *Emergency Act*, Repealed by 5 of 1960

³⁴⁴ Goodson Machona, “A Harvest of Treason Trials.” <<http://www.c-r.org/resources/occasional-papers/african-media-and-conflict-part-four-machona.php>> (Retrieved: June 11th, 2010)

³⁴⁵ Soko, “Independence for Zambia,” p. 16

³⁴⁶ *Ibid.*

respectively.³⁴⁷ Sadly, even in independent Zambia there are those who cannot exercise the political and human rights because those who govern are detached from those who are governed. The *last significant event*³⁴⁸ before independence that would impact not only their political direction of Zambia, but its economic survival as well happened in 1953. In that year, Northern Rhodesia (Zambia), Nyasaland (Malawi) and Southern Rhodesia (Zimbabwe) entered into what is, historically, known as the Federation of Rhodesia and Nyasaland.³⁴⁹ It was not only the naming of this Federation which was very important to the future of Zambia; it was also the role that each territory in the Federation played. For one, the Federation fused Zambia and Zimbabwe into one Rhodesia. For another, Zambia was used only as raw material supplier to operate the booming industry in both Zimbabwe and South Africa. Malawi supplied the much-needed manpower to the Federation.

Not only is the foresaid historic fact, but it is also a truth attested to by the British Colonial Officers themselves. Grant,

³⁴⁷ The Chiluba government declared a State of Emergency under the *Emergency Powers Act* in March 1993.

³⁴⁸ See the first four in Chapter 5

³⁴⁹ Prior to 1891 when the BSAC set up a Company State, it had “discovered” Zambia’s copper and other mineral wealth. These motivated the formation of the Federation of Rhodesia and Nyasaland also known as the Central African Federation. Under the federal structure, which came into being in 1953, despite vehement African opposition, the Capital City was located in Salisbury (Harare), in Southern Rhodesia (Zimbabwe). The federal legislature and the government were in White-run Southern Rhodesia. Whites were a miniscule minority in the Central African Federation, but they were the political majority in the federal government and Parliament. White settlers wanted to use the Federation as the Boars had used the Union of South Africa to consolidate their power and load it over the Africans. Understanding these ramifications, the African nationalist leaders in Zambia and Malawi mobilized themselves to stop the federal idea from being implemented. Opposition from African nationalists in Southern Rhodesia was there, but it was not as vocal or strident as in the two northern territories. Whites in Malawi and Zambia favored the Federation, as did their Southern Rhodesian counterparts, because it would augment their regional numbers and make it less likely that Zambia and Malawi could be turned over to the Black majority.

for example, explains his first impressions when he first came to the territory then under the Federation, explaining, “As we crossed the borders...we were entering a new, recently-created, *ill-fated political entity*, the Central Africa Federation. This had been formed by the British government, amalgamating Northern and Southern Rhodesia with Nyasaland under the leadership of an ex-pugilist and former railway unionist, Roy (later Sir Roy) Welensky, *against the clearly-expressed wishes of the Africans* in Northern Rhodesia and Nyasaland, which was to cause constant trouble.”³⁵⁰

If the Federation was ill-fated, it would, however, be Northern Rhodesia that would pay for its ills. In particular, Northern Rhodesia would not only be a reservoir for cheap human labor but would also be the most neglected territory of the three regions. From the beginning, the Africans in Northern Rhodesia did not wish to join into the Federation. Britain was in a hurry to impose the Federation because as Grant exposes, “Everywhere lurked the shadow of the British Empire, even in its terminal decline.”³⁵¹ Surely, in Central Africa the Federation was the last attempt at salvaging whatever was left of the glorious British Empire.

Indeed, to claim that the Federation created the poverty foundation for Zambia and Malawi is an understatement, because it did. Copper was mined from Zambia and exported to other territories and to Britain leaving Zambia empty-handed. Because most of the British administration of the Federation was carried out in Southern Rhodesia, infrastructure development also took place there to the negligence of Zambia and Malawi. Moreover, since Zambians were required to work in the mines, which were mostly concentrated on Zambia’s Copperbelt Province, most able-bodied Zambian men had to leave their villages to work in the thriving copper mines of the Copperbelt. The Zambian villages were left with feeble men, women and children. In essence, this was the beginning of rural poverty.

³⁵⁰ Grant, *Zambia – Then and Now*, p. 25 (Emphasis added)

³⁵¹ *Ibid.*

There is a popular claim asserting that Zambia's lack of competence in political and economic administration at independence is responsible for the economic conditions Zambia currently experiences. This thesis advances the view that Africans in general and Zambians in particular, prematurely acquired political independence and inadvertently chased away European administrators.

This reasoning is flawed in two significant ways. First, it fails to consider the resource-depletion character of the Federation as detailed above. Second, it fails to appreciate the administrative and civic activities of the Africans in the Federation. In fact, Zambians were much more prepared economically to govern themselves at independence than in 1991.³⁵² As early as 1912, Donald Siwale and others had raised the issue of self-rule, albeit indirectly, and by that time some of these great Africans were principals of mission schools. Above and beyond, the Africans had established political institutions even prior to the arrival of colonization.

§6.2 Livingstonia Mission Institute

The history of political organizations or associations in Zambia is as old as the history of Church or missionary influence in Northern Rhodesia. Basically, as argued in Chapter 18, mission stations and churches served as centers for ecclesiastical indoctrination as for *quasi*-political propaganda. The former was explicitly engaged in while the later was inherent in the nature of the Africans' struggles.

The first crop of Africans who would bring structure and provide impetus to the African cause in Northern Rhodesia was former students of the Livingstonia Institute in Nyasaland (the Institution). Indeed, it has been observed that, "the Institution provided an intellectual ferment which awakened their [Africans'] imagination to the concept of progress and gave them [the Africans] a new role and sense of authority as

³⁵² See Chiluba, *Democracy: The Challenge of Change*, p. 122.

Christians and educated people in bringing about the advancement of their people.”³⁵³

Between 1902 and 1912 there were two isolated developments at the Institution that would permanently awaken the consciences of the future Zambian leaders. First, in 1902 a debating society was formed there. The society discussed issues ranging from native trade to industrial development to “the future of Africa.”³⁵⁴

The second development at the Institution that would awaken the African consciousness and necessitate the formation of the first welfare association in Northern Rhodesia happened in June 1912. In that year, an institutional periodical, the *Livingstonia News*, “devoted seven of its sixteen pages to a full report of the Tuskegee Conference on Negro advancements held in the United States of America and concluded its report: ‘If Dr. Booker Washington could become what he is and do what he has done, why should not some of the natives of this land, by the grace of God, follow his steps.’”³⁵⁵

Indeed, this charge was seriously taken by the Africans at the Institution, because in that same year, 1912, at Mwenzo Mission³⁵⁶ in Northern Rhodesia, a group of teachers headed by Donald Siwale with Levi Mumba, formed the first welfare association called the Mwenzo Association. It is important to understand two dynamics here. The first one is that the 1912 Mwenzo Association was a local and village effort by the educated Africans in Northern Rhodesia to put a voice to their struggles for recognition as humans who deserved respect and equal treatment. Moreover, these would be the pre-World War I efforts by the Africans, because as will be discussed later, there were other efforts at Mwenzo by the Africans to advance their

³⁵³ Terrence O. Ranger, *Themes in Christian History of Central Africa* (Los Angeles: University of California Press, 1975), p. 107

³⁵⁴ *Ibid.*

³⁵⁵ *Ibid.*

³⁵⁶ Mwenzo Mission was opened in Northern Rhodesia by the Livingstonia Mission in north-eastern Rhodesia in 1894.

grievances after the war. These post-war efforts would concentrate mostly in the urban areas.

The second dynamic is that these first African intellectuals were more driven, as expected, by the Booker Washington's principle of accommodation of the Africans' and settlers' interests. It was only in the mid-1940s that more radical politically-minded Africans became vocal. These, to put it matter of factly, were more of a Dubois than of the Washington type.

§6.3 Quasi-Political Agitations

The history of the foundation of the Zambian political associations was a monopoly of political-minded Church Ministers like Edward Boti Manda, Donald Siwale, Levi Mumba, David Kaunda, Peter Sinkala and Hezekiya Nkonjera Kanoso, and others. It was with Levi Mumba and Edward Boti Manda that Donald Siwale discussed the need for an association to put the educated African viewpoint, and to discuss why it was that "Africans were being called boys by Europeans although they were grown [up] men."³⁵⁷ By the time they were contemplating forming the first welfare association, the Africans at Mwenzo had ascended to positions of school inspectors.

The express aim of the Mwenzo Association was captured in their 1914 constitution spearheaded by Donald Siwale. The African association wanted, "recognition of Africans as human beings, and advancements of their conditions, *not independence from colonial rule*."³⁵⁸ It is believed that despite their assertion to the contrary, the Africans at Mwenzo were more politically-minded than just for their recognition as human beings. The wisdom of our fathers, in stating "not [seeking] independence from colonial rule," is herein revealed. In concealing their real political motives, they were both playing to right timing and

³⁵⁷ Terrence O. Ranger, *supra*, p. 107

³⁵⁸ *Ibid*, p. 108

engaging in self-preservation. Both were essential to the progress of their cause.

The efforts of the pre-World War I Mwenzo Association would soon collapse at the onset of the war in 1914. This was not due to the fault of the Africans. As the war intensified, Mwenzo Mission was evacuated on account of the fighting near the border with Tanganyika.

Shortly after the war, Donald Siwale, with the help of Jonathan Mukwasa Simfukwe and Andrew Sichula, revived the old Mwenzo Association. In 1923, they transformed the old Mwenzo Association into the Northern Rhodesia Native Association (NRNA). The naming of the NRNA is self-telling. Unlike the old Mwenzo Association, the new NRNA was broader in outlook and took the interest of the whole of Northern Rhodesia into account. The very first thing the NRNA did was to bring the “Native Commissioner to Mwenzo to explain to the teachers how the taxes were used.”³⁵⁹ Moreover, in the same year, the Secretary for Native Affairs received a copy of the NRNA constitution.³⁶⁰ This act would both legitimize the efforts of the Africans and bring to the attention of the authorities in Northern Rhodesia the desires of the Africans.

The Africans in Northern Rhodesia were suspicious of foreign influence in their territory even before they were brought into the British orbit at the end of the 19th Century by the BSAC which administered Northern Rhodesia on behalf of the British government until 1924. It has already been argued that Caplan’s assertion of Rhodes as an accommodator of the African interests was a falsity. It is suspected that the British government decided to take direct control of Northern Rhodesia in 1924 because it perceived that the Africans were disgruntled with the Company.

For one, the Company’s approach to native administration was profit-motivated. For another, it employed force, and not

³⁵⁹ *Ibid*, p. 109

³⁶⁰ The Secretary for Native Affairs was responsible for African interests in Northern Rhodesia.

law, to administer the territory. For example, the Company “burned villages and put chiefs and headmen in chains to intimidate them into sending their people to do carrier service.”³⁶¹ Headman Kasichila ardently opposed to not only the Company’s presence in Northern Rhodesia, but also to the erection of a mission “because it stood on his land.”³⁶²

Just before the British government took over the administration of Northern Rhodesia from the chartered Company, Judge McDonnell was tasked with the responsibility of inquiring into the disturbances in the territory. In a letter to the administration of May 5th, 1919, he said: “As one listened to pleas and evidence which showed that the old words, obedience to the elders, headmen and chiefs, obedience to the *Boma*, had lost their meaning, we realized the delicate and fragile nature of our hold over these people and at times we saw the abyss opening.”³⁶³

Analyzing from this angle, it is plain knowledge that the Africans in Northern Rhodesia did not desire the imposition of colonial rule over them. Contrary to the general assertion, the Africans did not acquiescent to colonialism. As records have shown, the Africans resisted colonialism with all their might. Thus, “the British found that the imposition of colonial rule was opposed practically everywhere. Between 1895 and 1914, the British organized a number of military raids – ‘punitive expeditions’ – against what they called ‘recalcitrant tribes.’”³⁶⁴ The British, further, used well-armed soldiers to force the ill-equipped African tribes into submission to colonialism.

It is strongly believed that whatever can be sourced on this topic is only a piece of the ice-berg. It is common knowledge that the British administration would not want to give the impression that the Africans abhorred the colonial regime. The way the administration did this was in either by spreading propaganda supposing that African acquiescence to colonialism

³⁶¹ Terrence, *supra.*, p. 108

³⁶² *Ibid*, p. 110

³⁶³ Terrence Ranger, “Making Northern Rhodesia Imperial: Variations on Royal Theme, 1924 – 1938, *African Affairs*, p. 349

³⁶⁴ Peter Firstbrook, *The Obamas*, p. 115

was efficacious or by completely obliterating any information detailing the resistance efforts of the Africans from public record.

Arguments have been made that, “throughout much of the Third World, basic dates and data on decision making, let alone reliable empirical evidence on the intimate functioning, formal as well as informal, of political systems, are typically not readily accessible.”³⁶⁵ In fact, it is assumed that such evidence rarely exist at all.³⁶⁶ If this assertion merits its premise, that is great news for Zambia. However, in practice, it is Zambia that needs to probe into records that might provide a little window on how much in terms of resource depletion colonialism inflicted on the nation. The plain truth is that such records are hard to come by either because they were shredded at independence for fear of self-incrimination or they are classified.³⁶⁷ Fortunately, bits and pieces from here and there are sufficient to provide an informed opinion, and even conclusion of what transpired.

The Africans’ agitation continued even during the World War II period. This period, from 1939 to 1945, would not only see the spread of welfare associations in urban areas, but the massive exposure to information the Africans had, hitherto, been denied. Smyth³⁶⁸ conceives that Africans in Northern Rhodesia experienced World War II vicariously, rather than directly. In other words, through war news and propaganda, the Africans were able to see the intentions and ruthlessness of the British administration beyond the *Bwana*-servant façade.³⁶⁹

The war produced something of an information explosion in Northern Rhodesia. The war news and propaganda to which the African population was suddenly exposed hastened the

³⁶⁵ Douglas G. Anglin, *Zambian Crisis Behavior* (Montreal: McGill-Queen’s University Press, 1994), p. xii

³⁶⁶ *Ibid.*

³⁶⁷ See Governor John Alexander Maybin’s secret memorandum to Malcolm MacDonald in the following pages who feared that the activities of the new Information Office might unsettle the natives.

³⁶⁸ Josaleen Smyth, “War Propaganda During the Second World War in Northern Rhodesia,” (July 1984) JSTOR: *African Affairs*, Vol. 83, No. 332

³⁶⁹ A *Bwana* was a term given to white European masters in Northern Rhodesia. In the Bemba language it means a superior or a boss.

emergence of an African political voice. The need to mobilize public opinion in support of the war effort led the Northern Rhodesian government to pay more attention to African public opinion than it had done before the war. Indirectly, the war stimulated some educated Africans to use the press, government as well as commercial, in order to engage in political dialogue with the administration and with White settler politicians.³⁷⁰

The vitality of information cannot be overemphasized. Then as now, information gives a people a soft pad for revolutionary emancipation.³⁷¹ To the Africans, it did. Is it any wonder why in Zambia vital information is so hard to come by? Living and studying in Canada was an eye opener. In Canada, one learns that information is power, and the one who has it can wield tremendous leverage over the information have-nots.

It is little wonder, too, that when the Information Office was created in Northern Rhodesia, one of the Governors³⁷² was

³⁷⁰ Smyth, *supra*.

³⁷¹ For example, the pro-democracy agitation by the youth of the Arab nations and North Africa in February 2011 was necessitated by the social network media. The simple fact is that the revolution was only possible because of information explosion.

³⁷² From April 1st, 1924, to October 24th, 1964, Northern Rhodesia had nine Governors in total in Northern Rhodesia. This list gives the names, dates when the term began and ended, and any additional details, if necessary: Sir Herbert James Stanley (April 1st, 1924 - June 1927); Sir James Crawford Maxwell (June 1927 - October 27th, 1932); Sir Ronald Storrs (October 27th, 1932 - February 19th, 1934; resigned due to ill health); Major Sir Hubert Winthrop Young (February 19th, 1934 - May 5th, 1938); Sir John Alexander Maybin (May 5th, 1938 - April 9th, 1941; died in office); Sir Eubule John Waddington (May 30th, 1941 - December 16th, 1947); Sir Gilbert Rennie (December 16th, 1947 - April 1st, 1954); Sir Arthur Edward Trevor Benson (May 1st, 1954 - April 23rd, 1959); Sir Evelyn Dennison Hone (April 23rd, 1959 - October 24th, 1964). Three of these Governors: Sir Herbert James Stanley, Sir Arthur Edward Trevor Benson and Sir Evelyn Dennison Hone held the KCMG, *the Most Distinguished Order of Saint Michael and Saint George*, which is an Order of Chivalry founded on April 28th, 1818 by George, Prince Regent, later George IV of the United Kingdom, whilst he was acting as Prince Regent for his father, George III; Sir Ronald Storrs held the KCMG, and the CBE, *the Most Excellent Order of the British Empire*, which is an Order of Chivalry established on June 4th, 1917 by George V of the

infuriated. Governor John Alexander Maybin, in a secret memorandum to Malcolm MacDonald in 1939, feared that the activities of the new Information Office might “unsettle the natives.”³⁷³ It is not technological prowess that sets Europe above Africa; it is because the former is better informed on certain critical issues than the later.³⁷⁴

§6.4 ANC, ZANC AND UNIP

There are six Zambian leaders who were key to Zambia’s political independence. These were Dauti Yamba, Godwin Mbikusita Lewanika, Harry Mwaanga Nkumbula, Mainza Mathew Chona, Simon Mwansa Kapwepwe, and Kenneth David Kaunda. All of them, diverse in educational, tribal and professional affinities, were brought together under one cause – Zambia. They all provided critical leadership towards Zambia’s independence, and some even beyond.³⁷⁵

United Kingdom. The Order comprises five classes in civil and military divisions. In decreasing order of seniority, these are: *Knight Grand Cross* (GBE) or *Dame Grand Cross* (GBE), *Knight Commander* (KBE) or *Dame Commander* (DBE), *Commander* (CBE), *Officer* (OBE) and *Member* (MBE); Major Sir Hubert Winthrop Young held the KCMG, and the DSO, the *Distinguished Service Order*, which is a Military Decoration of the United Kingdom, and formerly of other Commonwealth countries, awarded for meritorious or distinguished service by officers of the armed forces during wartime, typically in actual combat; the other four never held any orders, namely Sir James Crawford Maxwell, Sir John Alexander Maybin, Sir Eubule John Waddington, and Sir Gilbert Rennie.

³⁷³ Public Record Office Kew: CO 323/1663/6281/1B, “Comments on Secret Memorandum” as quoted in Josaleen Smyth, *supra*.

³⁷⁴ It is the position of this book that neither science nor technology differentiates Zambia from the West; it is, rather, access to scientific and technological information that is a factor. The late President Mwanawasa was, like so many Zambians, of the view that, “the difference between White and Black people was not due to the color of their skins but due to science and technology,” (“Zambia’s Economic Future Lies in Technology - Levy,” *Times of Zambia*, retrieved: March 10th, 2011).

³⁷⁵ All, that is, except Godwin Lewanika.

Indeed, the term “Zambian fathers,”³⁷⁶ applies to them. Their story, sacrifice and exceptional leadership prowess cannot, in all fairness, be adequately exhausted within the ambit of this section. Suffice, nevertheless, to mention that shortly after joining the ANC in 1956, in August, Kapwepwe became Treasurer of the Lusaka-based ANC. In 1958, there was a rift in the Nkumbula-led ANC over the perceived autocratic leadership of Nkumbula and his willingness to participate in the national elections. Other leaders in ANC, including Kapwepwe protested this participation because it only allowed 25,000 Africans to vote.

In October 1958, Kapwepwe, Kaunda, Sikota Wina and a few others, broke away from ANC and formed the Zambia African National Congress (ZANC).³⁷⁷ In March 1959, ZANC was declared illegal and its leaders were gaoled.³⁷⁸ Those ZANC nationalists, who were not jailed, led by Mainza Chona, formed the United National Party (UNP). The name was later changed to the United National Independence Party (UNIP).³⁷⁹ When Kaunda was released from prison in 1960, Chona stepped down

³⁷⁶ Thou art Yamba, never just a number
Thou art Chona, reader, thinker and winner
Thou art Lewanika, formidable and broker
Thou art Nkumbula, the prized lion’s molar
Thou art Kapwepwe, pathfinder of a new way
Thou art Kaunda, leader, nation’s defender

³⁷⁷ ANC was mostly organized on tribal lines, the largest chunk coming from Southern Province among the Tongas. ANC propaganda stipulated that UNIP would wipe out the cattle owned by the Tongas and give the Tonga wives to Bemba men if UNIP won the elections and became the governing party.

³⁷⁸ Placed under banning orders

³⁷⁹ Other records stem UNIP from an amalgamation of the United Freedom Party (UFP) and the African National Independence Party (ANIP) leading to UNP. Mainza Chona was not the first president of UNIP, Dixon Konkola was. However, Konkola was suspended within weeks of his presidency and was replaced by Paul Kalichini who also was replaced by Mainza Chona. Chona himself had only recently left ANC. See K. Makasa, *Zambia’s March to Political Freedom* (Nairobi: Heinemann Educational Books, 1985), pp. 115-116)

and handed the presidency of UNIP over to him.³⁸⁰ Chona might have stepped down “because [he] did not feel he possessed the necessary qualities to lead an independence movement.”³⁸¹

The Northern Rhodesian nationalists were not deterred by the doors of jail or the bars of prison.³⁸² Subsequent to the October 1962 elections,³⁸³ in which Africans won convincingly, UNIP and ANC formed a coalition government.³⁸⁴ Kaunda became leader of the coalition with Kapwepwe as his Minister of African Agriculture.

§6.5 Kenneth Kaunda

With respect to Northern Rhodesia, an oft-made observation is that the Africans ill-timing of independence, and

³⁸⁰ Chona remained loyal to UNIP, serving as UNIP’s Vice-president (1960-61); UNIP National Secretary (1961-69), and as Republican Vice-president (1970-72). He never wavered from the party he helped found even when he suffered repeated humiliations at the hands of UNIP and Kaunda.

³⁸¹ Mwaanga, *Looking Back: An Extraordinary Life*, p. 13

³⁸² In November 1953, Harry Nkumbula and Kaunda were arrested for publishing the second issue of the *Congress News*. On January 6th, 1955, Nkumbula, Kaunda and Sikalumbi were arrested, and their homes thoroughly searched for allegedly possession of prohibited publications. Nkumbula and Kaunda were sentenced to two months in prison with hard labor and sent to Lusaka Central Prison. On March 12th, 1959, Kaunda was arrested at his Chilenje home and on June 20th, 1959, sentenced to nine months in prison with hard labor at Lusaka Central Prison before being transferred to Salisbury Central Prison. Kaunda was released from prison on January 9th, 1960.

³⁸³ In 1962, the British government accepted Nyasaland’s desire to opt out of the Federation. At the local level, in 1948, two Africans were named to the Northern Rhodesian Legislative Council, which was the beginning of the recognition that Blacks needed representation in the legislature. After negotiations among the Africans, the Whites, and the British government, a new constitution was agreed upon. It came into effect in 1962 and, for the first time, it seemed obvious that Africans would form the majority in the new Legislative Council.

³⁸⁴ A coalition happens when two or more political parties join forces with other parties during periods of conflict of interest.

the subsequent removal from office of the White European masters was a mistake. This book begs to differ. The Africans in Northern Rhodesia neither ill-timed their independence nor did they prematurely remove the White colonialists from power. Perhaps more than any freedom fighter,³⁸⁵ Kenneth Kaunda both epitomizes and personifies the struggles of Zambia's independence. In that sense alone, Kaunda is the hero of Zambia's struggles for independence.

Described as “very shy, polite and friendly”³⁸⁶ in his childhood, and “as he grew up, he openly resented the discrimination against Africans practiced and perpetuated by the White people in Northern Rhodesia on account of color,”³⁸⁷ Kaunda was born Kenneth Buchizya³⁸⁸ Kaunda on April 24th, 1924, at Lubwa Mission in Chinsali in Northern Zambia.

Kaunda's father, David Julizya Kaunda,³⁸⁹ a Tonga by tribe, was born in 1878 at Lisali in Bandawe in Nyasaland. David Julizya Kaunda introduced “education and the Gospel to the inhabitants of Chinsali and the Bemba-speaking people of

³⁸⁵ Kaunda is discussed here in more details not because he was the worthiest of the Zambian fathers, but because he was the first of the founders of Zambia to lead both as Head of State and head of government.

³⁸⁶ Chisala, *The Downfall of President Kaunda* (Lusaka: Co-op Printing, 1994), p. i

³⁸⁷ *Ibid.*

³⁸⁸ Buchizya literally means one who is not expected. Kaunda could have been named Buchizya because as the last of the eight children by David Julizya and Helen Tengwera Nyamunyirenda Kaunda, he was born twenty years after his parents were married.

³⁸⁹ Kaunda's father was born Julizya Kaunda. About 1885 Julizya was baptized by the United Free Church of Scotland (UFCS) at Nyuya in Malawi and christened David. David Julizya Kaunda married Nyamunyirenda at Livingstonia in 1900 before relocating to Lubwa in Chinsali under the auspices of UFCS in 1905. There flanked by Rev. Robert McMinn, Maxwell Robertson, Dr. Brown and R.A Young, David Julizya Kaunda introduced Christianity among the Bembas of Chief Nkula (Bwalya Changala). David Julizya Kaunda died in 1932, his widow, and Kaunda's brothers and sisters were permanently settled at Shambalakale in honor of David Julizya Kaunda's missionary work there. The Bemba people of Lubwa Mission would later inscribe on the church building the following: *Kaunda Brought the Gospel Here in 1905*. Helen Kaunda died at Shambalakale at the age of 87 years in 1972.

Northern Province.”³⁹⁰ Kaunda did his primary education at Lubwa up to 1938 when he began to teach at the tender age of sixteen at Lubwa straight from completing his two-year elementary teacher’s course. In 1941, Kaunda joined Munali Secondary School, and in 1943, he completed his Form Two. “Although he fared well in his examinations, he was unable to proceed to Form Three. Instead, he was recalled by the missionaries to become Boarding Master at Lubwa for Boys. By any standards, the education he had attained at that time was very high considering the level of illiteracy in the country then.”³⁹¹

On August 24th, 1946, Kaunda married³⁹² Betty Mutinkhe Banda Kaunda,³⁹³ the daughter of a Mpika local and successful businessman called John Kaweche Banda. Soon Kaunda relocated to the Copperbelt where he got a job as a clerk at Mindolo. He later moved to Chingola where he worked as a Welfare Assistant in the Nchanga Mines before resigning and relocating to Mufulira where he acquired a job as a Boarding Master at Mufulira Upper School between 1948 and 1949.³⁹⁴

³⁹⁰ Chisala, *supra*, p. 2

³⁹¹ *Ibid.*, p. 3

³⁹² Initially Kaunda had intended to marry Glorlah Chellah, a pretty daughter of Amon Chellah, a Head Clerk, first in Mazabuka and later in Chinsali. Gloria was born on August 24th, 1930; the same date Kaunda and Betty had wedded. While still married to Betty, Kaunda had a child out-of-wedlock in 1948 with Gloria, and they named her Catherine Kaunda. Six months earlier Kaunda and Betty had a son whom they called Panji Kaunda. Gloria later got married to Golland Sichivula in 1950. Gloria died on January 30th, 1994.

³⁹³ Betty Kaunda (November 17th, 1928 – September 18th, 2012), was born at Chitungulu village in Lundazi. She completed her Standard Four in Mpika before attending boarding school at Mbereshi Girls Boarding School in Kawambwa, Luapula Province, where she pursued teaching. Mbereshi was established by one Adam D. Purves of the LMS in 1900 before his death in 1901. By independence, Mbereshi was one of the leading centers for nursing training. One of the early missionaries who worked at Mbereshi was Mabel Shaw, and upon the transformation of the school into a girl’s secondary school, it was renamed Mabel Shaw Girls Secondary School in 1915.

³⁹⁴ The Headmaster of Mufulira Upper School then was the Rev. Fergus Macperson.

It was in Mufulira where Kaunda started to become politically conscious, which had been launched by the formation of Welfare Associations.³⁹⁵ The first of these was, in fact, pioneered by Kaunda's father: "During the inception of the Welfare Associations, most Africans including Kaunda became politically conscious. It is also on public record that David Kaunda, the father of Kenneth Kaunda, was one of the founders of the first African Welfare Associations together with the late Siwale at Mwenzo in Northern Province."³⁹⁶ While in Mufulira, Kaunda became the Vice-secretary of the local Urban Advisory Council, and subsequently of the Provincial Advisory Council. In 1949, Kaunda, together with his friend Simon Kapwepwe, returned to Chinsali where he formed the Chinsali Young Men's Farming Association. Kaunda would later become leader of UNIP and eventually first president of the Republic of Zambia.

§6.6 Seventy Years of Foreign Rule

Zambia's 75 years of colonialism can be divided into three phases. Phase one is the Company State (1889 – 1923), Phase two is the Protectorate State (1924 – 1952), and Phase three is the Federal State (1953 – 1963). Of the three, the most ruthless was also the shortest period, the Federation of Rhodesia and

³⁹⁵ The first known African Welfare Association was formed by the duo of David Kaunda and Donald Siwale. In 1933, the first general meeting of the United African Welfare Association was held in Kafue, and later Welfare Associations were transformed into political organs. One of the leading champions of the Welfare Associations in Northern Rhodesia was Dauti Yamba, who helped found the Northern Rhodesian version of the African National Congress (ANC) party after visiting South Africa in 1942. Yamba was a teacher and a nationalist politician in the 1940s and 1950s. He visited South Africa and came back with the idea of forming an ANC. Northern Rhodesia African National Congress (NRANC) was formed in 1946. Yamba voted against the CAF in 1953, "One of the only four to vote against" (Grotpeter *et. al.*, *Historical Dictionary of Zambia*, p. 464).

³⁹⁶ Chisala, *supra.*, p. 7

Nyasaland, also known as the Central African Federation (CAF) or simply called the Federation.

Under the protection of the British government, Northern Rhodesia enjoyed a relative period of good human rights record and security of the Africans' interest. It was during this same period in 1935 when the Secretary of State for Dominion Affairs, Lord Passfield, announced the pre-eminence of the interests of the natives in Northern Rhodesia. That proclamation meant that where conflicts arose over interests between the settlers and the natives, the interests of the natives should take precedence over those of the settlers.

§6.7 The Federal State

The architects of the Federation had more ulterior motives than the British Colonial Office.³⁹⁷ Godfrey Martin Huggins, who was the first Prime Minister of the Federation from 1953 to 1956, favored an amalgamation of the three territories in order to create a single state.³⁹⁸ He was succeeded by Sir Roy Welensky from 1956 to the end of the Federation in 1963 who

³⁹⁷ The Colonial Office was met by another rival organization in deep ideological and political interest, the Dominion Office. The Dominion Office was abolished and replaced by the Commonwealth Relations Office in 1947. In principle, the objectives of the Commonwealth Relations Office remained the same as those of the Dominion Office. The Colonial Office was in charge of the northern territories of Nyasaland and Northern Rhodesia; the Commonwealth Relations Office was indirectly in charge of Southern Rhodesia. The Northern Rhodesia and Nyasaland opposed a Southern Rhodesian hegemony which the Commonwealth Relations Office supported. The Commonwealth Relations Office was for the settler populations and against the interests of the Africans in Northern Rhodesia and Nyasaland.

³⁹⁸ Godfrey Martin Huggins was the Prime Minister of Southern Rhodesia for 23 years and the first Viscount Malvern, Prime Minister of the Federation for its first three years. Perhaps more than any other piece of evidence, the longevity of Godfrey Martin Huggins in office shows that Western leaders are as culpable as their African counterparts to dictatorial tendencies if not restrained by powerful democratic forces.

remarked that he “would not accept Northern Rhodesia [to] become an African state.”³⁹⁹

The Federation was designed to be a semi-independent state. It comprised Southern Rhodesia, Northern Rhodesia and Nyasaland.⁴⁰⁰ The Federation, in more ways than one, adopted an image of its own. Unlike most British dominions, the Federation was neither a colony nor a dominion. It was a federal realm of the British Crown although the British Sovereign was represented by a Governor General as is usual for dominions. In due course, the Federation was being wired to become a dominion in the Commonwealth of Nations just like Canada.

When the Federation was created on August 1st, 1953, it was meant to last forever. Nevertheless, the Federation crumbled on December 31st, 1963, for two major reasons. First, the Black African nationalists wanted a greater share of power in the Federation. The dominant minority White population was unwilling to concede. Southern Rhodesia dominated the property and income franchise because of its much larger European population. The Africans who comprised the majority in the Federation were prevented from owning property and franchise in the Federation.

§6.8 Plundering Zambia

The second major reason why the Federation crumbled was because it depleted Northern Rhodesia and Nyasaland of their economic potential. Zambia was the culprit with its enormous copper deposits: “The central economic motive behind the [Federation] had always been the abundant copper deposits of Northern Rhodesia.”⁴⁰¹

³⁹⁹ Zulu, *Memoirs of Alexander Grey Zulu*, p. 1

⁴⁰⁰ At the time of the Federation, Southern Rhodesia was a self-governed state while Northern Rhodesia and Nyasaland were British protectorates.

⁴⁰¹ Retrieved from:

www.wikipedia.org/wiki/Federation_of_Rhodesia_and_Nyasaland (July 25th, 2010)

The Federation was patterned upon the racist South African regime under the apartheid government. The Black Africans were seen as mere labor force. Their economic well-being was not a priority. For example, in 1946 the population of Black Africans in the territory that would constitute the Federation was over five million as opposed to the Whites who constituted a mere 104 thousand people. In the Federation, there were over two million Black Africans in Northern Rhodesia as opposed to only about 72 thousand Europeans.⁴⁰² Towards the end of the decade-old Federation, the Africans protested against the White minority rule of the Federation.

According to Robert Blake, the Federation perpetuated apartheid and “in that sense, apartheid can be regarded as the father of Federation.”⁴⁰³ Although Nyasaland (Malawi) was “economically the poorest, politically the most advanced and numerically the least Europeanized of the three territories,”⁴⁰⁴ it, nevertheless, led the upheaval to end the Federation.

The manner in which Welensky handled the disturbances⁴⁰⁵ arising out of the protests against the Federation led to British Tory Prime Minister Harold Macmillan to commission an inquiry into the fracas.⁴⁰⁶ A Monckton Commission was constituted to advise Macmillan on the future of the Federation.⁴⁰⁷ The commission came up with twelve

⁴⁰² Zulu, *supra.*, p. 171

⁴⁰³ Robert Norman William Blake, Baron Blake (December 23rd, 1916 - September 20th, 2003) was an English historian. He is best known for his 1966 biography of *Benjamin Disraeli, 1st Earl of Beaconsfield!*

⁴⁰⁴ *Ibid.*

⁴⁰⁵ The Africans in the Federation protested the Federation. Hastings Banda of the African National Congress (ANC) of Nyasaland (later Malawi Congress Party) returned to Nyasaland in July 1958. In 1959, unrest broke out in Nyasaland. In Northern Rhodesia, Kaunda of the Zambian African National Congress (ZANC), a faction from the Northern Rhodesian ANC had his ZANC banned in March 1959 and was subsequently imprisoned in June 1959 for nine months. While Kaunda was in jail, Mainza Chona with other African nationalists created UNIP.

⁴⁰⁶ This is the same Macmillan who made the famous *Wind of Change* speech in the South African Parliament in 1960.

⁴⁰⁷ This royal commission was led by Walter Monckton and included, among other members, Habanyama (Northern Rhodesia) and Wellington

recommendations.⁴⁰⁸ However, the recommendations from one to nine “failed to meet the demands and aspirations of the African population.”⁴⁰⁹ Rather than dismantle the Federation, the recommendations were merely intended to reform the Federation. This did not go well with the Africans in Northern Rhodesia and Nyasaland.⁴¹⁰

Chirwa (Nyasaland). The African representatives dissented arguing, “The continuation of the Federation not based on consent was unacceptable, and that the inhabitants of each territory should be asked in a referendum, whether they wished to remain in the Federation, and that the British government should provide for immediate succession of any territory whose people desire it” (Zulu, *supra.*, p. 170).

⁴⁰⁸ Eleven of the 12 recommendations of the Moncton Report are: (1) Allotment of a higher proportion of seats to the Africans who occupied 12 out of 59 seats in the Federal Assembly; (2) Extension of the franchise to ensure broader representation of both European and African opinion in the Federal Legislature; (3) Establishment of a common roll of European and African voters. Further, a committee to be established to recommend voting qualifications, which would ensure that African members were fully represented and had real support of communities; (4) Transfer of a number of functions from the Federation to the Territorial governments, leaving external affairs, defence and control of the economy with the Central Government; (5) Strengthening of the machinery of co-operation between government establishments of the economic council to co-ordinate all development planning at ministerial levels; (6) Introduction of legislation by all legislative councils making discriminatory practices illegal; (7) Introduction of a Bill of Rights in the Territorial and Federal constitutions, which was to be re-enforced by the establishment of a Council of State to protect persons against the enactments of legislation that might be unfairly discriminatory on grounds of race, color or creed; (8) Federal Capital to remain in Salisbury for the time being and subject to review upon relaxation of racial regulations in Salisbury which had made it inaccessible to Africans; (9) Rotation of meetings of Federal legislatures in each of the three Territories; (10) The question of secession to be discussed at the Federal Review Conference and that the British government should declare its intention of permitting secession, subject to certain conditions; (11) A new constitution for Northern Rhodesia and such constitutional changes that may be desirable in Southern Rhodesia, and should not wait on a full revision of the Federal structure. (Adopted from Zulu, *ibid.*, pp. 169-170)

⁴⁰⁹ *Ibid.*, p. 171

⁴¹⁰ For example, a Mr. Habanyama who represented Northern Rhodesia, and a Mr. Wellington Chirwa, who represented Nyasaland, dissented on the report declaring that the continuation of the Federation was unwarranted and called for a referendum to inquire whether Northern Rhodesia and

In December 1960, a Federal Constitutional Review Conference was held in London, England pursuant to Article 99 of the *Constitution of Rhodesia and Nyasaland*.⁴¹¹ The commission was attended by Kaunda, Kapwepwe, Chona, and Nkumbula. Most historians attribute the commencement of the end of the Federation to this conference. As Welensky feared, hosting the conference in London, Macmillan favored Legislative Council consisting of thirty candidates, sixteen being Africans while 14 were to be Europeans.⁴¹² Under a frustrating electoral environment on October 30th, 1962, the African parties in Northern Rhodesia achieved political milestones that were indicative of the election success in subsequent years.⁴¹³

Nyasaland wanted to remain in the Federation any longer. And if anyone of the two Territories desired to opt out of the Federation, the British government should allow it.

⁴¹¹ The article stated: "Not less than seven or more than nine years from the date of the coming into force of this constitution there shall be convened a Conference consisting of delegates from the Federation, from each of the three Territories and from the United Kingdom, chosen by their respective governments, for the purpose of reviewing this constitution."

⁴¹² Sir Roy Welensky, *4000 Days* (London: Collin, 1964), p. 307

⁴¹³ As a result of a deadlock at the Federal Constitutional Review Conference, on February 20th, 1961, British Colonial Secretary Iain Macleod presented his own plan. The plan provided for a 45-member Legislature based on a two-tier system comprising an Upper Roll and a Lower Roll. The Upper Roll consisted of 15 seats and the Lower Roll also consisted of 15 seats. There were 15 national constituencies in total. The plan also insisted that at least two Africans and two non-Africans be included among the six "Unofficials" (Unofficials in the Legislative Council did not hold their seats because of membership in the official colonial administration. It was a particularly important step for the territory when, in 1945, the number of Unofficials in the territory's Executive Council outnumbered the officials. Many of the Unofficials in the 1930s were Europeans who urged amalgamation with Southern Rhodesia. For many years, the leader of the Unofficials was Sir Stewart Gore-Brown (who also became a staunch supporter of UNIP), but he was replaced in 1946 by Sir Roy Welensky) on the Executive Council.) The constitution demanded high qualifications for candidates to the Upper Roll in terms of income, property ownership and educational attainments. The Africans lacked all the three. Kenneth Kaunda and UNIP protested that Africans would be unable to get Upper Roll support for the national seats but reluctantly accepted the plan. Sir Roy Welensky and his United Federal Party were critical of the plan and

Consequently, Northern Rhodesians demanded greater participation in government. The British feared losing political control to the Northern Rhodesians and the people of Nyasaland as the election results of 1962 revealed.⁴¹⁴ In that year, the Africans won the majority in the Legislative Council. The council subsequently, passed a resolution calling for Zambia's secession from the Federation. In addition, the Africans made three demands: Self-government, a new constitution and a new National Assembly based on a broader democratic franchise.

On December 31st, 1963, the Federation was formally dissolved. The assets belonging to the Federation were distributed among the territorial governments. As expected, the bulk of assets went to Southern Rhodesia, including the Federal army. It took less than a year and Northern Rhodesia became an independent nation on October 24th, 1964.

While to the Zambians independence was inevitable, to some, especially those of the colonial establishments, independence was said to have come too soon or even unwarranted. For one, all peoples have the right to self-determination. It is an ultimate truth that all the peoples of the world ardently desired the end of colonialism in all its manifestations. Colonialism militated against the ideals of universal peace, democracy and justice.⁴¹⁵ For another, since April 6th, 1320 when the Scottish people demanded

immediately sought for its revision. For example, "Welensky feared that it would allow an African majority to be elected" (Grotperter et. al., *supra*, p. 237). The Macleod constitution was, however, only in force until January 1964, but it conveniently allowed the Africans to win control of the Northern Rhodesia government. This was the signal that the end of CAF and the independence of Northern Rhodesia were imminent. The ensuing elections in 1962 saw great spurts in terms of turn-out and enthusiasm among the African populations.

⁴¹⁴ Welensky, *supra*.

⁴¹⁵ On February 7th, 2011, Matthew Pennington of the *Associated Press* quoted Obama as having said that, "After decades of conflict, the image of millions of southern Sudanese voters deciding their own future was an inspiration to the world. He also said it is another step forward in Africa's long journey toward *justice and democracy*."

independence through Scotland's Declaration of Arbroath; to 1776's US Declaration of Independence; to August 28th, 2008 when the Parliament of Georgia passed a resolution declaring Abkhazia a "Russian-Occupied Territory;" and to as recent as January 9th, 2011 when more than 98 percent of votes of the South Sudanese people were for independence;⁴¹⁶ the sounds of independence have never ceased to ring. Chapter Seven will establish that Zambian independence was absolutely inevitable.

§6.9 Requiem for a Freedom Fighter⁴¹⁷

Sylvester Mwamba Chisembele was born on March 1st, 1930 in Fort Rosebery (Mansa).⁴¹⁸ His father Michael Filalo and his brother Romans Filalo Lupando established the Catholic Church in Mansa, "A fact that was recognized by His Holiness the Pope in Rome."⁴¹⁹ In 1948, Chisembele was booted out of a seminary because "his questions on racial equality were considered too radical for that period in time."⁴²⁰ He rose to be a very successful businessman in Mansa, a feat that did not go too well with the White District Commissioner and his police department. It is recorded that by 1952, at the time when the highest paid White miners received £200 per month, his "trade alone brought him a net profit per month of £400."⁴²¹ At this same time, the highest paid African mine workers received not more than £10 per month.

⁴¹⁶ That means South Sudan becomes the world's newest country in July 2011.

⁴¹⁷ This section discusses Sylvester Mwamba Chisembele whom Hon. Valentine W.C. Kayope describes as "the gallant and indomitably courageous freedom fighter and humble and selfless servant of the Zambian people" (In a eulogy on Thursday, February 9th, 2006).

⁴¹⁸ See also the brief history of Sylvester Mwamba Chisembele in *The Guardian* of Friday, December 8th, 2006

⁴¹⁹ *Weekly Angel*, "S.M. Chisembele: Death of a Hero," (March 13th – 19th, 2006), p. 6

⁴²⁰ *Ibid.*

⁴²¹ *Ibid.*

Because of the harassment and frustrations Chisembele continued to suffer at the hands of the District Commissioner, he was forced to “detest and hate the existence in the country of colonialism and anything about it.”⁴²² He braced for the independence of Zambia as the way of equalizing benefits for the indigenous people of Zambia. He joined the banned ANC and “became one of Zambia’s greatest fearless freedom fighters, who put his call to freedom fighting before his own personal life and family.”⁴²³ Consequently, in 1955, Chisembele organized a firm ANC base in Mansa using his own resources of money and buildings to further the causes of freedom. His efforts spread over to Samfya. In 1956, Chisembele was arrested for political agitation and spent the whole year in prison. Upon his release in 1957, he was appointed Provincial General Secretary of ANC in Luapula. An assassination attempt on his life in 1958 left him with a permanent disability in his right ear and with only a partial hearing in his left.⁴²⁴ In the same year, due to wrangles in ANC of Harry Nkumbula, Chisembele joined the newly formed ZANC, a precursor of UNIP.

In 1959, Chisembele was arrested for the second time and detained at Kalabo Prison for nine months under the orders of Governor Sir Arthur Benson. His real estate property in Luapula was confiscated, denying him any means of livelihood. In 1961, Chisembele was arrested for the third time, this time on the allegation of harboring explosives. Shortly after a meeting with the Governor of Northern Rhodesia, Sir Evelyn Hone, mainly for his role in drafting UNIP’s Five-Point Master Plan, he was arrested and detained for the fourth time. Cha-Cha-Cha the civil disobedience movement launched by UNIP,⁴²⁵ was said to have been fiercest in Luapula Province

⁴²² *Ibid.*

⁴²³ *Ibid.*

⁴²⁴ This was when two security officers armed with two long batons beat him up leaving him permanently disabled.

⁴²⁵ The name itself was derived from a song, “Independence Cha-Cha,” composed by a Congolese rumba singer, Joseph Kabasale, at Congo’s Independence. (Source: *Unequal to the Task?* by Elias C. Chipimo, Jr.)

under the leadership of Chisembele.⁴²⁶ Chisembele was one of freedom fighters who managed to burn the *Fitupas*⁴²⁷ throughout Luapula Province. For this, Chisembele received a three-month detention at Milima Prison in Kasama. This was his fifth arrest and detention.⁴²⁸

In *Zambia: The Politics of Independence 1959-1964*,⁴²⁹ Mulford writes, “Sylvester Chisembele, perhaps the most widely known and respected of Luapula’s ZANC restricted persons, returned to Fort Rosebery on January 8th, 1960, bearing a duplicating machine and 1,000 new UNIP membership cards, an important advance had been achieved by UNIP in Luapula Province.”⁴³⁰ By 1960, Luapula had the fastest growing branches of UNIP and membership in the country.⁴³¹

As a strategic move in 1962, UNIP decided to allow Kaunda, then UNIP’s president, to stand in Luapula. The move was motivated by Chisembele’s superior organization skills and proven leadership success.

This highest degree of political organization prompted the UNIP National Council to select the party president, then Mr. Kenneth Kaunda, to stand in the Luapula constituency in the ensuing controversial Ian McLeod 15 Constitution and Mr. Chisembele was asked to be his election agent. Mr. Chisembele asked Mr. Kaunda to campaign for UNIP candidates in other provinces, since he, Mr. Chisembele, was able to deliver all the Luapula seats to UNIP.⁴³²

⁴²⁶ This is attested to by Nephias Tembo who in 1984 wrote about the movement of Cha-Cha-Cha and its impact on Zambian political struggles.

⁴²⁷ *Fitupas* were colonial identity cards and were considered by the Africans as symbols of enslavement.

⁴²⁸ Consequently, between 1956 and 1962, Chisembele was arrested and detained severally for addressing meetings without permits.

⁴²⁹ David C. Mulford, *Zambia: The Politics of Independence 1959-1964* (Oxford: Oxford University Press, 1967)

⁴³⁰ *Ibid.*, p. 138

⁴³¹ For example, between April and December 1960, UNIP branches rose from 28 to 482, with Luapula accounting for 305 of these with an estimated membership of 69,000. See Mulford, *ibid.*, pp. 161-162.

⁴³² *Weekly Angel, supra.*, p. 11

However, things for Chisembele began to turn sour when he registered his disapproval for the leaders of the party to be chosen, *inter alia*, by one person.⁴³³ This challenge to Kaunda's undemocratic tendencies cost Chisembele senior government positions after independence.⁴³⁴ Despite this repudiation, Chisembele distinguished himself as a conciliator.⁴³⁵ Upon his retirement from active politics in 1983, Chisembele proved himself as an assiduous farmer and businessman, yet again.⁴³⁶

Chisembele's real fallout with the MMD government began when he challenged the incumbents on corruption. His "stance against corruption was not always acceptable and made him enemies."⁴³⁷ Besides, before his death on February 5th, 2006, he had presented his version of how the constitution should be adopted in order to be a "proper people-driven constitution [which] would solve most of Zambia's problems including corruption."⁴³⁸

Chisembele's battle with the MMD incumbents was in their neglect and brutal treatment of the Zambian freedom fighters. Before his death, he had launched a protracted fight for the honor and respect of the men and women who had fought and

⁴³³ At the UNIP Magoye Conference, it was decided that UNIP leaders would be appointed by Kaunda alone. This did not augur well with Chisembele who had been imprisoned five times already for his fight for equality and democracy.

⁴³⁴ Despite his spurts in agitating and organizing the struggles for independence, at independence, Chisembele was only appointed as Deputy Minister of Agriculture to Elijah Mudenda. Many believed that he deserved better.

⁴³⁵ For example, in 1966, he was involved in negotiating peaceful resolution to the heated debate over the name of Baluvale between the Luvalas and the Lundas. Through his efforts, the name was changed from Baluvale to Zambezi. This move settled the issue permanently. Moreover, Chisembele served as Minister of Copperbelt, Eastern and Western provinces. It was in Western Province in 1970 where Chisembele won the hearts of the Lozis, including the Litunga, to return UNIP once more as a popular party following embarrassing defeats before he was transferred there.

⁴³⁶ He owned such restaurants as the Garden Restaurant in Cairo Road, Ethel's Restaurant in Cha-Cha-Cha Road and the Filalo Farm in Chisamba.

⁴³⁷ *Weekly Angel*, *supra.*, p. 11

⁴³⁸ *Ibid.*

won Zambia's independence. Chisembele was approached on October 16th and 20th, 2004 by representatives of the Office of the Vice-president with the suggestion that he should accept an Award for the Order of the Eagle of Zambia, 4th Division during the Independence Day celebrations of that year. Chisembele declined emphatically in view of the fact that, "H.E. President Patrick Levy Mwanawasa has refused to see me concerning a case which I have against the government involving victimization and appalling corruption which the government has refused to address. To accept an Award under such circumstances would be impossible."⁴³⁹

Chisembele's central argument was that government had neglected the freedom fighters. Hence, Chisembele charges, "In my opinion, giving an honor implies that the recipient is being shown genuine respect and treatment, which I feel has not been the case in my situation."⁴⁴⁰ Moreover, Chisembele had his business and farms confiscated by the same government he fought for and brought to power. Sophena Chisembele, the widow of Chisembele, writes, "the farm and property

⁴³⁹ Chisembele had indicated his unwilling to accept an Award he considered a joke in the various correspondences he made to the following people: to the Secretary to the Cabinet on October 25th, 2004; a general letter circulated by Mr. Chisembele in October 2004 to individuals he considered should be informed of the correct circumstances; notes of the meeting with the Secretary to the Cabinet, Dr. Joshua Kanganja on November 1st, 2004; Secretary to the Cabinet on November 5th, 2004; the Hon. Dr. Sipula Kabanje, MP, Deputy Minister of Lands on November 10th, 2004; the Hon. Andrew Mulenga, MP, Minister of Education on November 10th, 2004; the Hon. George W. Mpombo, MP, Minister of Energy & Water Development on November 10th, 2004; the Hon. Lt. Col. Patrick Kafumukache, MP, Minister of Labor & Social Security on November 10th, 2004; Hon. Amusaa K. Mwanamwambwa, MP, Speaker of the National Assembly on November 10th, 2004; a reply from Secretary to the Cabinet on November 17th, 2004; Mrs. D.K.K. Mwinga, Clerk to the National Assembly on December 2nd, 2004; from the Deputy Minister in the Office of the Vice-president on December 29th, 2004; the Hon. Kennedy Mpolobe Shepande, MP for Nangoma Constituency, Deputy Minister of Works & Supply on December 31st, 2004; and the Hon. Mrs. R.C. Banda, MP, Deputy Minister in the Office of the Vice-president on January 17th, 2005.

⁴⁴⁰ Chisembele, in a letter to the Hon. Mrs. R.C. Banda, MP, Deputy Minister, Office of the Vice-president on January 17th, 2005

confiscation issues, which might appear personal...are, in fact, political in nature, and will...be of historic value to later generations wishing to know more of their founding fathers and the ongoing human struggles for democracy and justice.”⁴⁴¹ Neither late president Chiluba nor President Mwanawasa was oblivious to Chisembele’s fight for the plight of the Zambian freedom fighters. Chiluba acknowledged: “I am glad that in spite of the obvious anxiety and psychological torture you were subjected to, the matter has been laid to rest and you have retained ownership rightfully of a property on which you have spent all your time and resources to develop.”⁴⁴² And as stated earlier, in 2004, government decided to decorate Chisembele with an Award for the Order of the Eagle of Zambia, 4th Division. He declined. In correspondence after correspondence to and from Cabinet Office, Chisembele demanded to be removed from being gazetted as a recipient of the Order of the Eagle of Zambia, 4th Division. Ironically, Chisembele’s name was included even before he was informed: “You may be aware since you were in government leadership that by the time recipients of Honors and Awards are informed, government has had already printed their names.”⁴⁴³ Eventually, after a long and protracted battle, Chisembele had his name de-gazetted.⁴⁴⁴

The *Chisembele Case* is one of the saddest episodes in the history of our young nation, Zambia. Barely forty-five years ago, had the Zambian fathers and mothers fought with their life and blood for Zambia’s independence. When history should have stood in awe of their sacrifice, instances like the one concerning Chisembele stand as testament to the politics of exclusion. Chisembele was one of the first Zambians to demand

⁴⁴¹ Sophena Chisembele, “The Hon. Sylvester Mwamba Chisembele: March 1st, 1930 – February 5th, 2006,” (October 10th, 2008)

⁴⁴² President Frederick Chiluba, in a letter to Chisembele of March 31st, 2000

⁴⁴³ Hon. Mrs. R.C. Banda, MP, Deputy Minister, Office of the Vice-president’s reply of December 29th, 2004, to Chisembele who wanted to know why his name was included despite the fact that he had expressed unwillingness to accept the Award.

⁴⁴⁴ See Gazette Notice Numbers 629 of 2004 and 640 of 2004.

for reparations: “Mr. Chisembele was the first and only...Zambian to attempt in 2004 to claim compensation from the British government for atrocities and imprisonment [Zambian freedom fighters] suffered during the non-violent struggle for independence.”⁴⁴⁵ Despite the Zambian government unwillingness to push this matter further with the British government, Chisembele brought the matter before the European Court of Human Rights which threw out the case on October 12th, 2004.⁴⁴⁶

In view of the *Chisembele Case*, three issues emerge. First, it is the allegation that freedom fighters in Zambia are ignored and neglected. “Freedom fighters are totally ignored by government except for a few words of praise and gratitude once every year. Words of praise which are hallow and hypocritical.”⁴⁴⁷ If this allegation holds, it portends a serious national omission, especially for a nation like Zambia which made many sacrifices to obtain independence from Britain. As shown in this book, colonialism was brutal and devastating to the future economic well-being of Zambia. The men and women who fought for our independence, therefore, deserve the highest sustained honor the former colonial state can afford.

Second, freedom fighters should be honored both in words and deeds: “Many once fearless, patriotic freedom fighters have grown old and been allowed to die in miserable poverty.”⁴⁴⁸ It is not a question of casting offhand aspersions to insist that some so-called freedom fighters are undeserving of the honor they receive. Some were not quintessential freedom fighters; they can best be described as collaborators. The true and authentic freedom fighters are condemned to the solitariness of indecency and poverty. Emerged Zambian Leaders should insist that this changes.

⁴⁴⁵ Sophena Chisembele, *supra*.

⁴⁴⁶ The case failed only because the Human Rights Convention came into force after 1966, the year it was ratified.

⁴⁴⁷ Sophena Chisembele, “General Comments on the Treatment of Zambian Freedom Fighters Today,” (2004)

⁴⁴⁸ *Ibid*.

Third and last, Zambia, like many former colonies, has not pursued the issue of reparations by the former colonial masters frantically. Evidence proffered in this book shows that Africa and Zambia did not only lose in terms of economic propensity, but also in human terms. The Federation plundered Zambia economically. The colonial forces inflicted chagrin and pain on peaceful freedom agitators. Thus, and sadly, “State-backed crime against an African during the colonial era is not considered at all.”⁴⁴⁹ Britain retired from Northern Rhodesia with enormous wealth at the expense of the future of Zambia. To demand that reparations be made is only just and fair.

Others, like Gabi Hesselbein,⁴⁵⁰ have done extensive research on the deleterious effects of colonialism in Africa. Lord Aikins Adusei⁴⁵¹ argues vehemently for the colonial and slave reparations of Africa by the US and European nations involved. He maintains that “The lack of development in Africa and the poverty of millions of African-Americans have been blamed on...slavery and colonialism.”⁴⁵² He contends that centuries of slavery and colonialism deprived Africa of its able human and economic resources. These human beings⁴⁵³ “traveled in very deplorable conditions, often without adequate food, water and air.”⁴⁵⁴ His basis for reparations is that “While in the New World, [the Africans] were made to work for centuries without pay. The slave trade deprived the continent of her energetic men and women a vital resource in any development process and sunk the continent into intellectual wilderness.”⁴⁵⁵

European powers scrambled for Africa, “an act that can only be described as robbery.”⁴⁵⁶ Adusei cites the example of Congo

⁴⁴⁹ *Ibid.*

⁴⁵⁰ See G. Hesselbein, *Reparations for Colonialism?* (2002)

⁴⁵¹ Lord Aikins Adusei, “US and Europe Must Pay Reparations to Victims of Slavery and Colonialism,” *Modern Ghana*, (Thursday, February 12th, 2009)

⁴⁵² *Ibid.*

⁴⁵³ In all about 30 - 40 million people

⁴⁵⁴ Adusei, *supra*.

⁴⁵⁵ *Ibid.*

⁴⁵⁶ *Ibid.*

DR where, “King Leopold II of Belgium enslaved the Africans, forced them to work without pay, killed about 10 million and looted the country of her resources and virtually nothing was used to invest in the country except guns [with] which the Belgium army used to terrorize and kill the Africans.”⁴⁵⁷ Adusei, further, cites other atrocious examples like the case of the Africans who resisted the illegal activities in South West Africa (now Namibia) who were killed by the Germans between 1904 and 1907, committing what he refers to as “the first genocide [holocaust] of the 20th Century with the killing of the Herero and the Namaqua people.”⁴⁵⁸

⁴⁵⁷ *Ibid.*

⁴⁵⁸ *Ibid.*; see also Hesselbein, *supra*, p. 11

Chapter 7 Independence Theories

*Thou built reason's mind, O Plato,
Shaped brain's wit, thou Aristotle,
And deified politics divine whence St. Augustine's city
doth shine.*

BRIEF INTRODUCTION

In this chapter, the author offers a theoretical basis for Zambia's independence and ascertains that independence was inevitable for the Black people of Zambia.

≈ History ≈ Politics ≈
Political Theories

AT THE END OF THIS CHAPTER:

1. You will learn that Zambians were culturally and politically organized democratically;
2. You will appreciate the Africans' abilities to self-govern; and
3. You will recognize a widely popular theoretical basis that facilitated the plunder of Northern Rhodesia.

MAJOR THEMES:

Arguments against
Colonialism;
Arguments for
Independence

§7.1 Democratic by Nature

It is argued that Zambians are by nature democratic.⁴⁵⁹ The three demands proposed by the Africans in Northern Rhodesia in §6.8 are evidence that democracy in Zambia was not to be a creation of Britain, rather of the Zambians themselves.⁴⁶⁰ It was not in Britain's interest to willingly grant self-government to the Zambians. Even though towards the end of the Federation Britain had devised a course in Africanization, "in preparation for the hand-over of power to the African government,"⁴⁶¹ research shows that, in the mind of the British colonial administrators, independence was far removed from their immediate *agenda*.

As mentioned before, the imposition of the Federation itself was a contradiction in terms. Lessons could be learned from the 1930's when Lord Passfield's announcement of the paramountcy of the natives' interests was immediately met by the gunning to death of the natives who complained against slave wages and poor working conditions. This took place in 1935. It would take bloodshed, imprisonment and extraordinary bravery for the natives to gain independence. Grant admits that although Africanization was introduced, independence itself was perceived "to be many years away."⁴⁶²

Fundamental to the belief of the time was the perception that Zambians could never be democratic. As far as colonial Britain was concerned, Africans were devoid of democratic competence.⁴⁶³ A former Colonial Officer has generously revealed that they suspected that democracy in Zambia was

⁴⁵⁹ See Chapter 9 of this book.

⁴⁶⁰ The three demands the Africans made were: (1) The need for self-government; (2) a new constitution; (3) and a new National Assembly based on a broader democratic franchise.

⁴⁶¹ Grant, *Zambia – Then and Now*, p. 30

⁴⁶² *Ibid.*

⁴⁶³ In the movie, *Invictus*, released in 2010 and starring Morgan Freeman as Mandela, the former White rulers of apartheid-era South Africa farce again and again and ask, "He [Mandela] can win elections, but can he run a country?"

unworkable, or worse still, it could plunge the entire nation into chaos. He cites events after independence as testament to that belief:

Maintaining law and order was our [District Officer Cadets'] most important single function. Progress in African standards of living depended above all upon stability. Most Colonial Officers were essentially classical British conservatives, knowingly or not, disciples of Edmund Blake and his successors, who believed that freedom could only be considered in a context of order firmly rooted in traditional institutions: the Chiefs, the Crown, the Governor, and, of course, the District Commissioner. *Most were fundamentally suspicious of democracy and feared that Africa would dissolve into chaos if that were taken too far or too soon.* Sadly, events in the decades immediately after independence very quickly seemed to justify these fears only too well.⁴⁶⁴

To be fair, the belief expressed in this statement may not be generalized to all Britons at the time, or to those in our time. However, a notation is warranted here in order to sufficiently understand why and how the colonial administration did what it did. Britain, like many liberal democratic societies, espouses freedom in dives of viewpoints. The line is usually drawn between liberals and conservatives. Among the liberals are those who tilt towards the right-center and may be referred to as Classical Liberals. Those liberals who lean towards the left-center are referred to as Reform Liberals. Both sets of liberals

⁴⁶⁴ Grant, *supra*, p. 45 (Emphasis added)

believe in personal freedom,⁴⁶⁵ limited government,⁴⁶⁶ equality of rights,⁴⁶⁷ and in the consent of the governed.⁴⁶⁸

Conservatives on the other hand, are situated to the right of the liberals on an ideological continuum. A leading American writer has listed six common characteristics of all conservatives.⁴⁶⁹ These are: A strong belief in order; affection for the proliferating variety and mystery of human existence; conviction that civilized society requires orders and classes; persuasion that freedom and property are closely linked; faith in prescription and distrust in economic abstraction; and recognition that change may not be salutary reform. Conservatives are suspicious of radical change and may be eluded by progressive innovations.

Thus, it was under this conservative montage that the Africans in Northern Rhodesia endured under the wrath of *love for order*. But to accuse the Africans of being undemocratic, and to justify this assertion by the events following independence, was typical of the imperial attitude.⁴⁷⁰ African democracy is usually judged from the Western perspective, or by the events

⁴⁶⁵ Liberals believe that for people to be truly free, coercion of any form should be eliminated. This means that people should be free to express themselves in speech, in the ownership of private property, and in the choice of political affiliation and religion.

⁴⁶⁶ Liberals do not believe that government should do everything for the citizenry; rather, that government should serve a specific function in society, and should not be in general charge.

⁴⁶⁷ Liberals believe in the Rule of Law, that laws which do not favor one sector of society at the expense of another, and which are impartially enforced, should be enacted.

⁴⁶⁸ Liberals believe in popular sovereignty, in essence, that the people are masters of the democratic arena – setting the *agenda* for running government affairs including hiring and firing politicians through a ballot.

⁴⁶⁹ Russell Kirk, *The Conservative Mind*, 7th ed. (Chicago: Henry Regnery, 1986) as quoted in Mark O. Dickerson & Thomas Flanagan, *An Introduction to Government and Politics: A Conceptual Approach* (Toronto: Thomson Nelson, 2006), p. 150

⁴⁷⁰ Sometimes, the claim is justified owing to some African nations' tendency of undemocratic removal from power of legitimately elected leaders through coups d'état.

of the first two decades of the 1960s and 1970s when most African nations acquired political independence.

There are few reasons why in this book a contrary view has been taken. To begin with, it is the issue of time. While most Europeans and Western nations measure the plausibility of African democracy from the first few years after independence, a critical omission has been made. Democracy, even in Athens, did not take root in one day, as the expression goes – Rome was not built in one day! This is not to justify spurts of coups and irresponsible governance in very few African governments. Elsewhere, arguments for democracy and decry for the legacy of coups d'état in Africa have been made.⁴⁷¹

For the most part, Western democracy has gone through fire and trials to get to where it is. At the time former colonial powers were itching to see what new African leaders would do with democracy, theirs had been in existence for hundreds of years. Surely, even God hates unfair scales.⁴⁷² The strength of African democracy cannot be equitably measured by the last four or five decades after independence.⁴⁷³ In the case of Zambia, within the last five decades, there have been reliable signs of a firm democratic foundation.⁴⁷⁴ The colonial establishment did very little, if anything, too late, to empower the Africans for leadership.⁴⁷⁵ As mentioned above, the Africanization program came too late, and usually the colonial powers themselves did not even have faith in the ability of the Africans to rule themselves. Africans had to learn Western-style government at gunpoint.⁴⁷⁶ It is posited that, given the

⁴⁷¹ See Chapter 9

⁴⁷² Proverbs 11:1

⁴⁷³ In the case of Zambia, which got independence in 1964

⁴⁷⁴ The three factors that define democratic progress are: A political culture, strong civil society, and liberalized economy. Defined by these three indicators, Zambia is on the right path to democratic maturity.

⁴⁷⁵ Here leadership is defined in terms of the ability and sophistication of running Western-style institutions. It should be mentioned that the Africans had been adept at running local politics very well even before colonialism.

⁴⁷⁶ During the colonial era, Africans who could rise to a clerk position were privileged. The majority served as messengers to the *Bwana* (bosses or masters) who were the White colonialists. At the *Boma* ("Home" in Swahili),

circumstances at the time of independence, the African leaders in Zambia did a commendable job to reach Zambia where the nation was in the 2000s, although more could and *must* be done.

§7.2 Ready to Self-Govern

The 1962 elections had shown that Zambians were ready to rule themselves and any attempt at another election would only favor the Africans. And this was what exactly happened, for on December 31st, 1963, the Federation was dissolved and after ten months, Zambia became an independent Republic on October 24th, 1964.

Although Zambians had demanded recognition and dignity, they, however, did not see independence as an option before World War I for strategic reasons. The Mwenzo Association clearly stated in its 1923 constitution that independence was not one of its objectives. Nevertheless, the association existed to champion causes of human recognition and the assumption is that it was such movements which gave impetus to nationalism in the early parts of the 1960s.

During World War I, Mwenzo Mission was closed because of disturbances near Lake Tanganyika. Although this closure disbanded the first Mwenzo Association, it, however, paved the way for the Africans to experience the war on the side of Great Britain. More African troops joined World War II on the Allied side. This last deployment would prove very decisive to African nationalism in Northern Rhodesia.

the Africans were ironically never at home; they perpetually served as servants in the colonial officers' homes and farms. The closest Africans came to be self-motivated leaders were in the church circles, especially after the emergence of African Independent Churches. This soon paved the way for leadership, albeit on a limited scale, in administration as lowest ranking officers, and occasionally as teachers. This scenario, undoubtedly, meant that the newly installed African leaders would have to depend on expatriate help and on the same masters they had supposedly replaced for government and expertise.

The Allied forces and nations emerged victors in World War II, and so did the Africans in Northern Rhodesia. What the war did directly for the Allied nations in the Northern Hemisphere did indirectly for the Africans in Northern Rhodesia in the Southern Hemisphere. The war exposed the Africans to information to which they would otherwise not have had access. As the Africans fought alongside their colonial masters, they began to realize that the Whites were after all humans and mortals. The façade⁴⁷⁷ of infallibility that the colonialists had put on, the Africans found to be a sham.

The gun, which, in fact, had given the colonial forces maximum advantage over the Africans, could kill the Whites as well as the Blacks alike. The Africans began to realize that the colonialists were just as vulnerable, and far from being infallible. In World War II, Britain lost over 700 thousand men. The empire was crumbling, the smokescreen was lifting, and Britain's Achilles' heel was beginning to be exposed.

⁴⁷⁷ When the author was growing up in Chingola, Zambia, a myth surrounded the White race. For them, the White people were more than just human beings; they were almost like gods. Among their peers, they even embraced a notion that White people did not go the toilet. They believed strongly that the Whites possessed superior powers which they could invoke at any time to acquire wealth or win wars or engineer technological advancements. This conjecture was strengthened by the fact that all the White folk in Chingola lived in wealthy neighborhoods, had African maids and servants, occupied very high positions in places of work, were very successful businesspersons and drove expensive cars.

As the author grew up, he started to dispute the myth. He realized that White folks were just normal human beings who were subjected to the same human conditions as the Africans. This knowledge was what the early Africans who encountered the Whites lacked. Simple information like this one has the propensity to liberating a people and to causing them to demand for equal treatment and recognition. As the author went abroad to the West for studies, he began to realize further that even an intellectual myth of White superiority has always been a myth. White folks are not predisposed to a much higher IQ than Africans. All races are capable of intellectual competence. These myths eluded the early African people for a very long time.

§7.3 The Waning Empire

On paper, the intentions of the colonialists seemed to have been, according to Lord Passfield, that of protecting and advancing the native race of Northern Rhodesia. This was alleged to be the guiding principle for Britain's quest for colonies. However, the actual motive for the colonization of Africa was spelled out by the Berlin Act, *viz*, the acquisition of territories for raw material and cheap labor. Northern Rhodesia was, therefore, not regarded as a trust on behalf of the Africans. It was, rather, to be owned, with everything in it, as a possession.

After World War II, the British Empire was internally weakened in power, though in size it remained largely expansive. This internal weakness of the empire meant that Britain's interest in overseas territorial management was shifting towards that of reduction in investment. This move did not match the increasing interest of the colonial settlers who wanted more ascendancy and territorial dominance in Northern Rhodesia.

The 1953 imposition of the Central African Federation on the Africans was seen by the settlers to be an attempt at consolidating territorial supremacy in Africa. But the colonial administration in Britain saw this as the last attempt at salvaging the weakening empire's influence in Central Africa and possibly as step one in the preparation of the Africans for self-rule in an unforeseeable future. By 1955, London was no longer averse to granting the Africans political independence, a decision categorically resisted by the settlers from the beginning.

The colonial settlers understood that in granting or preparing the Africans for self-rule, the settlers were expending themselves. The preparation of the Africans for independence, though a topic of heated discussion towards the end of the Federation, was only remotely countenanced as a possible undertaking in a foreseeable future. The Africans sensing this naïvety and encouraged by the exposure to information regarding Britain's vulnerability after World War II, pressed and demanded for self-rule.

When the Africans began in earnest to demand for self-rule in Northern Rhodesia, Britain's response was that the Africans were not prepared for it. The question remains: Who was to determine whether the Africans were well- or ill-prepared for independence? By what criteria and in whose interest was the preparation supposed to be undertaken? In the following pages this argument is further explored.

§7.4 Theoretical Basis

Then as now, human beings have dominated one another by virtue of popular beliefs. The conception of the notion of power and its origin, has given rise to theorization which in turn has occupied the human quest for domination. Europe, flanked by populist theories, banked on the postulations of the time to engineer empires and deduce guiding principles of domination.

In *The Republic*, Plato (427 – 347 B.C.) argues that human beings are by nature free and that a true democratic society hinges on liberty: “Liberty, I said. This is what you would hear in a democracy is its finest possession and that this is the reason it is the only *city* worth living in for a man who is *by nature free*.”⁴⁷⁸ Plato, father of classical political thought, makes argument that a city⁴⁷⁹ in which liberty thrives is a democratic polity. By extension, Plato posits that a people under foreign domination are not free even if they may have their basic needs met by a foreign regime.

For Aristotle (384 – 322 B.C), all human beings are capable of politics. In *The Politics*, he argues that humans are political animals: “From these things it is evident, then, that the city belongs among the things that exist by nature, and that *man is by nature a political animal*.”⁴⁸⁰ Aristotle argues, in essence, that all

⁴⁷⁸ Jene M. Porter, ed., *Classics in Political Philosophy* (Scarborough: Prentice Hall Canada Inc., 2000), p. 84

⁴⁷⁹ The idea of a city or *polis* was first canvassed by Plato and later Aristotle to be the basic building block of public political administration. The term politics is itself derived from *polis* or city.

⁴⁸⁰ Porter, *supra*, p. 122

societies are capable of political association. It is not what others impose on them. It has been established by divine providence and it is natural to them. Thus, the domination of one people by another, in Aristotelian thesis, is construed as oppressive and unnatural.

In *The City of God*, St. Augustine (A.D 354 – 430) argues that for a Republic to be properly defined, both the well-being of the people and their rights are to be taken into consideration: “A Republic, i.e. the affair of a people, exists when a people is governed well and justly.”⁴⁸¹ First, St. Augustine defines a Republic as the “affair of a people.” By a *people* he means a free, rational and dignified people. Second, in defining a Republic as comprising a free and rational people, St. Augustine advances a view that justice in ruler-ship is an integral part of political administration. Thus, where a people’s well-being is neglected, and where injustices prevail, such a people are not, in St. Augustine’s conception of a Republic, free.

St. Thomas Aquinas (1224 – 1274) in *Summa Theologica* advocates for the active resistance of a tyrannical government wherever it may exist: “A tyrannical government is not just, because it is directed, not to the *common good*, but to the *private good* of the ruler. Consequently, there is no sedition in disturbing a government of this kind, unless indeed the tyrant’s rule is disturbed so inordinately, that his subjects suffer greater harm from the consequent disturbance than from the tyrant’s government.”⁴⁸² Aquinas justifies resisting a tyrannical government on two bases. First, when the rulers disregard the common good for their own private good. Second, when such resistance would not disturb public peace and subject the citizens to harsher consequences than the absence of such actions would portend. According to Aquinas, a government which does not look to the interest of the people must be resisted.

In *The Prince*, Niccolo Machiavelli (1469 – 1527) postulates that freedom is easily maintained through the means of its own

⁴⁸¹ *Ibid.*, p. 180

⁴⁸² *Ibid.*, pp. 220-221 (Emphasis added)

people: “A city used to living in freedom is more easily maintained through the means of its own citizens than in any other way, if you decide to preserve it.”⁴⁸³ According to Machiavelli, to preserve freedom in a city, or a *polis*, or a political organization, the citizens of that polity must rule, and not “any other way.” Thus, foreign domination, even in the Machiavellian conception, was incongruent to freedom.

Thomas Hobbes (1588 – 1679) distinguishes between what he calls a commonwealth by institution and a commonwealth by acquisition.⁴⁸⁴ In *The Leviathan*, he speaks of the sovereign, subjects and sovereign power in this fashion:

The attainment of this sovereign power is by two ways. One, by natural forces; as when a man maketh his children, to submit themselves, and their children to his government, as being able to destroy them if they refuse; or by war subdueth his enemies to his will, giving them their lives on that condition. The other is when men agree among themselves, to submit to some man, or assembly of men, voluntarily, on confidence to be protected by him against all others. This latter, may be called a political commonwealth, or commonwealth by institution and the former, a commonwealth by acquisition.⁴⁸⁵

The Hobbesian political thesis does not fit in the case of Northern Rhodesia as has been demonstrated in this book. The colonization of Northern Rhodesia was neither by commonwealth by institution nor commonwealth by acquisition. It was commonwealth by trickery. Therefore, the Hobbesian twelve-point⁴⁸⁶ thesis does not apply to the situation

⁴⁸³ *Ibid.*, p. 226

⁴⁸⁴ Hobbes’ articulation on sovereignty is akin to two competing schools of thought on the origins of the state, the *Integrative* and the *Conflict*, illustrated by Hobbes’ commonwealth by *institution* and *acquisition*, respectively.

⁴⁸⁵ *Ibid.*, p. 302

⁴⁸⁶ Hobbes postulates that where consent of the governed is, in fact, acquired the following twelve points applies: (1) the subjects cannot change the form of government; (2) sovereign power cannot be forfeited; (3) no

under investigation. Hobbes's twelve points, though, apply in the context of a political commonwealth secured by the consent of the governed, and sanctioned by a constitution enacted by the will of the majority.

The greatest contribution of Hobbes to the concept of domination is in his definition of freedom. To Hobbes, to be free means that people are able to exercise their will, whenever their strength and intelligence can determine to do or not to do of what they are able to: "A freeman, is he that in those things, which by his strength and wit he is able to do, is not hindered to do what he has the will to."⁴⁸⁷ Thus, the domination of a people against their own free will, constitutes bondage, and is objectionable to the idea of freedom.

John Locke (1632 – 1704) writing in *The Second Treatise of Government* makes a conjecture that human beings are by nature free, equal and independent: "Men being, as has been said, by Nature, all free, equal and independent, no one can be put out of his estate, and subjected to the political power of another, without his own consent."⁴⁸⁸ Locke was a privileged son of Puritan lawyer and he wrote his second treatise to justify the

man can without injustice protest against the institution of the sovereign declared by the major part [majority]; (4) the sovereign's actions cannot be justly accused by the subject; (5) whatsoever the sovereign doeth is unpunishable by the subject [the doctrine which supports the immunity provision of Heads of State for what they do while serving in official capacity]; (6) the sovereign is judge of what is necessary for the peace and defence of his subjects; (7) the right of making rules; whereby the subjects may every man know what is so his own, as no other subject can without injustice make it for him; (8) the right to hear and decide all controversies belongeth to the judicature; (9) the right of making peace and war with other commonwealths belongeth to the sovereignty; (10) the right of choosing all counsellors and ministers belongeth to the sovereignty; (11) the right of rewarding with riches, honor, etc., and punishing with corporal or pecuniary punishment or with ignominy, arbitrarily, belongeth to the sovereignty; and (12) to the sovereign belongeth the right to give titles of honor, and to appoint what order of place, and dignity, each man shall hold, and what signs of respects, in public or private meetings, they shall give to one another (Porter, *ibid.*, pp. 303-308)

⁴⁸⁷ *Ibid.*, p. 309

⁴⁸⁸ *Ibid.*, p. 352

right of the English people to change governments. His thesis is in direct contention against the principle of colonialism. Locke argues that “No one can be put out of his estate,” by another power and “subjected to the political power of another, without his own consent.” Not even the philosophies of one of Britain’s most darling thinkers could dissuade the English from putting out the Africans from their estates and be subjected to slavery and unequal treatment.

A philosopher better suited to explore the topic under discourse is, in the judgment of this book, Jean-Jacques Rousseau (1712 – 1778). Rousseau was no admirer of Hobbes and he differs exponentially on all fundamental basis of human nature, except on freedom. In *Second Treatise* on human nature Rousseau writes, “Let us not conclude with Hobbes that because man has no idea of goodness he is naturally evil... He [Hobbes] says precisely the opposite, because of having improperly included in the savage man’s care of self-preservation the need to satisfy a multitude of passions which are the produce of society, and which have made laws necessary.”⁴⁸⁹ Then Rousseau charges that, “Man is weak when he is dependent, and he is emancipated before he is robust.”⁴⁹⁰

To Rousseau, any form of oppression, whether through colonialism or slavery, weakens a people for it keeps them dependent on the goodwill of the master. Thus, foreign domination of one nation against the other, wounds the national spirit of the dominated. Freedom, for Rousseau, is the fertilizer that enriches the national spirit and causes a people to blossom.

Georg Wilhelm Friedrich Hegel (1770 – 1831)⁴⁹¹ speculates in *The Philosophy of Right* that individuals have a subjective right to be free or independent. He further theorizes that to be convinced that a people are free, an objective ethical order or a state of independence must be achieved. Thus, “The right of

⁴⁸⁹ *Ibid.*, p. 386

⁴⁹⁰ *Ibid.*

⁴⁹¹ See also Georg Hegel. Despite his postulation of “the right of individuals to be subjectively destined to freedom,” he, however, did not consider Blacks as deserving of independence.

individuals to be subjectively destined to freedom is fulfilled when they belong to an actual ethical order [a state of independence], because their conviction of their freedom finds its truth in such an objective order, and it is an ethical order that they are actually in possession of their own essence or their own inner universality.”⁴⁹² Therefore, a people may be well-provided for, cared for and given to acceptable economic conditions, but without being fully independent, they would be subjectively unfulfilled.

John Stuart Mills (1806 – 1873) makes a proposition that, “A people can only learn the art of governing by exercising it, and that it is preferable to make one’s own mistakes than to be governed by others, even if the mistakes are thereby greater.”⁴⁹³ Mills postulates what was upheld by the Westphalia Conference in 1848 when major European powers jointly agreed to respect the sovereignty of nation-states. Arguments can be made that nation-states are a political entity and, therefore, by such virtue are deserving of national sovereignty. However, a similar proposition should be extended to nations or peoples under foreign domination for, in the words of Hegel, they comprise a “subjective ethical order” until such a time when they attain to national independence and obtain an objective ethical order. In the state of subjective ethical order, a people are unfulfilled as a national entity. Independence completes the transition into what Hobbes calls a political commonwealth.

In *On Liberty*, Mills breaks down in historic perspectives the genesis of liberty and how it has evolved into a *landlord-tenant* relationship between the governors and the governed. Note especially his caveat on the dangers of domination by “oppressive” powers which the dominating power may use as a “weapon” against the subjects:

The struggle between liberty and authority is the most conspicuous feature in the portions of history with which we are earliest familiar, particularly in that of Greece, Rome, and

⁴⁹² *Ibid.*, p. 483

⁴⁹³ Grant, *Zambia: Then and Now*, p. 134

England. By liberty, was meant protection against the tyranny of the political rulers. The rulers were conceived as an unnecessary antagonistic position to the people whom they ruled. They consisted of the governing *One, or a governing tribe or caste*, who derived their authority from *inheritance or conquest*, who, at all events, did not hold it at the pleasure of the governed, and whose supremacy men did not venture, perhaps did not desire, to *contest*, whatever precautions might be taken against its oppressive exercise.

Their power was regarded as necessary, but also as highly dangerous; as a *weapon* which they would attempt to use against their subjects, no less than against external enemies. The aim, therefore, of patriots was to set limits to the power which the ruler should be suffered to exercise over the community; and this limitation was what they meant by liberty. It was attempted in two ways.

First, by obtaining recognition of certain immunities, called political liberties or rights, which it was to be regarded as a breach of duty in the ruler to infringe, and which if he did infringe, specific resistance, or general rebellion was held to be justified. A second, and generally a later expedient, was the establishment of constitutional checks, by which the consent of the community, or of a body of some sort, supposed to represent its interests, was made a necessary condition to some of the more important acts of the governing power.

It appeared to [the people] much better that the various magistrates of the state should be their *tenants* or delegates, revocable at their pleasure. In that way alone, it seemed, could they have complete security that the powers of government would never be abused to their disadvantage. By degrees this new demand for elective and temporary rulers became the prominent object of the exertions of the popular party.⁴⁹⁴

The passage above is chosen for two reasons. First, it is to brainstorm on the political culture prevalent during Britain's colonial rule in Africa. As Mills as duly placed it, there were two approaches to domination and government going on at the time

⁴⁹⁴ Porter, *supra.*, pp. 505-6

or previously before, one on another, and yet side by side. On one hand, was “One, or a governing tribe” in the form of a monarchy which derived its authority from “inheritance” superimposed by a toothless Parliament.

On the other hand, the governing tribe exercised so strong the power that it became a dangerous “weapon which [it] would attempt to use against [its] subjects, no less than against external enemies.” Theoretically, according to Mills, the British sovereign exercised such authority and power on its own subjects as was tyrannical and vexatious. Everyone served one tribe, the queen’s tribe, and all Britons were subjects of one tribe, the monarchy.

By extension, the tribe which exercised such authority on its own subjects, “no less than against its external enemies,” was the same tribe now dominating a faraway territory so-called Northern Rhodesia. The Africans in Northern Rhodesia, especially under the Company and Federal states, respectively, were less than British subjects; they were cheap laborers, maids and servants.

Second, it is to delineate the assumption often made by former colonial masters that independence may be undesirable by a people who wish to be brought under the dominion of another. According to Mills, mankind has graduated from being “content to combat one enemy by another, and to be ruled by a master,” to regarding the rulers as “tenants or delegates, revocable at [the people’s] pleasure.” This liberal principle does not only apply to free and democratic social order, it also concurs with the spirit that moralizes the acquirement of independence.

Mankind has moved from being controlled to deciding its destiny, and it does not matter whether in doing so mankind makes greater mistakes. Friedrich Nietzsche (1804 – 1900) has advanced a moral and ethical thesis as to why a people should not only seek for political independence, but must “attack” to acquire it.

In the *Will to Power*, Nietzsche advances a hypothesis that power, whose impulse he calls freedom, is humankind’s fundamental wish. However, Nietzsche sees power not as an

end in itself but as a means to an end. The end is charity. But a people must first acquire freedom which power brings before they can be a just order, which itself is in transit to the highest order of charity.

Nietzsche puts forward a proposition that people seek power for three reasons: For the sake of the happiness, it brings; for ambition; and for independence.⁴⁹⁵ The third reason applies to the subject matter under investigation. But Nietzsche makes a clear distinction between the *will to power* and the *lust of power*, the later, he posits, is decadent and akin to colonization.⁴⁹⁶ To Nietzsche, the will to power is positive power and “the highest form of individual freedom, of sovereignty.”⁴⁹⁷

Thus, for the oppressed and those in slavery conditions including nations under foreign domination, the will to freedom is the first step to attaining a state of just and charitable society. A people, therefore, must be free from domination in order to free their spirit towards innovation, creativity and actualization. Political independence is not a gamble or a prerogative of the governors or a debatable issue, it must be acquired at all costs – and there is no right or wrong timing to it – because it is the first step in the progression from freedom to justice and to charity.

§7.5 Independence Inevitability

As shown above, independence like freedom is a people’s right. A people under bondage do not need to wait another minute to obtain independence. A master-slave relationship is based on power-imbalance. The stronger loads over the weaker and is reluctant to part away with power. In this regard alone, people in bondage need not wait another day to acquire political independence.

⁴⁹⁵ *Ibid.*, p. 649

⁴⁹⁶ *Ibid.*

⁴⁹⁷ *Ibid.*, p. 651

In his book *Zambia Then and Now*, a former colonial *Bwana* to Northern Rhodesia muses: “Many have argued, particularly in the light of subsequent *events*, that the Africans were not ready for *self-rule* and should not have been granted it in 1964 for that reason.”⁴⁹⁸ There are fundamental difficulties with this assertion. Reasons will be proffered to the contrary in the following pages.

As theorized above, independence is necessary if a people should begin to actualize themselves and make progress from bondage to freedom to a just society to the love for the brotherhood. And as argued by Mills, a people can only learn the art of governing, in part, by exercising it, and that it is preferable to make one’s own mistakes than to be governed by others, even if the mistakes are thereby greater. The Africans, however, did not need to learn the “art of governing,” for they had been governing themselves way before the arrival of the Europeans on the African continent.⁴⁹⁹

The argument over and over again made by European scholars and historians that Africans were devoid of political leadership, let alone self-government, is a misrepresentation. This assertion is said to be justified on the basis of “subsequent events” that followed after independence. By subsequent events is mainly meant political and, to a lesser extent, business corruption.⁵⁰⁰ The struggle for independence was an ultimate price paid by those Africans who had “chosen to stand up and fight for the rights of all humanity in love, respect and peace.”⁵⁰¹

Certain records, in fact, indicate that the Africans were extremely competent and dependable. The irony is that it was actually the ingenuity of the Africans that not only established

⁴⁹⁸ Grant, *supra.*, p. 134

⁴⁹⁹ To many, except as shown in this book, Zambia did not have a history before colonialism. In line with the principle of *terra nullius*, Europeans considered Africa not only an empty territory but a land without a history as well. It must, however, be stressed that Africa in general and Zambia had a history stretching as far back as the 4th Century.

⁵⁰⁰ The question of corruption is the topic of debate in chapters 29 to 31.

⁵⁰¹ Korerstone Kreation, “Marley Tribute: A Tribute to Jah Rastafari Chosen Child [Bob] Robert Nesta Marley,” 1981

but also sustained colonialism. The Europeans, who were strangers to the natural environs of Africa, both depended on the Africans and used the resourcefulness of the Africans to manage the African countryside. A poem that appeared in the *Northern Rhodesia Journal*⁵⁰² better illustrates this weathered ingenuity of the Africans:

On Luapula's banks by rock and pool
Bwana Kijana exercises rule
Around his *boma* turmoil ceases not,
Belgians intrigue and missionaries plot,
Witchdoctors brew decorations to destroy him
But all these things are powerless to annoy him.
Unmoved, undaunted, undismayed he still
Will not bend or break to their iron will.

On Luapula is much zeal administrative
I should like to be a native

On Luapula where Harrington is ruler,
Where the revenue is full and always
Growing fuller,
Where the rubber and the pine tree grow.

Oh, I wish I was a Negro
For the revenue is bigger and always
Growing bigger
Oh, what luck to be a Nigger
On the Luapula where Harrington is ruler.⁵⁰³

Thus, the Africans did not only provide the wisdom and know-how with which to manipulate the great African continent, their ingenuity was also evident to their colonial masters. The poem is very informing of the abundance of both human and natural capacity that the colonizers found in Zambia. Harrington refers to the *Bwana* exercising rule in

⁵⁰² H. T. Harrington, "The Taming of North-Eastern Rhodesia," (1954) *Northern Rhodesia Journal*, Vol. 2, No. 3

⁵⁰³ *Ibid.*, p. 20

Luapula area “Where the revenue is full and always growing fuller.” He regrets that someday he would leave Zambia and the Africans would enjoy the bounty that Luapula offered: “Oh, I wish I was a Negro/For the revenue is bigger and always growing bigger/Oh, what luck to be a Nigger.” By independence, the likes of Harrington had, unfortunately, plundered so much of the resources of Zambia that just after ten years of independence, Zambians would begin to feel the pangs. In Chapter Eight, the Second Republic⁵⁰⁴ is discussed. Most of the foundational problems of pre-independent Zambia grew wings and began to fly in the Second Republic.

⁵⁰⁴ No single chapter has been devoted to the discussion on the First Republic (1964 – 1972); rather, events and issues of the First Republic have been fused into the rest of the book. In Chapter Eight, it will be shown that soon after Zambia’s independence, Kaunda moved systematically to eliminate the opposition and turn the country into a One-Party State, something that had become fashionable in Africa between the 1960s and 1980s.

Chapter 8 The Second Republic

*He rose up like a bright and morning star
A man shaped by many tribulations
He whimpered thither and thither but got far
Father to a people he barely won
Son of heroes, leader of two nations
Call him a Zambian, tactics lacked he none*

BRIEF INTRODUCTION

This chapter discusses the Second Republic and the reign and downfall of President Kaunda. Of particular interest is the institution of the One-Party State in Zambia which many have considered the greatest detour in Zambia's democratic quest.

≈ Politics ≈

AT THE END OF THIS CHAPTER:

1. You will learn about Zambia's first president, Kenneth Kaunda, and his motivation to turn Zambia into a One-Party State;
2. You will appreciate the philosophy behind the Doctrine of Humanism; and
3. You will understand the reason why UNIP and Kaunda lost power.

MAJOR THEMES:
Democratic Detour;
Dictatorial Tendencies

§8.1 Critical Themes

There are two themes emphasized in this chapter: breaking the heart of oppression in Zambia and redirecting the soul of the nation on a full democratic trajectory. Zambia's steepest detour in its democratic quest is discussed. The author will borrow significantly from the analysis of the Second Republic from Hamalengwa's 1992 work.⁵⁰⁵ In the author's view, Hamalengwa's work proffers the most comprehensive review of the Second Republic. The Second Republic is generally the period between 1972 and 1990/1. Zambia became a multiparty democratic Republic in 1964. With several parties⁵⁰⁶ involved in the political process, Zambia was on its path to full democratic development. During the period from Zambia's independence to 1972, also referred to as the First Republic, Zambia's young democracy thrived with notable economic prosperity in many respects.⁵⁰⁷

§8.2 Undemocratic Tendencies

The Second Republic was necessitated by two major developments, both in the ruling party, UNIP, and in the country as a whole. First, it was the results of the 1967 elections for the members of UNIP's Central Committee. This was the first post-independence election in Zambia. It would go to test whether Kaunda was to remain the true hero of Zambia's independence and if he would kvetch under the puncture of "Absolute power corrupts absolutely." According to

⁵⁰⁵ Hamalengwa, *Class Struggles in Zambia 1889-1989 & The Fall of Kenneth Kaunda 1990-1991* (New York: University Press of America, 1992), especially Chapter 10 from page 135 to page 151.

⁵⁰⁶ Including the NPP, a defunct of Sir Roy Welensky's UFP; ANC; and Hugh Mitcheley, an MP from Gwembe North who stood as an independent after ditching ANC!

⁵⁰⁷ It would not be forgotten, however, that it was only a matter of time before the magma of economic troubles would begin to erupt, mainly owing to depleted resources sanctioned by the Federation.

Hamalengwa, “Posts in the [Central] Committee were crucial and those who held them wielded tremendous power and influence over the decision-making process which allocated scarce resources to regions, communities and individuals in Zambia.”⁵⁰⁸

However, elections in the Central Committee were held on tribal lines, creating very stiff competition among the party faithful. Kaunda and UNIP had learned a lesson a year earlier when the United Party (UP) was formed by break away dissidents in UNIP. According to Hamalengwa, “The UP was a product of the growing disenchantment and relative deprivation felt by many political leaders of Lozi origin within UNIP over what they regarded as the neglect of Barotseland (now Western Province) in terms of system distributive outputs and also in view of what they regarded as Bemba dominance of the party.”⁵⁰⁹ In other words, things in UNIP were not as palatable as Kaunda had envisioned. His own cling to power was endangered. Multiparty politics was proving to be a threat to Kaunda’s continuation as president.

The above recitation warrants a brief review. Most leaders begin on a path of democracy until power gets to their heads. This was the case with Kaunda. What these leaders forget is that democracy is predicated upon competition. Democratic leadership is earned and not coerced upon the people. A leader who delivers in terms of economic growth may win majority support, while the one who fails to deliver stands to be booted out of office in an election. Kaunda understood perfectly well that the continued wrangles in UNIP over territorial supremacy portended a loss of grip on power. Moreover, Kaunda knew this when he movingly stated at a General Conference in 1967:⁵¹⁰

⁵⁰⁸ Hamalengwa 1992, *supra.*, p. 137

⁵⁰⁹ *Ibid.*

⁵¹⁰ The General Conference was UNIP’s highest governing body which also elected the UNIP president and 20 members of the Central Committee. Just below the General Assembly was the National Council which was the policy-making body of UNIP and met twice every year.

We have canvassed so strongly and indeed, viciously, along tribal, racial and provincial lines, that one wonders whether we really have national or tribal and provincial leadership. I must admit publicly that I have never experienced in the life of this young nation, such a spate of hate, based entirely on tribe, province, race, color and religion, which is a negation of all that we stand for in this Party and Government. I do not think that we can blame the common man for this. The fault is ours fellow leaders – we, the people here assembled.⁵¹¹

Second, UNIP was in danger of defeat in the 1970 election especially following the resignation of UNIP's second highest ranking officer, Vice-president Kapwepwe. Kapwepwe's formation of the United Progressive Party (UPP) in 1972 gave Kaunda the most terrifying opposition, and by extension, a stiff competitor in the 1970 general elections. Kaunda understood this as well. However, Kaunda was ill-wired to withstand competition at this time.

To offset this weakness, he would resort to demagoguism, including the use of the very laws of the land to enslave people and curb rivalry. Kapwepwe's UPP, whose "constituency was based on the Copperbelt and in Northern Province quickly gathered support from some key members from UNIP, the Copperbelt, Northern and elsewhere. [Disgruntled] members of [the party were] also defecting from UNIP. There was a likely coalition with the ANC. And elections were just around the corner in 1972. It was clear UNIP was in trouble, and something had to be done or it would go down in defeat."⁵¹² Consequently, Kaunda and UNIP accused Kapwepwe and UPP

⁵¹¹ Zambia Information Services, *Mulungushi Conference – Proceedings of the Annual General Conference of the United National Independence Party* held at Mulungushi 14th - 20th August 1967, as quoted in Hamalengwa 1992, *supra*, p.137

⁵¹² Hamalengwa 1992, *ibid.*, p.138

of threatening public security, detained⁵¹³ Kapwepwe and banned UPP.

The detaining of Kapwepwe and the banning of his UPP was a deep blow to multiparty democracy in Zambia. By eliminating tangible opponents, Kaunda was slowly moving towards a One-Party State, a state in which there would be no competition, and a state in which Kaunda would be the sole candidate in an election. To do so, he had to look for a plausible justification.

§8.3 Which People?

Not surprisingly, Kaunda found ample justification among the very people he deemed to represent; the people of Zambia. It is argued that democracy is the rule of the people, by the

⁵¹³ Hamalengwa gives a succinct review of the law of detention in Zambia from page 146 of his book *Class Struggles in Zambia 1889-1989 & The Fall of Kenneth Kaunda 1990-1991*: By Ordinance No. 5 of 1960, the Legislative Council of Northern Rhodesia enacted the Preservation of Public Security Ordinance, which empowered the Governor to detain people, or require people to do work or render services. On July 28th, 1964, Government Notice No. 376 Proclaimed Ordinance No. 5 into force. On the same date, the Governor by Government Notice No. 377 amended the Preservation of Security Regulations by introducing Regulation 31A which gave the Governor more powers. For example, under Regulation 31A, the Governor could exercise control over any person and directing that such a person be arrested and detained. It was these powers which were immediately used to quash the Lumpa Uprisings in the northern parts of Zambia. Ironically, upon independence on October 24th, 1964, the new law, the *Zambia Independence Act*, 1964, in ss. 2(1) and 4(1) provided for the continuation of all former laws and ordinances. This meant that the emergency declaration of July 28th, 1964, continued even after independence, subject to extension *actioned* by a resolution passed by the National Assembly in blocks of six months renewals. *The Constitution (Amendment) (No. 5) Act* of 1969 in s. 8 made the emergency declaration permanent. Thus, Kaunda and UNIP perpetuated the same repressive laws they fought hard to get rid of in their struggles for independence against the colonial regime.

people, for the people.⁵¹⁴ There are three “people” involved in this definition and each of those “people” mean differently to different constituencies. Traditionally, the rule “of the people” has always been interpreted to mean that the people of Zambia have the right to rule their own country. However, the people who rule are politicians, thus, the rule “of the people.” “By the people” means those who have found entrance into political power, the political elites, like those in the ruling party. And “for the people,” which “people” here may mean the same as punching bags.

Kapalaula asks, “Which people?”⁵¹⁵ The way in which people are perceived to participate in the governance of their country is redundant. Democracy is not the best form of government; it is only the least evil of all forms of government. Democracy tends to pay only lip-service to the participation of the people in governance. The opinion of one single person, usually the Head of State, may be enshrined in political jargons and interpreted as the will of the majority. Kaunda’s One-Party State is a good example.

Moreover, the people who legislate and suppose to make decisions for the people may be completely out of touch with the general populous. Yet, whenever they make decisions, they consider them the will of the people. This is attributed to the representative nature of constitutional democracy. Arguably, rule by referenda comes much closer to representing the will of the people. But the task is daunting, the exercise time-consuming and the undertaking very expensive.

Weak as democracy may be, One-Party rule is the weakest of all. Whereas in representative or plural politics the people may have a chance to elect people who hold different views from the ruling elites, in a One-Party regime, only the will of the president prevails. Thus, by its nature, a One-Party State is a form of dictatorship, albeit a *Tyranny of the Majority*. This

⁵¹⁴ The term “democracy” comes from the Greek: δημοκρατία – (*dēmokratía*) “rule of the people” coined from δῆμος (*dēmos*) “people” and κράτος (*Kratos*) “power.” Democracy literally means people power.

⁵¹⁵ Mwamba Kapalaula, “Constitutional Impasse,” *The Post*, (May 10th, 2008)

happens because instead of one all-powerful leader making all the decisions in a typical dictatorship, in a One-Party regime, the elected majority, who only represents one political view, and by extension that of the leader, makes all the decisions for a diverse nation.

The greatest threat to dictatorial establishments is the people.⁵¹⁶ However, the people must be organized politically and constitutionally in order to exert their power against a dictatorial regime.⁵¹⁷ People can wield tremendous power over an elitist political regime only if they are unified as a “general countrywide voice, since it is more resistant to political upheavals and reversals and difficult to manipulate.”⁵¹⁸

The political elites use people in more or less like the boxer would use a punching bag. While the punching bag makes a boxer, it is disregarded until the next boxing match. When facing a next bout, a boxer would again think of the punching bag. In other words, the punching bag, as too is its sister the boxing gloves, is only a means to the boxer’s end, the end to which the boxer only will benefit.⁵¹⁹

In Zambia, historically, the people, sadly, have both made and unmade its autocrats. The example of Kaunda informs of this tendency. It has been argued that the penchant of the Zambian society to hero-worship its presidents, created, in the

⁵¹⁶ This was recently demonstrated by the people of Egypt in what came to be known as *Match of a Million* in February 2011. Mubarak, who had held power for 30 years, was forced to negotiate with the Muslim Brotherhood, a thing he would never have contemplated before the people rose up against his dictatorial regime. According to a Middle East analyst, Rami Khouri, “Mubarak survived the immediate storm...but he is badly wounded” (*The National Post*, “I am a Survivor,” Tuesday, 8th, 2011, p. A16)

⁵¹⁷ The pro-democracy revolutions in Tunisia, Egypt, Libya, Morocco, Yemen, Bahrain, and generally in North Africa and the Mid-East in the first quarter of 2011 illustrate what the people can do if they are organised as one voice against dictatorial regimes.

⁵¹⁸ Kapalaula, *supra*.

⁵¹⁹ Caroline Katotobwe defines the people as “anyone and everyone, regardless of their position in society” in a *Post* article of November 18th, 2005, titled, “Democratic Rule.”

case of Kaunda, “an autocrat out of a democrat.”⁵²⁰ Initially, Kaunda was elected on the platform of unity under UNIP,⁵²¹ which itself, like the MMD, emerged as a crisis party from an amalgamation of the UFP and African National Independence Party (ANIP). UNIP’s first president, Dixon Konkola, was suspended within weeks and replaced by Paul Kalichini. Shortly after, Kalichini was also replaced by Mainza Chona who had just left ANC. Elsewhere, it was mentioned that Chona, in principle, handed the presidency of UNIP over to Kaunda because as Mwaanga observes, Chona did not feel that he possessed the necessary qualities to lead an independence movement.⁵²² On January 31st, 1960, Kaunda was elected UNIP’s national president.

§8.4 One-Party Dictatorship⁵²³

In his book, *Memoirs of Alexander Grey Zulu*, Zulu explains why he chooses to discuss the subject of the One-Party State.

⁵²⁰ Bizeck J. Phiri, “Colonial Legacy and the Role of Society in the Creation and Demise of Autocracy in Zambia, 1964-1991,” (2001) *Nordic Journal of African Studies* 10(2), p. 241

⁵²¹ Kaunda was naturally seen to be a unifier owing to his Malawian parentage. He was used to be an agent for quailing anti-tribal sentiments (see Makasa, Zambia’s march to Political Freedom, p. 94). Accelerated by the ideology of togetherness, which was propounded by Harry Nkumbula, and backed by Sikota Wina in his letter to Nkumbula of October 20th, 1963 (see Keesing’s *Contemporary Achieves 1963-64*, p. 19889), Kaunda harnessed the spirit of nationalism by appealing to unity. However, as discussed in this book, Kaunda would later in the name of unity engineer what he termed a One-Party Participatory Democracy. Historic evidence suggests that Kaunda did not prefer a One-Party State to multiparty because he deemed it a unifying mechanism, but because of “UNIP’s failure to capture four seats in the Southern Province by-elections in 1968 (see T. Rasmussen, “Political Competition and One-Party Dominance in Zambia,” (1983) *Journal of Modern African Studies*, Vol. 7, No. 3, pp. 410-411).

⁵²² See Mwaanga, *Looking back: An Extraordinary Life*, p. 13

⁵²³ According to Phiri, “The One-Party State system of government in post-independence Zambia, and indeed elsewhere, was perceived as a form of dictatorship.” (See Bizeck J. Phiri, *supra.*, p. 225)

He states, “I am doing this for posterity...so that they are able to know and understand the circumstances under which the One-Party Participatory Democracy was established as well as the reason why such a system existed for 17 years.”⁵²⁴ Zulu is convinced that the creation of the One-Party State was necessary to quell disturbances in the nation and to augment the spoils of independence into a united nation. Unity and peace are, thus, advanced as the basis for the decision.

To Kaunda, similarly, the One-Party State was the people’s idea. He considered the popularity of UNIP and its electoral success as a sign of the people’s desire to return UNIP as the sole political party in Zambia. He categorically stated this in a speech at Mulungushi Rock of Authority in Kabwe on August 15th, 1967:

If what has been happening at both the parliamentary and local government levels is anything to go by, we are obviously very *close to the attainment of the One-Party State*...being honest to the cause of the *common man* we would, through effective Party and government organizations, *paralyze and wipe out any opposition* thereby bringing about the birth of a One-Party State.... We go further and declare that even when this comes about we would *not legislate against the formation of opposition parties* because we might be bottling the feelings of certain people no matter how few...I repeat, One-Party State is coming to Zambia because the *masses of our people recognize that we are sincere and true to each one of them*.... The masses of our people trust us because we have said that the One-Party State was going to come about as a result of the people voting for the party freely for a people’s democracy and this has continued to be our guideline.⁵²⁵

This statement by the Zambian Head of State in 1967, in principle, ushered in a One-Party State in Zambia. For all those who still doubt the pre-meditative nature of the creation of the

⁵²⁴ Zulu, *Memoirs of Alexander Grey Zulu*, p. 428

⁵²⁵ Zambia Information Services, *supra*. (Emphasis added).

One-Party State, this statement offers irrefutable evidence. The justifications for the creation of the One-Party State were a falsity. In fact, Grotpeter has considered the emergence of the One-Party State in Zambia, “admittedly gentler, under Kenneth Kaunda, than in other African states,”⁵²⁶ as a false start.⁵²⁷

First, Kaunda and, indeed, other senior UNIP officials, claimed that what was happening at both the parliamentary and local government levels were an indication that Zambia was ripe to ditch multiparty democracy in preference for a One-Party State. Certainly, UNIP had a good share of electoral success from 1964 to 1967. However, as pointed out above, and Kaunda knew this, the posts were shifting very fast. UNIP was no longer enjoying overwhelming support at provincial levels. Besides, the continued factions and sectarianism in UNIP portended defeat for that party in the coming elections. All Kaunda wanted was to move fast in order to avoid electoral defeat which he foresaw was imminent. In a way, tribalism played a part, but it was only a scapegoat: “The inauguration of a One-Party (UNIP) State by Kaunda in 1972 was made in order to arrest the trends perceived towards ethnic and provincial parochialism.”⁵²⁸

Second, Kaunda attributed the urgency of a One-Party State to the common man. As it has been discussed above, this is the best case illustrating how politicians may use the common person as a punching bag to achieve their hidden *agendas*. The composition of the Chona Commission (the Commission) itself leaves much to be desired. Initially, the Commission comprised 19 people⁵²⁹ under the chairmanship of Mainza Chona and deputized by Humphrey Mulemba.⁵³⁰ In considering the

⁵²⁶ Grotpeter *et. al.*, *Historical Dictionary of Zambia, Second Edition*, p. xi

⁵²⁷ *Ibid.*

⁵²⁸ World Socialist Movement, “Zambia’s Tribalist Politics,” (August 13th, 2006)

⁵²⁹ This number was reduced to 17 when Harry Nkumbula and Nalumino Mundia refused to sit on the Commission.

⁵³⁰ At the time Mainza Chona was Zambian Vice-president and Humphrey Mulemba was Minister of Mines. Other members were: Clement Mwananshiku (Minister of State); Daniel Lisulo (MCC); Frank Chitambala (MCC); Timothy Kandeke (District Governor - ANC); Lavu Mulimba

composition of the Commission one thing that strikes out is that from the first glance it might have looked like a true reflection of the diversity of the Zambian society. But it was not. Apart from Harry Nkumbula and Nalumino Mundia, who also “declined to sit on the Commission,”⁵³¹ the Commission was only left with UNIP loyalists and stooges.

Moreover, apart from the composition of the Commission which inherently favored UNIP, when the so-called common man was consulted to submit their views of the One-Party State through the Chona Commission, most of their recommendations were rejected through a White Paper. For example, the Commission discussed the need for a “Preamble to the proposed constitution of a One-Party Participatory Democracy which would among other things, reflect the sentiments of the people of Zambia.”⁵³² The White Paper naively accepted this, but then diluted it by incorporating Kaunda’s ideology of Humanism.

According to Hamalengwa, “Incorporating [Humanism] in the preamble - the aim here was to legalize President Kaunda’s thoughts and prescriptions for Zambia and to institutionalize Humanism as the official ideology of the new system and a guiding campus of all the people as a whole.”⁵³³ This, in earnest, was not what the common person wanted; it was what Kaunda and UNIP wanted. The government was playing a perception game; to make it look like the people were involved from start to finish when the entire process was doctored to produce a pre-meditated result.

Third, Kaunda clearly intended to paralyze and wipe out any opposition thereby bringing about the birth of a One-Party

(Business & Industry); David Phiri (Anglo-American); Daniel Katungu (Defence Force); Benjamin Mibenge (UNZA); Kasuka Mutukwa (UNZA); Elijah Mutale (Luapula); Rev. J. Mwape (UCZ); Valerian Lavu (PS – Education); Lily Monze (House of Chiefs); Chief Undi (President – House of Chiefs); Chief Chikumbi (VP – House of Chiefs); Harry Nkumbula (President – ANC); and Nalumino Mundia (VP – ANC).

⁵³¹ Zulu, *supra.*, p. 428

⁵³² Hamalengwa, 1992, *supra.*, p. 139

⁵³³ *Ibid.*

State. It is important to note that this statement was made in August 1967, by 1972, Kapwepwe was detained and his party banned. Obviously, this was not a coincidence. Kaunda was the architect of the One-Party State, and not the common person as he alleged. In fact, Kaunda and UNIP had declared Zambia a presidential One-Party system, neither in 1973 when the 1964 constitution was replaced, nor on December 13th, 1972, using the government's White Paper. Zambia's One-Party State was sanctioned on January 22nd, 1968, when the National Assembly Speaker Robinson Nabulyato refused to recognize ANC as an official opposition in the National Assembly because, "It was too small a minority to constitute an official opposition."⁵³⁴

Phiri has observed that the decision not to accord ANC recognition as the official opposition had serious implications for the role of the opposition in both Parliament and the nation. He further observes that the decision ultimately destroyed the democratic process, since without an officially recognized opposition party Zambia had become a *de facto* One-Party State.⁵³⁵

Thus, the events of 1972 and 1973 were only a camouflage for concealing the real motive of the creation of a One-Party State. Article 4 of the 1973 *Zambian Constitution* put the nail in the coffin of plural democracy by stating that:

- (1) There shall be one and only one political party organization in Zambia, namely, the United National Independence Party
- (2) Nothing contained in this constitution shall be so construed as to entitle any person lawfully to form or attempt to form any political party or organizations other than the Party, or to belong, assemble or associate with or express opinion or do any other thing in sympathy with, such political party or organization.

⁵³⁴ Bizeck J. Phiri, "Colonial Legacy and the Role of Society in the Creation and Demise of Autocracy in Zambia, 1964-1991," (2001) *Nordic Journal of African Studies* 10 (2), p. 232

⁵³⁵ *Ibid.*

In his keynote address to the General Conference in August 1967, Kaunda said, “We would not legislate against the formation of opposition parties because we might be bottling the feelings of certain people no matter how few.” Of course, that was untrue, because within less than five years the constitution was amended, and the sections above are a complete opposite of what Kaunda promised. Hamalengwa has observed that, “The beneficiary of the new system was obviously the president who was given wide powers.”⁵³⁶

On the question of wide powers, Kaunda hijacked just about everything that was required to maintain himself untouchable, powers that made him Zambia itself personified. Mwaanga’s blaming of the people of Zambia for according to Kaunda extraordinary powers is a contradiction in terms. Mwaanga admits that Kaunda had sweeping powers.⁵³⁷

It is an indisputable fact that the Legislature has given the President of the Republic many powers. Indeed, having had a great deal of time during the past year to read various Acts of Parliament, I am frightened to discover just how much power the president enjoys. Even as a former Cabinet Minister and Member of the Central Committee, I am ashamed to admit that I had no idea quite how sweeping were these powers, with virtually no checks and balances. It is part of human nature to succumb to temptation, even the most just

⁵³⁶ Hamalengwa, 1992, *supra.*, p. 144

⁵³⁷ That historian and moralist, that first Baron Acton (1834–1902), otherwise known simply as Lord Acton or simply as John Emerich Edward Dalberg Acton, in an opinion letter to Bishop Mandell Creighton in 1887 aptly said: “Power tends to corrupt, and absolute power corrupts absolutely. Great men are almost always bad men.” As if in concert with this historic salutation, that honorable English politician, namely, William Pitt, the Elder, that once Earl of Chatham and British Prime Minister from 1766 to 1778, also truthfully said in that august UK House of Lords in 1770, thus: “Unlimited power is apt to corrupt the minds of those who possess it.”

and greatest of men use and abuse this excessive power at some time or the other.⁵³⁸

Before mentioning the fact that Kaunda and Mwaanga's blaming of the people of Zambia for the sweeping powers that the former enjoyed was unwarranted, it is vital that a brief review of the statement above is made. On August 29th, 1985, Mwaanga was issued a Detention Order signed by former president Kaunda on suspicion of using the illegal substance of Mandrax and was subsequently detained under very despicable conditions until April 4th, 1986. Mwaanga made the statement above after going through a brutal detention at the mercy of the same president who had raised him for power and influence since the age of 21 years.

Mwaanga regrets, "At no time in my life prior to my detention did I ever think that I would sleep, eat and drink next to a filthy toilet located in the cell."⁵³⁹ But he admits that the life he led was a flamboyant one, imbued in partying and self-ingratiation. It is also important to note that what Mwaanga experienced in a period of close to ten months in detention is what a common person experiences on a daily basis for as long as earth can sustain them.⁵⁴⁰ What Mwaanga's story shows us is the fact that politicians choose not to be aware of the sufferings of their people. Position, power, influence and a free-will to status bar, blind their eyes from the realities of the *punching bags* (the people) on the ground.

However, Mwaanga's story, which will be revisited in the discussion on criminal justice reforms, is a mind opener. His, is a critical look into the inside of a beast which swallows even those it purports to protect. If there is anything we learn from Mwaanga's two books, *An Extraordinary Life*, and *The Other Society*, it is not about the "meteoric rise to positions of power,

⁵³⁸ Vernon J. Mwaanga, *The Other Society* (Lusaka: Fleetfoot Publishing Company, 1986), pp. 311-312.

⁵³⁹ *Ibid*, p. 315

⁵⁴⁰ The epitome of what a common person goes through daily is discussed in chapters 2, 3 and 4.

prestige and influence,”⁵⁴¹ or what the *Times* magazine cogitated as, “One of the eight African potential world leaders under the age of 40 years.”⁵⁴² It is rather, the ruthlessness, the unpredictability and even the disenchanting nature of African politics in general, and of Zambian politics in particular. Mwaanga lets us see into the mind of despotic leaders in Zambia, but he also fundamentally unravels the best disclosure of the, sometimes, hypocrisy of Zambian political leaders, which if not corrected, may plunge the next generations of Zambian leaders into the same doldrums the predecessors fell.

The Other Society is a disclosure of the soul of many a Zambian politician and heightens the need to reform the Zambian prisons and criminal justice systems. In discussing this aspect in Chapter 14, the testimony of three Zambians who suffered under the emergency regime of President Kaunda, *viz.* Munyonzwe Hamalengwa, VJ Mwaanga himself and Fostino Lombe, will be used.

Mwaanga had an attractive political upstart many of us can only dream possible. Ambassador to the Soviet Union at just 21 years of age and Permanent Secretary in the Office of the President at 22 years of age. The Permanent Secretary is a non-political civil service position. In other words, a Permanent Secretary is one of the highest non-political positions in the civil service. In principle, Mwaanga had a rare chance to see what goes on both in the inside of and outside of the political system. But like so many politicians, he chose to keep a blind eye until the detention forced him to open it.

Mwaanga’s detention without trial reveals the dictatorial tendencies of President Kaunda, *viz.* that everyone was politically expendable. Mwaanga recounts how he “had risked his life to campaign for the United National Independence Party in a very hostile area which was under the control of the late Harry Nkumbula’s African National Congress.”⁵⁴³ Despite all this risk, however, Kaunda went ahead and detained him.

⁵⁴¹ *Ibid*, back cover story

⁵⁴² *Ibid*.

⁵⁴³ Mwaanga, 1987

Again, Kaunda would recuse himself by claiming, “I want to assure the nation that there is no way I Kenneth David Kaunda, President of the Party, the nation and Commander-in-Chief of the Armed Forces, can protect anybody who commits an offence. I operate on the basis of truth, love, social justice and fair play.”⁵⁴⁴ Of course, that was only a publicity stunt; in reality late president Kaunda was doing just the opposite.

The question to pose in the light of the aforementioned is: Were the people really all that important, and did the people really architect the Chona Constitution? The following pages will reveal the truth. The recommendations of the Chona Commission were the wishes of the people for the most part. The recommendations of the White Paper constituted UNIP government’s, and by extension, Kaunda’s wishes, aspirations and whims.

Contrary to popular belief, the Chona Commission made some very progressive recommendations under the circumstances. For example, the Commission recommended that the Prime Minister should be appointed by the president amongst Members of Parliament subject to the approval of Parliament and that he should be responsible for the execution of the following functions: (1) to serve as the Head of Cabinet and to preside over Cabinet meetings; (2) to serve as the chief spokesman on government matters; (3) to appoint Ministers and Deputy Ministers in consultation with the president; and (4) to appoint the Attorney-General of the Republic amongst the Members of Parliament in consultation with the president.

The above four recommendations were in line with sound democratic principles. Accepting these recommendations would have meant instituting strong checks and balances on the powers of the president. They would have also delineated the function of the president as Head of State and those of the Prime Minister as head of government.

However, as would have been expected, Kaunda and UNIP rejected these recommendations, opting instead for the full

⁵⁴⁴ *Times of Zambia*, “Ignore Lies – Kaunda” (Monday, November 18th, 1985) as quoted in Mwaanga, 1987

Executive powers to be vested into the Office of the President. The Prime Minister was to be appointed by the president, and “should continue to retain his office at the pleasure of the president.”⁵⁴⁵ Hamalengwa notes that the UNIP government decided to restrict the functions of the Prime Minister to that of the head of government administration and as leader of government business in Parliament. In the absence of the Prime Minister, the president should appoint a Minister to act. It was also decided that the Secretary-General of UNIP should be an *ex-officio* member of Cabinet.⁵⁴⁶

The Chona Commission made recommendations on the size of Parliament in the One-Party State including the number of nominated members and institutional requirements in Parliament. According to Hamalengwa, “Government made only a slight modification with regard to the required qualifications for elections to the National Assembly.”⁵⁴⁷ While the Commission recommended 18 years with respect to the age of an MP, the White Paper extended that age to 21. However, “it later turned out that people who wanted to stand for parliamentary elections had to be approved by the Central Committee. The aim may have been to create a ‘dummy Parliament.’”⁵⁴⁸

Plural politics is overtly determined by the presidential term of office. The Chona Commission had recommended a five-year presidential term of office. The incumbent would be eligible for a second term of five years. To accommodate the whims of the incumbent, the Commission further recommended that upon the completion of his second term of five years the president should not be eligible for a period of at least five years. By implication, after serving two consecutive terms of five years each, ten years in total, the incumbent would be ineligible to stand for a third term until after five years had elapsed since he or she last served as president.

⁵⁴⁵ *Ibid*, p. 142

⁵⁴⁶ *Ibid*, pp. 142-143

⁵⁴⁷ *Ibid*, p. 143

⁵⁴⁸ *Ibid*.

Kaunda knew that once he had served two terms, he might not be re-elected as president after a five-year absence. As could be expected, government rejected this recommendation. Government through the White Paper decided that “there should be no limitation on how often a man or woman can serve his or her country in the Office of President.”⁵⁴⁹ Of course, the *man* referred to in this quote was Kaunda himself. As Hamalengwa has observed, this move sanctioned a life presidency under the One-Party State system.⁵⁵⁰

For those who had not heard or read Kaunda’s August speech at Mulungushi in 1967, all they knew was the justification government made regarding the creation of a One-Party State, *viz*, that, “Zambia had many enemies surrounding her and therefore the implementation of the One-Party Participatory Democracy as well as Humanism, together with the attendant problems, require a unified command under an Executive president.”⁵⁵¹ Moreover, UNIP believed a One-Party State would unite and bring peace to the nation.

Yet, as observed earlier, the UNIP government had premeditated a One-Party State in order to avoid an election defeat in subsequent general elections and Kaunda knew that the tribal wrangles in UNIP did not portend well for the safety of his presidency. But the One-Party State would not be established without problems. For some, the One-Party State was synonymous with repression. People considered it as Kaunda’s solidification of a totalitarian state where opposition to his leadership was wiped out. The first event that would threaten the very existence of the One-Party State was a coup plot led by Edward Shamwana.⁵⁵² The omnipotence nature of Kaunda’s single-man rule created him many enemies who believed that

⁵⁴⁹ Republic of Zambia, *Reports of the National Commission on the Establishment of a One-Party Participatory Democracy in Zambia: Summary of Recommendations Accepted by Government*, as quoted in Hamalengwa, 1992, p. 141

⁵⁵⁰ Hamalengwa 1992, *ibid.*, p. 142

⁵⁵¹ Republic of Zambia, *Reports of the National Commission on the Establishment of a One-Party Participatory Democracy in Zambia: Summary of Recommendations Accepted by Government*, as quoted in Hamalengwa, *supra.*, p. 142

⁵⁵² This issue has been canvassed at length in Chapter Nine

removing him through a democratic mean was difficult, if not, impossible. However, the events of 1991 would prove that circumstances external to the system were stronger than an entrenched dictatorial wrench.

§8.5 Kaunda Loses Power

Between 1987 and 1990, food shortages and very harsh⁵⁵³ economic conditions had continued to ravage the nation. Lockhart captures the year 1990 concisely in this fashion:

⁵⁵³ In 1968, Kaunda embarked on the process of nationalization, thereby creating what is called African Socialism. However, the events of the early 1970s and late 1980s poured scorn on all the efforts at Kaunda's programs. There was massive increases in the price of oil and a slump in copper prices in 1973 and 1975, respectively. These events reduced Zambia's export earnings. Due to total dependence on copper and its price diminution, Zambia began to experience balance-of-payment problems. To curb this deficit, the Kaunda government had to borrow from the International Monetary Funds (IMF). By the 1980s, Zambia had become a highly indebted country. There were calls from the IMF to restructure the economy and offset copper dependence. To the socialistic regime, that was a bitter pill to swallow. It meant three things for the UNIP government: (1) devaluation of the copper, (2) ending of price controls, and (3) cancellation of subsidies, mainly on farm inputs. These measures spelled serious economic and political consequences. Economically, Zambia had introduced Soviet-style socialistic policies of National Development plans. Shortly after the adoption of the Chona report which declared Zambia a One-Party Participatory State, Zambia's move towards Socialism was completed. Between 1970 and 1973 there was the First National Development Plan; between 1974 and 1977, Second National Development Plan; and lastly between 1978 and 1983, the Third National Development Plan. The Third National Development Plan, however, backfired due to the collapse of the Soviet Union and Eastern Europe, whose socialistic ideology Kaunda had followed. Politically, and coupled mainly with the IMF's insistence that Zambia endorse new economic recovery programs, the urban populations of Zambia began to feel the pinch of the global Socialism collapse. First, there were riots as the people protested Kaunda's removal of food subsidies. Second, the IMF charged Kaunda to de-nationalize the major national parastatals. In 1990, Kaunda was forced to make a policy shift, to partially privatize the economy. The economic, more than the political commotion in

Unrest permeated the nation that year as Zambians from every province demanded multiparty elections. Dr. Kenneth David Kaunda (respectfully referred to as “KK” by Zambians) and his Freedom Fighters had broken the chains of British colonialism off of the Zambian people, emancipating the nation on 24 October 1964. They promptly changed the name of the country from Northern Rhodesia to Zambia. Former president Kaunda and his socialist leaning United National Independence Party or UNIP...had been in charge ever since. The Zambian people were indebted to Kenneth Kaunda as their father and founding Head of State, but after 26 years, they clearly desired a democratic voice in selecting Zambia’s leader.⁵⁵⁴

There were rioting in various parts of the nation. The police who ran Zambia in the UNIP era were brutal at worse and notorious at best. They were feared like an inferno. In Kapisha compound where the author lived at the time, they never mentioned the name of Kaunda in public for fear that the police would find them out. The police had placed such fear in them that they almost defied the president. The only time they talked about him was when they praised him, sometimes for nothing.

The author was young then and unschooled in the intricacies of national politics. But he saw and heard what was going on. He was a witness to poor economic conditions in which he found himself and to the police and UNIP vigilante brutality which was commonplace in his compound.⁵⁵⁵ But despite all these, the people of Kapisha revered Kaunda. The mention of his name brought shivers. He was like a god. They saw his image on the national currency on both notes (the Kwacha) and coins (the Ngwee). He was the first topic and last in their social studies textbooks. He was the first on the radio news and they

Zambia, cost Kaunda power in the 1991 presidential election in which the late Frederick Chiluba and the MMD emerged the winner.

⁵⁵⁴ Kirbey Lockhart, *Zambia Shall Be Saved* (Lethbridge: Paramount Printers Ltd, 2001), p. 40

⁵⁵⁵ See also Chapter Two

heard about him from the local UNIP branch officials on almost every corner of their streets.

At that time, the author thought that the indomitable Kaunda was unchallengeable. That is why when people began to hear rumors of political shifts taking place at Garden House Motel in Lusaka, shock and excitement began to run incessantly into their veins.⁵⁵⁶ Hitherto, Kaunda was *Wamuyayaya*, untouchable and invincible. The author never thought that there was anybody who could challenge his power.

Prior to the meeting at Garden House Motel, the organizers of the meetings there which would eventually usher in multiparty politics in Zambia were steered by the tensions in the country. For example, in 1988 nine persons were detained for alleged subversive activities.⁵⁵⁷ However, many people, including Western diplomats, said that the detentions revealed UNIP government's growing sensitivity to potential political opposition ahead of the parliamentary and presidential elections on October 26th that year. Since independence from Britain in 1964, UNIP had endorsed only Kaunda as the sole presidential candidate, including for the 1988 elections.

It can be argued that, while the 1988 detentions worried Kaunda, they did not shake the UNIP government. This is because when UNIP met for its Extraordinary Fifth National Convention from the 14th to the 16th of March 1990, at Mulungushi International Conference Center, UNIP "rejected the re-introduction of multiparty system saying the One-Party had worked remarkably well."⁵⁵⁸

It was the Luchembe-led attempted coup of 1990 which sent a vivid message to UNIP government that if plural politics were

⁵⁵⁶ Garden House Motel was the venue for the plans and meetings that hatched the MMD. The initial plan was to hold the meeting in Livingstone. However, due to possibly lack of funding, the organizers instead moved the meeting to Garden House Motel in Lusaka on July 20th, 1990, where 130 delegates attended.

⁵⁵⁷ *New York Times*, "Zambia Detains 9 as Rumors of Coup Plot Fill the Capital," (October 9th, 1988).

⁵⁵⁸ Chisala, p. 341

not in sight any time sooner, something worse would happen.⁵⁵⁹ After the Luchembe attempted coup, even Betty Kaunda reminisced over moving out of State House and was alleged to have poured hot porridge on a worker who confronted her on this issue.⁵⁶⁰ This shows that the Kaundas did not take it well to the notion or attempts to remove them from State House. It had become like their personal-to-holder item. However, this is understood in consideration of the longevity the first couple had spent in State House.

§8.6 Second Republic Recollections

The author's recollection of the Second Republic is the period of grave undemocratic tendencies, and at worst, Kaunda's near-dictatorial reign. For 19 years Kaunda would consolidate his power by proclaiming himself *Wamuyayaya*.⁵⁶¹ That phrase had become synonymous with UNIP itself. Kaunda and UNIP portrayed themselves humanly, exemplified by Humanism. Humanism is a philosophy that has a central emphasis on the human realm. Historically, Humanism was commonly applied to the cultural movement in Renaissance Europe characterized by a revival of classical letters, an individualistic and critical spirit, and a shift of emphasis from religious to secular concerns. "The movement dates to the 14th Century and the poet Petrarch, though earlier figures are sometimes described as humanists. Its diffusion was facilitated by the universal use of Latin and the invention of movable type."⁵⁶² However, Kaunda's Humanism had a face of its own.

⁵⁵⁹ Luchembe's attempted coup is canvassed at length in §9.2

⁵⁶⁰ Chisala writes in his book, *The Downfall of President Kaunda* that, "Former President Kaunda refuted a strong rumor that his wife had poured hot porridge on a State Lodge worker following a dispute. The worker was alleged to have asked the former First Lady where her family would go if MMD won the elections," (p. 348).

⁵⁶¹ Life president

⁵⁶² *Britannica Concise Encyclopedia*, "Humanism"

< <http://www.answers.com/topic/humanism> > (Retrieved: January 17th, 2010)

§8.7 Humanism

Kaunda's Humanism was not supposed to be interpreted from its generic etymology; it was a modified version tailored towards the resistance of Capitalism. It was a "political philosophy which endeavored to devise a social, political and economic order which was based on Man's truth rather than on Man's untruth."⁵⁶³ In that sense, it was a means of achieving what Kaunda called an African Democratic Socialism. However, that order was to be later defined as the last stage in pursuit of Communism.

Kaunda's version of state order was from a Pre-historic Age to Primitive Age to Slavery. Slavery stage progressed towards Capitalism and to Socialism. Socialism gave birth to Humanism, which was "the end of all this."⁵⁶⁴ However, Kaunda's Humanism, unlike universal Communism, acknowledged the Supremacy of God as Kaunda reiterated, "A true communist believes not in the Super-being and after-life. His religion is his ideology. On the other hand, a humanist believes in the presence of a Super-being – the source of all life."⁵⁶⁵

Since the inception of Humanism is 1967, Kaunda contended that it centered on Man. But that Man was not the universal Man, it was the African person. To Kaunda, the inherent cooperative nature of the African society necessitated his philosophy of Humanism: "African society was progressive and humane,"⁵⁶⁶ he exhorts. It was depopulated by slavery only to be repopulated by science and technology. The infusion of the money economy disturbed this "mutual aid society which was an accepting and inclusive community."⁵⁶⁷

⁵⁶³ Kenneth D. Kaunda, *Humanism in Zambia and A Guide to Its Implementation* (Lusaka: Kenneth Kaunda Foundation, 1967), p. 65

⁵⁶⁴ *Ibid.*, p. 67

⁵⁶⁵ *Ibid.*

⁵⁶⁶ *Ibid.*, p. 7

⁵⁶⁷ *Ibid.*

It is vital to make commentary of the above excerpts. While Humanism as was postulated by Kaunda paid due regard to the social patterns of Zambia's past, that past was overtly archaic in outlook and taken by events. Thus, Kaunda's Humanism was an attempt at repeating old Zambian village life. It evolved not as much into a Man-centered society, as later on, especially after nationalization, into a State-Controlled Capitalism.

Kaunda was determined to preserve the inherent communal nature of the African society without sacrificing the benefits of science and technology. He opted for a society where Man was supreme, only below God: "It is people above ideology; Man above institutions."⁵⁶⁸ To effectuate it, he decided to establish a Chair of Human Relations at UNZA.⁵⁶⁹

While Humanism as postulated by Kaunda paid due regard to the social pattern of the Zambian past, it was not, however, practical as a social order in the modern era in which Zambia was expected to be a key player in the community of nations. Critical examination of Kaunda's Humanism reveals that it did not promote Man as the center of attention. Rather, it used Man as a means of production, just like Capitalism uses Man as a means of mass production. What Kaunda ended up creating was a society in which only one man was supreme, and that man was Kaunda himself.

However, Kaunda's initial conception of Humanism was closely tied to *Ubuntu*, a central-southern African term meaning humanness. In Zambia, a *Muntu* (singular, whereas *Bantu* is plural) is a human being with rights and duties as opposed to a slave or a person without rights. Thus, Kaunda's promulgation of the humanistic dogma stood within the ambit of the African concept of *Ubuntu*. In a sense, Kaunda's Humanism was conceived with due credence, because it connoted the very values of the Black people of Africa. Consequently, on October 21st, 2007, the National Heritage Council (NHC) of South

⁵⁶⁸ Kaunda, *Humanism in Zambia: A Guide to Its Implementation*, *supra.*, p. 8

⁵⁶⁹ This move was later rejected by the students at UNZA.

Africa honored Kaunda for what it termed, “His work in demonstrating the values of *Ubuntu*.”⁵⁷⁰

Moreover, in the inception, Kaunda opted to use Humanism as a weapon against what he called the four problems, *viz.*, hunger, poverty, ignorance and disease.⁵⁷¹ Honestly, at the writing of this book, these four problems have not only grown bigger, but they have also become complicated as well. Thus, any political approach that would solve these problems, including Humanism, then as now, is welcome.

Despite his belief in Humanism, Kaunda was a political tactician. In later years, he grew too powerful and disregarded the very Man he promised would be important. Upon the recommendation of Mainza Chona and the Chona Commission to create a constitution of One-Party Participatory Democracy, Kaunda proclaimed the Second Republic in 1972.⁵⁷² Kaunda’s leadership took on more autocratic characteristics. He personally appointed the Central Committee of UNIP, which he asserted, “is now more supreme than the Cabinet.”⁵⁷³ To legitimize the process he provided for the pre-approval of the National Congress of UNIP, which was just a front.

To reiterate what was written earlier, Kaunda controlled the parliamentary elections. He did this by requiring the names of candidates to be submitted to UNIP’s Central Committee. The Central Committee then selected three people to stand for any particular constituency. The Central Committee was so powerful that it could veto anyone without giving reasons. This solidified the concept of the *Party and its Government* because UNIP was supreme, and its decisions could not be challenged.

⁵⁷⁰ Namibia Online Community, “South Africa: Kenneth Kaunda Honored for His Humanism” from < <http://www.hellonam.com/governance-democracy/2606-zambia-kenneth-kaunda-honored-his-humanism.html> > (Retrieved: January 18th, 2010)

⁵⁷¹ Kaunda, *supra.*, p. 38

⁵⁷² The Chona Commission of 1972 made recommendations that ushered in the One-Party State in Zambia. It has been a controversial issue in the history of Zambia as to whether it was good for the country or not. < <http://www.mainzachona.com/index.htm> > (Retrieved: January 31st, 2010)

⁵⁷³ Kaunda, *supra.*, p. 76

“Using these methods, Kaunda kept any enemies at bay by ensuring that they never got into political power.”⁵⁷⁴

Authoritarianism is detrimental to the overall political and democratic development of a nation. In Zambian politics, especially in the Second Republic, people knew about Kaunda’s dictatorial tactics, but they were hopeless. Kaunda could easily have his way claiming the legitimacy of the Chona Commission and even as a façade for advancing Humanism. Even if some quarters had wanted to raise a counter voice, Kaunda would still silence them in an election.

For example, what Kaunda called elections in the Second Republic were not elections at all, at least in the modern democratic sense. Kaunda was, in fact, the only human candidate on the ballot.⁵⁷⁵ The other *candidate* was a frog. The frog represented nothing at all. Voting for a frog meant voting for no candidate, which still left Kaunda the winner, even if only one person (who, of course, was Kaunda) voted in the election. Lockhart explains it this way:

Previous Zambian “elections” used a simple ballot. Zambian citizens...were instructed to check the picture of a garden hoe if they wanted Kenneth Kaunda and his UNIP to stay in power. If not, they were to check the picture of the frog. That the frog represented nothing was never explained to the voter.⁵⁷⁶

Kaunda would advance his tactics of political exclusion by using UNIP’s Central Committee for over 19 years. It would

⁵⁷⁴ Wikipedia: The Free Encyclopedia, “Kenneth Kaunda.” <http://en.wikipedia.org/wiki/Kenneth_Kaunda> (Retrieved: February 7th, 2010)

⁵⁷⁵ If Humanism meant Man-centered, then that Humanism was given a massive test in the conduct of elections. Kaunda decided to make a frog more important than Man; choosing, rather a frog to contest elections against him and not Man. In essence, Kaunda judged Man of no human worth than an amphibian. So, if Humanism meant Man-centered, the choice of his political competitor revealed that only Kaunda was Man in Zambian politics.

⁵⁷⁶ Lockhart, *Zambia Shall Be Saved*, *supra.*, p. 40

make him a sole candidate in elections and further frustrate any attempts at bringing Zambia back to democracy:

This was the tactic he used when he saw off Nkumbula and Kapwepwe’s challenges to his sole candidacy for the 1978 UNIP elections. On that occasion, the UNIP’s constitution was “amended” overnight to bring in rules that invalidated the two challengers’ nominations: Kapwepwe was told he could not stand because only people who had been members for five years could be nominated to the presidency (he had only re-joined UNIP three years before); Nkumbula was outmaneuvered by introducing a new rule that said each candidate needed the signatures of 200 delegates from *each* province to back his candidacy. Less creative tactics were used on a third candidate called [Robert] Chiluwe; he was just beaten up by the UNIP Youth Wing to within an inch of his life. This meant that he was in no state to submit his nomination.⁵⁷⁷

Perhaps of all the things that UNIP did badly, the tactic of exclusion portended the worst scenario for the future of democracy in Zambia. This tendency has passed through the blood of the nation’s veins that even in the Post-Third Republic its pulse can be felt. It has created a culture whereby the ruling politicians feel a sense of political entitlement, a sort of a political career.⁵⁷⁸

§8.8 Voices against Oppression

The national political temperature was getting hotter and hotter by day. Kaunda’s tactics soon gave way to the wrath of student activism at UNZA. In the past, Kaunda had managed to squash student *lumpenism* and rampage by either closing the

⁵⁷⁷ *Ibid.*

⁵⁷⁸ In April 2011 on Zambia Blogtalk Radio, Winter Kabimba, the then PF Secretary-General, frantically admitted that politics in Zambia was a career, and not a service, for most of the politicians.

institution or detaining the agitators or both. Between 1971 and 1990, UNZA had been closed six times⁵⁷⁹ owing to student activism. Some closures were politically motivated while others were purely academic.

UNZA closures have been discussed in great details in Chapter Three. However, the 1990 UNZA closure was material to the downfall of Kaunda. In the late 1980s, the IMF and the World Bank had introduced SAPs in Zambia. The students felt that the conditions attached to these stabilization programs ignored the structural problems of the developing nations. Coupled with the gradual withdrawal of the subsidy⁵⁸⁰ on maize announced on June 19th, 1990 by the then Prime Minister, Malimba Masheke, “Dissension over the increase reached such a feverish peak that the writing was evidently seen on the wall for the government.”⁵⁸¹ On June 26th, 1990, the students marched on Cairo Road in demonstration against the food shortages and price increases.⁵⁸² Through the student incitement, the mob grew and widened its tentacles to include cigarette sellers,⁵⁸³ marketeers and unruly youth. The mob transformed itself into a demolisher of supermarkets, shops and government buildings. Looting and rioting married and gave birth to a *Dark Tuesday*.⁵⁸⁴

While events in the country, and specifically the closure of UNZA, were simmering, a pressure cooker was seething at ZNBC. It began with the surprise announcement: “Due to the

⁵⁷⁹ Wele cites five closures.

⁵⁸⁰ Subsidy on mealie meal was gradually withdrawn from K114.50 to K269.00 for “Breakfast meal” and from K82.30 to K198.00 for “Roller meal.”

⁵⁸¹ Wele, *Zambia's Most Famous Dissidents*, p. 74

⁵⁸² Frederick J. T. Chiluba, *Democracy: The Challenge of Change* (Lusaka: Multimedia Publications, 1995), on page 64, places this date on June 25th, 1990

⁵⁸³ Also known as *Mishanga-Sellers* in vernacular

⁵⁸⁴ Tuesday, June 27th, 1990, prompted by an erroneous revelation that Kaunda had a stack of US\$5 billion in foreign banks insinuated by Gen. Christon Tembo, from UNZA to Chilenje, the mob ransacked and looted Kabulonga Supermarket, mistaken to have been owned by the Kaunda family. In fact, the supermarket was owned by Lendor Burton.

escalating cost of living followed by the food riots, the Zambia Army has decided to take over the government. This is Lt. Mwamba Luchembe.”⁵⁸⁵ The event was too much for Alexander Grey Zulu who announced the coup foil by the commandos under the command of Brigadier General Weston Chanda.⁵⁸⁶ President Kaunda, who was opening a Trade Fair in Ndola, was awakened to the “Lord is My Shepherd.”⁵⁸⁷

The events surrounding UNZA demonstrations and closures, and the riots that rocked the City of Lusaka leading to the Luchembe coup attempt and the shaking up of the UNIP regime under Kaunda have been well captured in Frederick Chiluba’s book, *Democracy: The Challenge of Change*: “The University of Zambia has always been a center of political agitation. By the end of 1980s students and academic staff alike were predisposed to be dissatisfied with the government, which on several occasions had closed the university and disrupted the academic program, sometimes in retaliation against their political outspokenness.”⁵⁸⁸

The immediate pressure put up at the UNIP’s Fifth National Convention held in March 1990, the riots and attempted coup, forced Kaunda to call for a referendum for plural politics. From July 20th to July 21st, 1990, gathering at Garden House Motel in Lusaka, a group of determined Zambians including Frederick Chiluba⁵⁸⁹ and flanked by VJ Mwaanga, Arthur Wina and Sikota Wina, formed the National Interim Committee for Multiparty Democracy. Arthur Wina became the committee’s chairman.

⁵⁸⁵ Wele, *supra.*, p. 171

⁵⁸⁶ As Secretary-General of UNIP, Grey Zulu was the second most important politician in Zambia, and at ZNBC he announced that the coup was the work of one undisciplined soldier.

⁵⁸⁷ Psalms 23; for sure, the former president needed his Lord to be his shepherd in that dark hour – an hour he should have known was inevitable.

⁵⁸⁸ Chiluba, *Democracy: The Challenge of Change*, pp. 64-65

⁵⁸⁹ On November 2nd, 1991, Frederick Jacob Titus Chiluba became Zambia’s second republican president. Born on April 30th, 1943, Chiluba became the President-General of the Zambia Congress of Trade Unions (ZCTU) in 1974 before agitating his fellow trade unionists in 1990 to defeat Kaunda in the nation’s first multiparty elections since 1968. He is credited with the introduction of liberal economic policies in Zambia.

The late Frederick Chiluba became head of the committee's operations, the late Levy Mwanawasa⁵⁹⁰ for legal affairs, VJ Mwaanga for public relations, Ephraim Chibwe for finance, and Andrew Kashita for transport. Chiluba suggested the change of name from National Interim Committee to Movement for Multiparty Democracy (MMD) and the name was adopted. In 1991, Chiluba and the MMD led Zambia back to multiparty politics in what became known as the Third Republic.

Life under the MMD was not completely free from police brutality as was envisaged of the Third Republic. Political *caderism*⁵⁹¹ continued to agitate the innocent citizens in Zambia. The case of Father Frank Bwalya showed that Zambia's democracy was still bleeding.⁵⁹²

⁵⁹⁰ Levy Patrick Mwanawasa, Zambia's third Republican president, was born on September 3rd, 1948. He experienced a minor stroke in 2006. While in Sharm-Sheikh in Egypt for an African Union Summit, Mwanawasa was hospitalized due to a brain hemorrhage on June 29th, 2008. On July 2nd, 2008, a rumor escalated that Mwanawasa had died. The Office of the Vice-president and the Ministry of Foreign Affairs in Lusaka issued a joint statement on July 3rd, 2008, that the Zambian President was alive. He was however, in the Intensive Care Unit at Percy Clamant Military Hospital in Paris, France until he finally died in August 2008. He is credited with the solidification of the Rule of Law and the curbing of corrupt practices in government.

⁵⁹¹ *Caderism* is a practice whereby political parties intend to frustrate the citizens' expressions of their political freedoms or/and human rights. It may manifest itself in the use of organized police by the ruling political party to silence those who may be against government's policies.

⁵⁹² On Monday, March 15th, 2010, Father Frank Bwalya, a catholic priest was arrested by the Kitwe police for showing what he referred to as a Red Card against President Rupiah Banda.

Chapter 9 Coup Attempts

A World Food Program worker describes evil as being told to rape your mother in front of your father, then being told to kill your father in front of a mob, and then being stupidly turned into a child soldier.

<p style="text-align: center;">BRIEF INTRODUCTION</p> <p>This chapter explores coup attempts in Zambia and the factors that have led to their failure. In view of the future of Zambia, this chapter investigates the political implications of coups to the nation's young democracy.</p> <hr/> <p style="text-align: center;">≈ Politics ≈ Militarism</p>	<p style="text-align: center;">AT THE END OF THIS CHAPTER:</p> <ol style="list-style-type: none">1. You will learn about Zambia's attempted coups;2. You will appreciate the reasons why coups have failed in Zambia; and3. You will be aware of the implications of repressive regimes. <hr/> <p style="text-align: center;">MAJOR THEMES: Democracy in Peril; Coups in Zambia.</p>
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§9.1 Shamwana-Musakanya Trial

Despite their uncouthly implications, coup attempts and coups in general provide a chance to look into the minds of the plotters. But for Zambia, they provided a rare opportunity for the ruling politicians in the Second Republic to re-examine the One-Party regime. For the future

generations, they should provide a lesson so as to avoid pitfalls that might lead to successful coups d'état.

In Zambia, change for multiparty politics was accelerated by several coup attempts. One of the most organized of these was the so-called Shamwana Treason Trial.⁵⁹³ A few Zambian statesmen were infuriated with the prospects of a One-Party State. Among them were Elias Chipimo and Valentine Musakanya.⁵⁹⁴ According to Mundia Sikatana, Pierce Annifield's law firm partner, who appeared to have been the leak of the plot to the state, either Musakanya or Edward Shamwana was to be the leader of government if the plot succeeded.⁵⁹⁵

The books, *The Musakanya Papers* edited by Miles Larmer⁵⁹⁶ as well as *Zambia's Most Famous Dissidents* written by Patrick Wele, give us the loop-hole into the political gymnastics of the Second Republic. Politics thrives on perception. It is common practice in politics for the seasoned politicians to use the errors

⁵⁹³ This coup attempt did not only have all the features of a well-plotted coup, but its protagonist also had a very special place in the Zambian legal industry. Shamwana was just about to be appointed Chief Justice of Zambia before the coup was foiled. The allegation was that the plot involved bringing a band of foreign forces from Congo to be organized by a Congolese, Deogratias Symba. Symba had led a failed invasion of Shaba Province with his Katangese forces from Angola. Brigadier General Godfrey Miyanda was to bring in army support and also divert weapons imported for the Zimbabwean liberation movements to the farm. Air Force Chief, Christopher Kabwe, was to divert Kaunda's plane to a military base and force him to surrender and resign.

⁵⁹⁴ In April 1980, Elias Chipimo, as chairman of Standard Bank, and a close friend of Musakanya issued a public statement condemning the One-Party State, urging African leaders to abandon this political system if they were to prevent coups d'état against them. Kaunda quickly accused Chipimo and other members of the flying club of being involved in the plot to remove him. Kaunda also forced Standard Bank to fire Chipimo.

⁵⁹⁵ Emmanuel Mwamba, "The Musakanya Papers; Rare Insight into 1980 Coup," *Zambian Watchdog*, (July 6th, 2010). For a comprehensive review of the Shamwana-Musakanya coup plot, read Chapter 5: Shamwana Treason Trial of Patrick Wele's *Zambia's Most Famous Dissidents* from pages 90 to 145.

⁵⁹⁶ Miles Larmer is a British historian and Sheffield University lecturer who also has written *Mineworkers in Zambia: Labor and Political Change in Post-Colonial Africa*.

of judgment of opponents to their advantage. Argued on its face, the Shamwana-Musakanya coup plot had merits in the mind of the plotters, although the means of delivery contradicted the principle.

The coup was prompted by the plotters' refusal to bow to UNIP's imposition of a One-Party regime on Zambia. Among legal counsel Edward Shamwana's masterminds was Valentine Musakanya.⁵⁹⁷ "Musakanya was always fearless and refused to be cowed by the existing political environment. Whilst still holding the position of Bank of Zambia Governor, he submitted to the Chona Constitution Review Commission in 1972, far reaching proposals."⁵⁹⁸ Basically, Musakanya condemned the proposed One-Party State and the tribal balancing proposed by UNIP. He argued that it promoted tribal and ethnic based politics at the expense of good governance.

Musakanya "advocated for the retention of multiparty system,"⁵⁹⁹ referring to the One-Party State concept as the "Rape of the State." Among other things, Musakanya advocated for a constitution that limited presidential powers, called for the publication of government records to stem the rise of corruption and bribery in government, and nodded constitutional guarantees for individual civil liberties and human rights. While these proposals portend well in contemporary Zambian political times, in the Second Republic, these sentiments did not go well with the establishment.

However, Musakanya's affront to Kaunda's leadership came when he proposed "for the presidency to be limited to two terms and that such a presidential candidate should be born from indigenous parents! Clearly the proposals were directed at excluding the now all-powerful Kaunda."⁶⁰⁰ This last charge

⁵⁹⁷ Valentine Musakanya was born in 1932 and was one of the first few Zambians to acquire a university degree. He served as Secretary to the Cabinet at independence and as Minister of State (a deputy ministerial position). He later served as Bank of Zambia Governor before being removed by former president Kaunda for opposing the One-Party State.

⁵⁹⁸ Mwamba, *supra*.

⁵⁹⁹ *Ibid*.

⁶⁰⁰ *Ibid*.

threatened the incumbent's own survival and Kaunda conveniently fired Musakanya from his position as Bank of Zambia Governor.

§9.2 “Second” President

The reign of Zambia's “second” president lasted only three hours, and was, “achieved single-handedly without the alleged organized support from fellow soldiers.”⁶⁰¹ Lieutenant Mwamba Luchembe⁶⁰² claimed the coup was prompted by escalating cost of living followed by the food riots. However, in the wee hours of June 30th, 1990, General Weston Chanda announced that, “The coup has failed and anybody who will be on the streets will be shot.”⁶⁰³

When Luchembe attempted a coup on former president Kaunda in 1990, the author was with his friend, Goodson Sanga. He remembers this day very well. The condition of the day was mild to cold. Goodson and the author were going just past the Kapisha Catholic Church. There are certain days one cannot forget because what happened then was significant.

On June 30th, 1990, the author looked at the sun, and it was almost dropping tears.⁶⁰⁴ He looked to the west of Kapisha

⁶⁰¹ Wele, *supra*, p. 171

⁶⁰² Mwamba Luchembe was born on February 14th (Valentine's Day), 1960 in Mpika to Mubanga Luchembe and Kapinda Chilangwa. In 1978, he joined ZNS and in 1980, he joined the Zambian Army. Luchembe was discharged from the Zambia Army on June 30th, 1990, the day of the attempted coup.

⁶⁰³ Wele, *supra*, p. 173

⁶⁰⁴ Shortly it was announced the coup had been foiled. The fracas lasted only few hours. A great calm and relief came back to Kapisha. It seemed like the entire nation had gone into a trance or a numbed state of existence. People started talking, but not like before. Luchembe was a near-hero, but even that no-one would talk openly for fear they could be arrested by the police. If there is anything the Luchembe coup attempt accomplished, it was not only the fueling of the dissatisfaction of the people of Zambia with Kaunda's reign. It was also the attestation to the fundamental truth that Zambian's preferred democratic means of removing a government from power to democratic disparage.

compound and he could hear the silence. Everyone was glued to the radio, being the only source of information and news in Kapisha. One could feel the fear in people's eyes. That near thirty-minute gap as the people were tuned to the radio is perhaps the greatest sign to the author that Zambian people are naturally democratic, an argument made earlier in Chapter Seven.⁶⁰⁵

The Luchembe coup was significant by every Zambian standard at the time. For one, it brought happiness to some,⁶⁰⁶ and for another, it provided unwarranted detentions for the innocent few.⁶⁰⁷ If Luchembe had intended to remove late president Kaunda from power through unconstitutional means, his feats surely set in motion a revolutionary escapade that culminated into the presidential elections of 1991.

§9.3 Coups d'état

Coups should not be approved, no matter what the justification, unless the government starts killing its own people. Coups insult the very foundation upon which democracy is based. They thwart people's will to decide their own political destiny. They send a nation into an irretrievable political spin that in many cases would not stabilize the nation again. Nations that have experienced the bitter taste of coups cannot boast of stable governance thereafter.⁶⁰⁸ A bad

⁶⁰⁵ See particularly §7.1

⁶⁰⁶ Those who were fed up with Kaunda's rule.

⁶⁰⁷ Those who were suspected of aiding Luchembe.

⁶⁰⁸ Since 1952, there have been 85 successful coups d'état in 35 countries in Africa. The very first coup in Africa took place in 1952 in Egypt by General Col. Abdel Nasser and Anwar Sadat. Among other nations to experience coups in Africa are Ghana in 1966 in which Kwame Nkrumah was deposed. In 1969, Muammar Gaddafi overthrew King Idris in Libya. Other countries include Mauritania where about 16 coups d'état have taken place and Nigeria with about 12 and a civil war of 1967-70. There have been coups d'état in Togo, Mali and Uganda with the overthrowing of presidents Silvio Olympio, Modibo Keita, and Milton Obote, respectively. Recent coups d'état have taken place in Fiji by the Acting Prime Minister Frank

precedent is set and coming generations find it tempting not to resist staging one, wherever progress in the land is stalled, or because of the selfish political ambitions of one person or a few people.

Best interest is usually cited as motivation for staging a coup. The plotters would claim that they were doing so in the democratic or economic interest of the nation.⁶⁰⁹ The consequences of coups outweigh their benefits. In Zambia, in the late 1990s, one would argue a coup attempt was justified because of the dictatorial tendencies of the Kaunda regime. However, by parity of argument, such conception falls short. Sabella Ogbobode Abidde has candidly reasoned that military coups d'état can never be justified not only because the broadcasted reasons for staging such coups are usually bogus and anomalous, but also because military governments usually end up exacerbating the socio-political and economic conditions of the country.⁶¹⁰

Bainimarama on December 5th, 2006; in Mauritania by President Mohamed Ould Abdel Aziz on August 6th, 2008; Guinea Bissau where on March 2nd, 2009, President Bernardo “Nino” Vieira was overthrown and on March 17th, 2009 when Andry Rajoelina became the President of the High Transitional Authority in Madagascar. The civil war of 1960 in Congo DR saw the assassination of Patrice Lumumba by Mobutu Sese Seko. Botswana, Malawi, Tanzania and Zambia have been fortunate to escape coups d'état. In addition, there have been over 200 attempted coups d'état in Africa which prompted the first President of Tanzania, Mwalimu Nyerere to declare, “There is a devil in Africa.” Salou Djibo staged a coup in Niger on February 18th, 2010. On January 24th, 2022, there was another coup in Burkina Faso.

⁶⁰⁹ To some extent, especially from the 1980s, some coups in Africa have been fueled by drastic economic conditions imposed by the rich governments and IFIs on the developing nations. When faced with runaway inflation some of the more common measures prescribed by the IFIs have been price control, strict currency control, increased taxes and devaluation. Unfortunately, these have not always been popular measures and have instead tended to generate countrywide dissatisfaction and national outrage. Military intervention has often occurred in these circumstances.

⁶¹⁰ Sabella Ogbobode Abidde, “Of Rumored, Attempted and Successful Coups,” (2004)
<http://www.nigerdeltacongress.com/oarticles/of_rumored_attempted_an_d_success.htm> (Retrieved: March 18th, 2010)

Despite the poverty and corruption situations in Zambia, discussed in chapters four and 30, respectively, Zambia still stands a better chance politically in terms of democracy. Future Zambian leaders will be able to build on this tradition to create for themselves and for posterity paths that will eventually lead to sustained economic prosperity. This is the cardinal reason why democracy ought to be preserved at all costs.

§9.4 Coup Implication

Amenable with the popular attitude that independent Zambia has been relatively peaceful, is the unsuccessful attempts at dislodging the government, thrice⁶¹¹ under the UNIP watch and thrice⁶¹² under the MMD's. For future

⁶¹¹ The first alleged coup plot against the Kaunda government was in October 1980 by Edward Shamwana, Valentine Musakanya, Godwin Mumba, Anderson Mporokosa, Thomas Mulewa, General Godfrey Miyanda, Deogratis Symba, Albert Chimbalile and Laurent Kanyembu. At trial Gen. Miyanda was acquitted but the rest were found guilty. The second alleged coup attempt on Kaunda took place on October 5th, 1988. Sixteen men were arrested including: General Christon Tembo, Ben Mwila, Colonel Bizwayo Nkunika, Bob Litana, Wilfred Wonani, Emmanuel Hachipoka, Peter Vundamina, Harrington Chishimba, Major Patrick Shula, Major Knight Mulenga, Major Nixon Zulu, Captain Wamulume Maimbolwa, John Kalenga, Donald Sadoki, Warrant Officer Christopher Chawinga and Matiya Ngalande. The third and final coup attempt under the Kaunda regime was one led by Lieutenant Mwamba Luchembe on June 30th, 1990.

⁶¹² First, it was the *Zero Option* of 1993 when a group of high ranking UNIP cadres were accused of a ploy to overthrow the MMD government. Second, it was the case of eight top UNIP officials who, together with a clandestine organization called the *Black Mamba*, were charged of treason and murder in 1996, shortly before Chiluba signed the May 28th, 1996, constitution which contained a controversial presidential clause, Article 34(3)(b), which required any presidential candidate to prove that their parent or parents were Zambians by birth or descent. The third one was a four-hour coup attempt by Captain Steven Lungu, a.k.a., Captain Solo, who had claimed a government takeover by his Supreme National Council citing intolerance by the MMD government. This coup took place on October 28th, 1997. In one of the Letters to the Editor of the *Zambia Daily Mail* of the days following

Zambian leaders these events are worth of notice. The implications for the young Zambian democracy are huge, but their preventive advantage cannot be disputed. Generally, Zambia has been saved from the unfortunate predicaments in which successful coups leave the victim nations. However, sometimes there is a thin line between the response from international donors and human rights organizations to the state of emergency and the duty of government to enforce national security measures to protect themselves and their citizens.⁶¹³

It has not always been true that the Zambian nationalists conducted themselves peacefully or non-violently. Just before independence, Kaunda's UNIP had mobilized civil disobedience campaigns through the Cha-Cha-Cha uprising,⁶¹⁴ and the sponsorship of Adamson Mushala to China to train in guerrilla tactics was meant to overthrow the colonial government if all democratic means failed.⁶¹⁵ To the larger

this foiled coup, the author wrote to condemn the coup because he still believed that democracy was workable in Zambia.

⁶¹³ See Julius O. Ihonvbere, "The 'Zero Option' Controversy in Zambia: Western Double Standards vis-à-vis Safeguarding Security?" (1995) *Afrika Spectrum*, Vol. 30, No. 1: 93-104

⁶¹⁴ Cha-Cha-Cha was both a civil disobedience campaign and an armed struggle resistance against the colonial government. Believed to have been first organized by Kaunda in 1960 shortly after his release from prison, the resistance organized protests and was even prepared to take on arms against the British colonial government in Northern Rhodesia.

⁶¹⁵ Between 1975 and 1982, Mushala dissented from the UNIP brand. Having been trained in China in guerrilla tactics, Mushala was well-equipped to give Kaunda and UNIP enough trouble to earn the name as the most notorious dissenter in the history of Zambia. Even by the time I was growing up in Mibenge as a small village boy, Mushala's name ringed trouble and danger. Mushala was disgruntled with UNIP that it had failed to honor its pre-independence promise of giving Mushala a prominent position either in UNIP or in government. After being refused a position as Chief Warden, Mushala first joined the opposition UP, and thereafter went into exile to South Africa. There together with his stooges, he prepared to return to Zambia to wage a guerrilla war, against the same party that had trained him in the first place. Mushala's war of terror continued until 1982 when on November 26th, he was gunned down by the Zambian army. Alexander Saimbwende succeeded him. On September 25th, 1990, Saimbwende

extent, from the struggle for independence Kaunda marshaled enough tactical resources to help him consolidate power for such a long time.⁶¹⁶

Before the coup failure of Luchembe of June 30th, 1990, UNIP had held its Fifth National Convention to deliberate political issues. It was during that meeting that independent voices called for a referendum for multiparty politics in Zambia.⁶¹⁷ However, the referendum would not be held because of the coup attempt.

The coup challenge in Africa has been mostly addressed from a contemporary viewpoint, ignoring the historic corollaries that have made Africa an open oven for military drills. It is unarguable that in some countries⁶¹⁸ tribalism and ethnic tensions have played parts: “Governments have tended to be more tribal than national in structure, with inter-tribal oppression becoming common practice.”⁶¹⁹ This observation

surrendered through Alexander Kamalondo who in turn handed Saimbwende to Kaunda. Kaunda later pardoned Saimbwende.

⁶¹⁶ Thus, despite condemning the enactment of the *Preservation of Public Security Act*, under which Kaunda and other nationalists were detained, Kaunda conveniently continued to use the same law on the pretext that it was needed to ensure stability in the newly independent Zambia.

⁶¹⁷ This would not be the first time Zambia was embracing notions of plural politics. During what is commonly termed as the First Republic, from 1964 to 1972, Zambia was a multiparty state. On page one of his book, *Democracy: The Challenge of Change*, Chiluba informs that even before independence, the country was characterized by political pluralism and contestations, features that all theorists of liberal democracy agree are vital to democratization. There were two major parties comprising mainly Africans, the African National Congress (ANC) of Harry Mwaanga Nkumbula, and Kenneth Kaunda’s United National Independence Party (UNIP). In addition, there were two other parties, the Liberal Party led by Sir John Moffatt, which had some sympathy among Africans, and the United Federal Party led by John Roberts and Sir Roy Welensky, and which was mainly for Whites. Following the attainment of independence in 1964, plural politics was retained, and the procedures of democracy were established, so that in 1968 general elections, for instance, UNIP won eighty-one seats and the ANC increased its representation to twenty-three seats in the Legislature.

⁶¹⁸ This is true in Congo DR, Sudan, Burundi and Rwanda, to mention but a few.

⁶¹⁹ Jimmi Wangome, *supra*.

is, however, only partially true, or a symptom of a much deeply entrenched cause. The cause is, as argued constantly in this book, historical in nature.

The first problem has to do with the treatment of the Africans by the colonial soldiers.⁶²⁰ During the sensitive days of struggle for freedom and independence the general populace and the local politicians had developed an almost allergic fear and mistrust for soldiers. The ensuing tribal imbalance necessarily made more difficult than it would otherwise have been the army's achievement of national status as an institution.⁶²¹

The other cause is the plunder of the African economic reserves by the colonialists. It did not take the ordinary citizens long to realize that new African governments were not delivering the goods fast enough. Although corruption played a part, it was mainly because these governments had inherited structures without resources. Indeed, "A protracted economic crisis has in most cases led to the failure of the political leadership."⁶²²

It does not, however, pay or benefit Zambians or indeed, Africans, to play a blame game. And although Wangome has charged that, "As long as there are economic and political instability military coups will continue to occur; the future of Africa is that bleak,"⁶²³ it is not insurmountable. The future of Africa can be bright. For Zambia, that bright future is in the inculcation of sound democratic tendencies even in the military.

⁶²⁰ Gutteridge has observed that nationalist politicians saw them as agents of imperial rule suppressing political demonstrations and protecting European property. Though they had won glory by serving overseas in the two world wars, their imperial activities caused them to be regarded in some quarters as armies of occupation or at best as mercenaries in the service of a foreign power. This impression was assisted by a recruitment policy that preferred subjectively defined 'martial races' or those who were 'worthwhile soldiers.' See Gutteridge, *infra*.

⁶²¹ Thus, the colonial soldiers were not only mistrusted, but they were also responsible for fueling ethnic and tribal tensions. See, W.F. Gutteridge, *Military Regimes in Africa* (London: Methven & Co Ltd, 1975), p. 6

⁶²² Wangome, *supra*.

⁶²³ *Ibid*.

For one, political squabbles, inefficiency of the civilian governments, corruption, maladministration, internal political problems within the ruling elite, and etc., are all problems which have a political solution. For another, “Coups have been linked directly or indirectly to personal ambitions and the craving for power by some specific key players.”⁶²⁴ Zambia is a quintessential epitome of a nation where those in the military with political ambitions have democratically joined the political ranks without resorting to the barrel of the gun.⁶²⁵ The Zambian democratic model stands the best chance and hope for Africa. Zambia has repeatedly proven that democracy can thrive despite ethnic diversity or economic underdevelopment.

Zambia has been cited as one of the African nations that have established the “means of civilian control that have stood the test of time.”⁶²⁶ This praise is backed by a basic realization that it is easier to accomplish a coup than to maintain peace. It is clear from the evidence that any African army which may resort to coups against a civilian regime has very good prospects of success. Given its dominant role in controlling the technology of violence, there are seldom any insuperable physical obstacles in its path. The sword usually proves mightier than the pen.⁶²⁷

Indeed, in Zambia, the continued dominance of the pen over the sword is a testament to the determination of the people of Zambia to live in peace and forge the ideals of democracy in their progeny. Zambia has not only averted coup attempts on

⁶²⁴ Samuel Decalo, *Coups and Army Rule in Africa* (Clinton: The Colonial Press Inc., 1976) p. 231

⁶²⁵ Good examples are Gen. Godfrey Miyanda, Gen. Christon Tembo, Gen. Ronnie Sikapwasha, to mention but a few.

⁶²⁶ Claude E. Welch, Jr., “Civilian Control of the Military: Myth and Reality,” in Claude E. Welch, Jr. (ed.), *Civilian Control of the Military: Theory and Cases from Developing Countries* (Albany: State University of New York Press, 1976), p. xi

⁶²⁷ David Goldsworthy, “Civilian Control of the Military in Black Africa,” (January 1981) *African Affairs*, Vol. 80, No. 318, p. 52

its soil but has been instrumental in hosting numerous nationals who have run away from political oppression.⁶²⁸

From the foregone, it is apparent that a political culture that promotes order and social solidarity is rife in Zambia and has been, together with the other factors mentioned earlier, responsible for the failed coups. However, this is an ongoing commitment as it conveniently shelters the people from the cumbersome Catch-22⁶²⁹ of having to choose between a bad democracy and a good dictatorship. In the main, as long as poverty and economic instabilities remain prevalent, even with a culture and mentality of peace, ending coups in Africa permanently may be just a pipedream.

⁶²⁸ See Balamn Yeko, "Exile Politics and Resistance to Dictatorship: The Ugandan Anti-Amin Organizations in Zambia, 1972-79," (1996) *African Affairs*, 96, p. 97

⁶²⁹ *Catch-22* was a post-modernist satirical novel written by Joseph Heller in 1961. It poses a logical and psychological conundrum. A *Catch-22* situation has a disambiguation, idiomatic usage meaning a "No-win situation" or "A double bind" situation.

Chapter 10 Presidential Politics

*A president I will, rather than a king
For a precedent is only one thing
To follow the rule they create for him
To borrow peace and kill joy they seem.*

BRIEF INTRODUCTION

This chapter focuses on the presidency in Zambia. As an institution called the presidency, and as a person who occupies that office, the presidency in Zambia has been pivotal to the very ethos of national politics. The presidency is discussed in relation to the military. The historical interaction between the presidency and the military in Zambia explains why even under extreme national distress, a coup has never materialized (See also Chapter Nine). Qualities that will define the president of Zambia in the 21st Century are discussed.

≈ Politics ≈ Civil
Leadership ≈ Military
Command

AT THE END OF THIS CHAPTER:

1. You will find out the extent to which the presidency is the most powerful office in Zambia;
2. You will appreciate one of the reasons why any form of dictatorship can persist in Zambia; and
3. You will be in the position to know that, however powerful a president can be, they will need all other stakeholders, including the military, to assist in providing solidarity.

MAJOR THEMES:

Leadership;
Presidential Politics;
Qualities of C21st, Zambian
Presidents

§10.1 The Presidency

In Zambia, the Republican president is the most powerful person in the nation. He or she is constitutionally the Head of State and head of government. The presidency, also known as the Office of the President, is an institution in itself. The Zambian president is vested with extensive powers that include presiding over the Cabinet, initiating or vetoing legislation, establishing or dissolving ministries (with legislative approval), and immunity from criminal prosecution for acts committed while in office. Rounding out the Executive branch are the Vice-president and Cabinet. The later formulates policy, answers to the National Assembly and oversees government operations. In Zambia, the president is – Head of State, head of government and commander-in-chief of the armed forces. He also initiates bills, signs laws, appoints ambassadors, negotiates treaties and grants pardons. He presides over Cabinet (comprising the president, Vice-president, the Secretary of State and twenty-four MPs appointed by the president).

Certainly, the person of the president can do more than what a million can put together. He or she can do all this because of power. With that power, the ruler can choose to silence opposing voices, eliminate enemies and travel the whole world and dine in palaces and hotels of exceptional elegance. Or he or she can use the power to bring jobs to the unemployed, provide food to the hungry, and empower minds with knowledge and enlightenment. The choice is his or hers.

This power was given to the Zambian president right at independence through the constitution. After gaining political independence from Britain on October 24th, 1964, Zambia went through three phases of governance. These are plural politics from 1964 to 1972; One-Party system from 1973 to 1991; and a reversion to plural politics from 1991 onwards. Although Zambia is made up of ten administrative provinces, most political activities happen in the national Capital of Lusaka and on the Copperbelt Province. Historically, these two provinces have been hubs of political agitation and operation.

Politically, the governance of Zambia rests in the central and local governments. “Government power is, however, concentrated in central government, which administers government functions at national, provincial and district levels. Local authorities (councils) enjoy only limited administrative authority.”⁶³⁰ Political representation is distributed among 150 constituencies. These 150 constitute elective seats in the National Assembly. The Republican president is also the president of the National Assembly. He is represented in the National Assembly by the Republican Vice-president. The Republican president nominates eight more members to the National Assembly. Thus, the Republican president, the Republican Vice-president, the 150 MPs, and the eight nominated members comprise the Zambian Parliament. Parliament legislates on behalf of the Zambian people.

§10.2 Power Hubs

The most important person who lives at State House in Zambia is the Republican president. Every time the president awakes at State House, he has the larger national *agenda* in mind. Today, he could sign a death warrant, he could dictate over the national defence establishment, he could appoint new ministers or even reshuffle them, and he could receive investment representatives from any country on the globe.

State House politics is predicated upon an administrative *octopus* system. Like an octopus with tentacles, the president achieves his daily dairy activities through an army of officials and operatives. Sometimes the president may not even know individually what is obtaining among his Ministers except through special officials assisting him or her on that front. It is important, therefore, that the president selects these officials very carefully because they could, if incompetent, endanger effectiveness and efficient running of government business.

⁶³⁰ Government of the Republic of Zambia, *Interim Report of the Constitution Review Commission*, Lusaka, June 29th, 2005, p. 12

As stated earlier, the president of Zambia holds sweeping powers which make him or her, the most powerful man or woman in the nation. Moreover, the Office of the President of Zambia is surrounded by a team of individuals who ensure that day to day affairs at State House are well-looked after, including administrative, political, economic, national security, media, legal or other personal matters:

The Office is attended to by the Chief of State House Staff, Principal Private Secretary, Three Senior Private Secretaries and Five Special Assistants (Press, Economics, Politics, Legal, Projects Monitoring and Implementation). Two Chief Personal Secretaries serve directly in the Office where the president works, supported by his Aide De Camp.⁶³¹

Historically, certain people at State House have wielded more internal powers than the president himself. One such individual was Mark Chona, head of the political wing at State House during the Kaunda era.⁶³² He served in that capacity until 1980. Chona, whose brother Mainza Chona headed the Chona Commission that obliterated Zambia's chances of blooming democratic pluralism, and who also served in various top government positions including Vice-presidency, Secretary-General of UNIP, and others, was the most influential aide at State House in the Second Republic: "Chona was the most influential aide of all the president's advisers. He wielded immense power and his advice on political matters was generally accepted by the president."⁶³³ For example, he advised Kaunda for the creation of DEC, ACC, and the Special

⁶³¹ "The President's Office,"

<http://www.statehouse.gov.zm/index.php/about-state-house/the-presidents-office> (Retrieved: June 2nd, 2010)

⁶³² Mark Chona was one of Zambia's first District Officers, and had inside knowledge of how the colonial system worked.

⁶³³ Chisala, *supra*, pp. 27-28

Investigations Team on Economic and Trade (SITET), among others.⁶³⁴

Chona resigned in 1980 and relocated to London, and only to reappear on the national stage during Mwanawasa's tenure. Chona was the first head of the National Task Force constituted by Mwanawasa to investigate into the plunder of the national economy by the Chiluba administration. He was responsible for unearthing evidence implicating late Republican president Frederick Chiluba into a *Matrix* of financial malpractices that saw the late president prosecuted and found liable in a London court, and later acquitted on appeal in a Zambian court. The *Chiluba Matrix* is explored in greater details in Chapter 31.

§10.3 Commander-in-Chief

The Zambian Defence Force, over which the president of Zambia is Commander-in-Chief, is defined as consisting of an Army comprising the Regular Force of the Army, the Territorial Force of the Army, the Army Reserve and the Territorial Army Reserve, and an Air Force comprising the Regular Force of the Air Force, the Auxiliary Air Force, the Air Force Reserve and the Auxiliary Air Force Reserve; to charge the Defence Force with the defence of Zambia and with such other duties as may from time to time be determined by the president; to provide for the creation of a Defence Council to advise the president in matters of policy and matters affecting the command, discipline and administration of the Defence Force.⁶³⁵

Phiri⁶³⁶ has brilliantly discussed the military history of Zambia. However, it suffices to point out that the Zambian Army emanated from the Northern Rhodesia Regiment which

⁶³⁴ *Ibid.*

⁶³⁵ *Defence Act*, Cap. 106 of the Laws of Zambia (preamble)

⁶³⁶ Bizeck J. Phiri, "Civil Control of the Zambian Military since Independence and its Implication for Democracy," (2007)

also grew out of the Northern Rhodesia Police to “protect the colonial power.”⁶³⁷

The civil control of the military in Zambia was established in 1933 at the time of the creation of the Armed Forces during the colonial era. Since then civilians have controlled the military. This may explain why there has never been a successful coup in Zambia.⁶³⁸

The army is part of the civilian majority. It has the monopoly of arms and is an expert in the management of violence. In Zambia, the civilian authorities interact with the military institutions. The military provides national security by defending Zambia both internally and externally.

§10.4 Civil Control

Civil control of the defence forces is an essential aspect of democracy. Zambia has one of the best military-civilian relationships in Africa. This relationship has been instrumental in securing a relatively peaceful climate for the Rule of Law and order. Zambia has continued to foil coups and maintain cordial relationships between the military and the civilian authorities because of four principles.

First, in Zambia, a civilian Chief Executive Officer (CEO), the president, is supported by civilian subordinates and is also the head of the military chain of command. The High Court has the jurisdiction to hear cases involving military infringements on the rights of the citizens. The Commander-in-Chief is, similarly, empowered by the courts to determine the operational use of the armed forces and he or she has the power to appoint members of the armed forces.

A clear delineation is made in terms of controlling the powers of the military by a civilian body. Thus, “Civil control

⁶³⁷ *Ibid.*

⁶³⁸ There have been four attempted coups in Zambia in the Second Republic (1976, 1980, 1986 and 1990). All these were nipped in the bud because the intelligence system was well organized.

of the defence force is meant to guard against military subversion while ensuring that military strategy remains a tool of national political goals under the civilian government.”⁶³⁹ But where a civilian government is empowered to control the military without checks and balances, the Executive branch of government is bound to abuse its powers leading to catastrophic ends, the resumption to arms by the military in order to restore order. In that way, in Zambia, civil control of the military is also regulated by Parliament to oversee “the exercise of powers conferred upon the president.”⁶⁴⁰

The above scenario, therefore, explains how the three branches of government interact in ensuring that the military is subjected to strict discipline in averting possible coups. This is achieved through the principle of the Separation of Powers. The Separation of Powers itself is an essential element in the strengthening of the Zambian democratic process.

Second, the design of the Zambian defence forces has made it possible for the military to be an instrument for the enhancement of national security and democracy. The nature of the presidential duo roles both as the CEO of the civilian government and Commander-in-Chief of the armed forces necessitates this. As CEO of the civilian government, the president guards against possible military subversions. However, this is put in check by the National Assembly (Legislature) which provides oversight over the Executive branch of government. The Judiciary completes the picture under the principle of the Separation of Powers by an extended jurisdiction to hear infringements related to the military’s abuse of civilians’ human rights.

Third and consequent to second above, the military’s subordination to political civilian authorities ensures two things. It ensures the defence not only of the nation but also of the *Zambian Constitution*. The military, in peaceful times, embodies special machinery for the safeguard of democracy in

⁶³⁹ Phiri, *supra*.

⁶⁴⁰ *Ibid*.

Zambia.⁶⁴¹ Mphaisha quotes Kenneth Kaunda who on March 22nd, 1966 reminded the Third Battalion of the Zambia Regiment in Kabwe to “protect and defend the constitution of the land as well as other institutions emanating from the provisions of the constitution.”⁶⁴² This charge came handy in the light of events in Africa where the defence forces had taken over constitutionally elected governments mainly through coups d’état.

§10.5 Defence Council

Further, the military’s subordination to political civilian authorities predicated upon the creation of the Defence Council, which the president chairs, ensures that the benefits of democracy are not undermined by possible military subversion. The Defence Council of Zambia was created in 1955 by an Act of Parliament to advise “the president in such matters of policy and matters affecting the command, discipline and administration of the Defence Force and shall perform such other functions and duties as may be referred to it from time to time by the president.”⁶⁴³ Since 1991, the composition of the Defence Council has differed sharply from the composition it had in the Second Republic.⁶⁴⁴

The Defence Council is chaired by the president or the Minister for Defence in the absence of the president. Members

⁶⁴¹ Phiri defines democracy in Zambia as “a political system that accommodates multi-party or plural politics. Democratization in the context of Zambian politics means the process of change from a One-Party system to plural politics in 1990” (Bizeck J. Phiri, “Democratization and Security Sector Reform in Zambia.”)

⁶⁴² Chisepo J. J. Mphaisha, (ed.), *The State of the Nation Volume I: Politics and Governance* (Lusaka: Kenneth Kaunda Foundation, 1988), p. 172

⁶⁴³ *Defence Act of Zambia*, section 8(1)

⁶⁴⁴ In the First and Second Republics the Zambian Defence Council comprised the president, the Minister for Finance, and the commanders of the Army and the Air Force.

of the council are the Minister for Home Affairs, the Minister for Legal Affairs, and the Minister for Finance. Other members are ruling party representatives, commanders of the Zambian Army, Zambia Air Force (ZAF) and ZNS, and the rest are the Investigator-General (IG) and the Director of Intelligence. The Director of Intelligence acts as the secretary of the Defence Council of Zambia.

Fourth, and last but not the least, cordial relationships between the military and the civilian authorities have been necessitated by the *apolitical* nature of the military. By definition, a multiparty democracy calls for the non-politicization of the military. To be legitimate, the military should reflect “the spirit of nationalism in general.”⁶⁴⁵ However, this should be coupled with a clear redefinition of democracy as it applied then to the Second Republic and now to the Third Republic. In the Second Republic, with only one party in the system, the Kaunda regime idealized the military with the “myth that One-Party Participatory Democracy was an alternative form of democracy.”⁶⁴⁶

For the sake of posterity, and in order not to lapse into the undemocratic tendencies of the Second Republic, future Zambian democrats should guard against whimsical justifications in the name of democracy of any undertaking that only works to serve the whims of the president. In the Second Republic, and with only one legal political party in the nation, Zambia was still considered a democratic state. In lieu of the military’s democratic role in times of peace, the UNIP regime, through ideological indoctrination, kept the defence forces subjected to its dictates.

Although in the end this stance served to preserve both the security and peace of Zambia, it nevertheless, dealt a deep blow to the establishment of an authentic democratic tradition in Zambia. The defence forces became an annex to the ruling

⁶⁴⁵ Van Donge, “The Military and the Crisis of Legitimacy,” in J. van Donge & G. Harries-Jenkins (eds.), *The Military and the Problem of Legitimacy* (London and California: SAGE Publications, 1976), p. 22

⁶⁴⁶ Phiri, *supra.*, p. 9

party. Thus, under the Second Republic, the defence forces did not defend the nation *per se*, but the person of the president.

With the attainment of multiparty politics in Zambia after 1991, military allegiance is no longer based on party lines or ideology. Allegiance does not depend on the wishes of those the military receives authority from, either. The military personnel is required not to “participate in politics while actively serving in the defence force.”⁶⁴⁷ This does serve to maintain the professionalism of the military personnel and all the members of the defence forces. Phiri informs that, “The MMD believed that only a professional defence force would defend the constitution and protect the ethos of democracy [in Zambia].”⁶⁴⁸

For example, in 1993, the MMD government, for the first time in the history of the Zambian Defence Forces, subjected the Ministry of Defence Estimates of Expenditure to parliamentary debate and scrutiny. This move, together with other measures,⁶⁴⁹ helped to facilitate continued improvements in civil-military relations in Zambia, and to enable civilians, both in and outside Parliament, to debate military expenditure without the fear of being accused of undermining national security.⁶⁵⁰

§10.6 Military and Politics

An aura of reality exists in Africa that there is imminent possibility of military takeovers. No country in Africa is immune. The sad reality is that, “The record of the African

⁶⁴⁷ *Ibid.*

⁶⁴⁸ *Ibid.*, p. 12

⁶⁴⁹ Such as the introduction of the Parliamentary Committee on Foreign Affairs, National Security and Defence

⁶⁵⁰ G. Haantobolo, *The Role of the Zambian Legislature in the Transformation of the Zambian Defence Forces 1964 – 2000*; A Paper submitted to the Civil-Military Relations SADC Project, June 2000, p. 22

military has been one of disaster.”⁶⁵¹ There is generally consensus that military governments are undemocratic, and are incapable of initiating, nurturing and consolidating democracy.⁶⁵² Today, the coup d’état phenomenon still looms over Africa, which in the least, has not improved the African economic conditions. The coup has not been a source for political stability, either. Rather than solve African contemporary political and socio-economic problems, military coups d’état in Africa have tended to drive the continent into even further suffering and turmoil.⁶⁵³

Military governments may resort to brutal force to martial policies and may easily silence opponents of the junta whenever cause for criticizing government arises. Thus, independent voices may be put to rest and the only tactical way of ruling is through intimidation and control. There is abundant evidence that military rule relies on “wanton human rights abuses to stifle civil society and assert its own control over society.”⁶⁵⁴

The general attitude is, therefore, that the military is devoid of democratic conception akin to democratic mindedness. Kaunda observes:

With certain brilliant exceptions, the military mind is not adept at the art of politics. It knows little of the compromises, accommodations and persuasion which underlie political decisions. Because the military leader must have an unquestioning conviction that he knows what is best for those under him, he is prone to

⁶⁵¹ Julius O. Ihonvbere, *Economic Crisis, Civil Society and Democratization: The Case of Zambia* (Trenton & Asmara: Africa World Press, Inc., 1996), p. 36

⁶⁵² *Ibid.*

⁶⁵³ Jimmi Wangome, “Military Coups In Africa - The African ‘Neo-Colonialism’ That Is Self-Inflicted,” (1985)
<http://www.globalsecurity.org/military/library/report/1985/WJ.htm> (Retrieved: January 10th, 2011)

⁶⁵⁴ See Julius O. Ihonvbere, *Nigeria: The Politics of Adjustment and Democracy* (New Brunswick, NJ: Transaction Publishers, 1994) as quoted in Julius O. Ihonvbere, *supra., ibid.*

translate this possibly unwarranted self-confidence into the political sphere with disastrous results, for there are no representative mechanisms through which he can be curbed.⁶⁵⁵

Military rule is a quintessential dictatorship. It is not, however, a dictatorship by choice, but rather by design. Military leaders are wired to dictate authority and command loyalty. Military men and women are in turn trained to obey without question and to carry out orders and ask no questions. These are tendencies which do not rhyme with democratic principles.

To preserve democracy, there must be a clear delineation between the civilian rulers and the military officers. The former must be entrusted with political leadership while the latter should defend the interests of democracy. In this way, therefore, civilian leadership and the military are related. They may cooperate pursuant to democratic enshrinement but be separate in roles and responsibility.

President Kaunda understood the place of the military in democracy. While Zambia has been fortunate to elect democratically-minded leaders, some countries in Africa have not. “Without doubt, in Liberia, Nigeria, the Sudan, Somalia, Rwanda, Burundi, Togo, [Congo DR and Sierra Leone] (to mention only the hotspots of crisis in Africa), the democratic *agenda* has taken a back seat to efforts to resolve the national question, reconstitute the state, and mediate contradictions and conflicts within and between political constituencies.”⁶⁵⁶

This sad state of affairs continues to undermine efforts meant to solidify democracy in Africa. The Zambian case offers a concrete testimony to the rest of Africa that democracy can thrive without military interference. However, many still fear that democracy in Zambia could be a false start, especially in the wake of plural politics in 1991. This fear, though, is not

⁶⁵⁵ Kenneth Kaunda, as quoted in Henry Kyambalesa, “MMD’S Quest for Statutory Media Regulation,” *Zambia News Features* (August 29th, 2010)

⁶⁵⁶ Ihonvbere, *Economic Crisis, Civil Society and Democratization: The Case of Zambia, supra.*, p. 38

sustained given the many coup attempts that have failed and the resilience of the Zambian people to see democracy take root.⁶⁵⁷

If the success of democracy in Zambia is measured in terms of lack of military takeovers,⁶⁵⁸ then Zambia is a beacon of democracy in Africa. However, a crisis-ridden political economy continues to downgrade the gains of democracy. This has prompted a Nigerian researcher and scholar to describe the democratic change in Zambia since 1991 as “change without change.”⁶⁵⁹

§10.7 President of the Entire Nation

Zambia is a nation of over 70 languages and many tribes and sub-cultures. A president who will unite and unify these units is the perfect pitch for the continued strength of Zambia. OZAFO Zambia (now disbanded) conducted a survey on the reasons why Zambia has remained relatively peaceful despite

⁶⁵⁷ See Chapter Nine for a sustained discussion on Attempted Coups in Zambia.

⁶⁵⁸ With regards to military takeovers in Africa, Western influence has been cited. For the most part, tribalism and other factors have played a role. However, for the other, the West and other powerful nations have used Africa as a battle ground for their own interests. In *Barrel of a Gun: A Correspondent's Misspent Moments in Combat* (Havertown, PA: Casemate Publishers, 2010), see especially pages from 17, Al J. Venter, recounts how Western forces have been at the forefront of civil wars and coups in Africa. Does it, therefore, matter if the Africans lose their lives and devastate their already precarious economies as a result, as long as foreign interests acquire their much coveted oil, precious stones, minerals or strategic enclaves for continued military domination?

⁶⁵⁹ Ihonvbere., *Economic Crisis, Civil Society and Democratization: The Case of Zambia*, *supra.*, p. 40

being surrounded by some turbulent neighbors.⁶⁶⁰ The reasons were diverse.

Some attribute lack of civil wars in Zambia to, “Lack of precious natural resources worth billions of US dollars such as gold, oil, diamond and other minerals. (Andyford Mayele Banda).”⁶⁶¹ Andrew Hachipola agrees: “Zambians do not have the ability, financial and human resources to start, sustain and win a war.... Zambian politicians do not have enough supporters to influence a civil war!”⁶⁶²

Chimwemwe Gondwe accuses the West for civil wars in Africa. He thinks that civil wars are instigated by powerful Western firms and military attachés in order to retain a hold on the mineral or oil wealth of Africa. He cites Sierra Leone and Congo DR as good examples. Accordingly, some wars may be instigated to profit a few individuals and industrial complexes abroad. The cover-up is what the media sell; senseless Africans butchering each other.⁶⁶³

Moses Ngwira hammers a verdict on Zambians; they are simply cowards: “It is because most of us Zambians do not have the guts to fight for what is right, always afraid of the unknown.”⁶⁶⁴ And Kayongo Kayombo nods Ngwira’s sentiments: “Majority Zambians are just cowards who only speak after a meeting has finished. People cannot even make their MPs accountable, what more a civil war? We need courageous people in this country.”⁶⁶⁵

Gershom Ndhlovu disagrees and offers an alternative view. According to Ndhlovu, “Zambians learned from the civil wars in neighboring Congo in the early 1960s to an extent that civil war does not enter their psyche. We used to hear stories of how

⁶⁶⁰ OZAFO Zambia, “The Avoidance of Civil War in Zambia has been Helped by the Presence of Zambian Credible Political Leaders. Do you agree?” *Facebook*, (September 19th, 2010)

⁶⁶¹ *Ibid.*

⁶⁶² *Ibid.*

⁶⁶³ *Ibid.*

⁶⁶⁴ *Ibid.*

⁶⁶⁵ *Ibid.*

Congolese victims of war scooped dogs instead of children to run away from the fighting. That alone has influenced the Zambians to avoid war at any cost.”⁶⁶⁶

Moses Mupanga simply believes Zambians love freedom and peace: “Zambians want freedom and peace.”⁶⁶⁷ And Malambo Mutambwa agrees: “Zambian people are peaceful despite some politicians trying to use divide-and-rule strategies.”⁶⁶⁸

Some do not rule out divine providence. Nzyaleni Banda Mwila thinks that, “God has been watching over our land all this while.”⁶⁶⁹ And Chimwemwe Gondwe argues that in Zambia, because of limited mineral resources, it has been mainly the “*One Zambia - One Nation* philosophy [which] helped us bond and mutually share a sense of love.”⁶⁷⁰ According to Grey Zulu, “*One Zambia - One Nation* is our nation’s motto. It symbolizes the oneness of the nation...the oneness of [the] Republic of Zambia.”⁶⁷¹

Many credit the relative stability and peace of Zambia to former president Kaunda’s philosophy of Humanism and the slogan of *One Zambia – One Nation*. Historically, a contrast has been made between Zambia’s *de jure* president, Kenneth Kaunda, and Simon Kapwepwe, “The president who never reigned.” Both Kaunda and Kapwepwe were born in Chinsali and attended the same mission school. They were casually referred to as the two twins. Kaunda and Kapwepwe had been political colleagues since childhood.

Kapwepwe could easily have become Zambia’s second Republican president. He was “second only to former president Kaunda in influence among Zambian decision makers.”⁶⁷² The

⁶⁶⁶ *Ibid.*

⁶⁶⁷ *Ibid.*

⁶⁶⁸ *Ibid.*

⁶⁶⁹ *Ibid.*

⁶⁷⁰ *Ibid.*

⁶⁷¹ Zulu, *Memoirs of Alexander Grey Zulu*, p. 459

⁶⁷² Douglas G. Anglin, *Zambian Crisis Behavior* (Montreal & Kingston: McGill-Queen’s University Press, 1994), p. 40.

twins, however, differed in one fundamental respect. Kapwepwe was more identified with the traditional Zambian society than Kaunda. This difference is owed to Kaunda's Malawian parentage.

Although Kapwepwe was naturally the "acknowledged leader of the Bemba-speaking peoples who dominated the northern provinces and the Copperbelt,"⁶⁷³ he was politically considered a liability abroad. The diplomatic circles viewed him as an extremist and a hardliner socialist. "Admittedly [Kapwepwe's] proclivity for indulging in rhetoric overkill, his calculated disregard of diplomatic niceties, and his characteristic impatience contributed to his reputation as a radical."⁶⁷⁴

Kapwepwe's blunder was not his making.⁶⁷⁵ He was perceived to be pro-Bemba, despite being primarily concerned with "the material well-being of the Zambians in general."⁶⁷⁶ On the contrary, Kaunda was perceived as a unifier, a fact that made him more presidential than Kapwepwe.⁶⁷⁷

In Zambia, it is imperative that presidential candidates and reigning presidents articulate in plain language the inherent united nature of the Zambian social mosaic. It is this miscellany

⁶⁷³ *Ibid.*

⁶⁷⁴ *Ibid.*, p. 41

⁶⁷⁵ Presidential politics, like politics itself, is perception. Potential presidents have gaffed their way through to defeat, or they were simply tactically uncalculated. In presidential politics, popularity at home does not necessarily translate into electoral victory, either. The Kaunda - Kapwepwe saga is a good illustration of the point in question.

⁶⁷⁶ Anglin, *supra*.

⁶⁷⁷ Many Zambian politicians, especially from the Western and Southern provinces, continue to make this mistake today. Anderson Mazoka was perhaps the most intelligent politician to hurl from the southern sands of Zambia. However, Mazoka's political fortunes were gravely reversed by the tribal card. Most Zambians believed, erroneously or not, that the United Party for National Development (UPND) was the party for the Tongas and the Lozis. Michael Sata's Patriotic Front (PF) could be repeating the same mistakes Kapwepwe made.

which has been responsible for the relative peaceful and united character of the Zambian society. The perception that only people from northern and eastern provinces can become presidents in Zambia is phony and should not be entertained.

§10.8 Great Presidential Qualities

Zambia needs not only good presidents but great presidents as well. The problem of poverty and the challenge to safeguard the young democracy, Zambian presidents ought to be exceptional men and women. They must strive to achieve with high aspirations for their own self and for Zambia. They must be ambitious and endeavor to perform their duties with personal competence. Such competence should include superior intellectual abilities as well.

There is no substitute for hard work for presidential success. They must set ambitious goals for themselves and move heaven and earth to meet them. Great presidents have exceptional ability to tolerate stress and adversity. This quality is translated into assertiveness, one of the most celebrated marks of presidential greatness.

Successful Zambian presidents must keep an open mind. Because ideas are not a monopoly of a few, open-minded presidents tend to respond to challenges in time. They must be attentive to their emotions and be risk-takers; willing to question traditional values and try new ways of doing things. It is important for Zambian presidents to value matters of faith and morality. A traditional approach to morals is ideal for presidents. However, as much as possible, they should rely on leadership from Church and religious establishments to help guide the nation into righteousness.

No matter their personality,⁶⁷⁸ great presidents of the past were more imaginative and more interested in art or poetry and

⁶⁷⁸ Psychologists have recognized eight personality traits of great world presidents. These are those who are dominators, the

beauty than the less successful presidents. In other words, they were tender-minded, and had a great concern for the less fortunate.

The not-so-popular or non-traditional⁶⁷⁹ qualities of most great presidents are stubbornness and disagreeableness.⁶⁸⁰ Unlike other qualities, these two, show that presidents have a mind of their own, and are able to make independent decisions. It has been recognized that great presidents are disorganized as well.⁶⁸¹

Inspiration is a great asset for successful leadership. Most presidents were great leaders because they knew how to guide and to inspire the people, especially at critical moments.⁶⁸² They were persistent, resilient, and they demanded excellence.

introverts, the good guys, the innocents, the actors, the maintainers, the philosophers, and the extraverts (extroverts).

⁶⁷⁹ The more traditional qualities of presidents articulated by Kyambalesa include: “Emotional stability, humility, patriotism, selflessness, impartiality, patience, compassion, tolerance, respect for the Rule of Law, ability to conceive of leadership as a temporary mandate to serve the people, ability to conceive of oneself as just another mortal with limited knowledge and aptitudes, ability to make compromises with people who have dissenting views, and the ability to accept criticism and dissent as necessary evils in public life” (Henry Kyambalesa, email of March 12th, 2011).

⁶⁸⁰ Traditionally, all great leaders including presidents are expected to be visionaries, honesty people, credible and trustworthy. They must also have the ability to motivate others, be willing to accept mistakes and correction, and be dedicated and disciplined. The last two traditional qualities are charisma and consensus building.

⁶⁸¹ Most of the research done on presidents before they were elected to office, show that most of them did not keep their offices tide, were frequently unkempt and were visibly enraged with lack of progress.

⁶⁸² Critical moments may include when the nation faced a natural catastrophe, when there was an attack on the safety and security of the nation, or in times of national anguish and emergency.

Moreover, most of them had sympathy and compassion and were good communicators.⁶⁸³

By virtue of their office, great presidents tend to develop esteem and have the nerve or courage to face challenges. They practice team leadership and share a common vision with the governed. Great presidents, however, can be all these and still be overwhelmed until they lead from the heart by following their own values.

§10.9 “For the President’s Eyes Only”

The above presidential qualities, notwithstanding, it, however, seems that there is only one prized quality. It is called intelligence. Nations all over the globe have secret departments known as the Secret Service. In Zambia, it is an extension of the O.P and it is called the Zambia Intelligence Security Service (ZISS). In the wake of the *Chiluba Matrix*, a great deal has been revealed about this most secluded department. But even twenty years before Chiluba became the second Republican president, in 1965, an event that revealed the heart-beat of this department took place. It was captured in Roy Christie’s *For the President’s Eyes Only*.⁶⁸⁴

Over five decades ago, Christie made an observation which is as plausible in the 21st Century. He observed that, “It is a characteristic of African political organizations that they tend to be very much a one-man band.”⁶⁸⁵ While this practice favors the president in terms of leverage with the electorate, it,

⁶⁸³ In addition to being good communicators, great presidents were frequently in touch with their people. Some moved *incognito* to assess and listen to the problems of their people. They informed the nation about what was happening and were decisive.

⁶⁸⁴ Roy Christy, *For the President’s Eyes Only* (Johannesburg: Hugh Kearthland Publishers, 1971). The book details a true story about John Henry Poremba-Brumer, an agent who shrugged President Kaunda.

⁶⁸⁵ *Ibid.*, p. 10

however, disadvantages true democratic progression. For one, it creates only a company of “yes, yes, men” who are devoid of their own independent rational judgment.

For another, it pours scorn on one of the most fundamental principles of presidential character, persuasiveness. Presidential power constitutes the politics of leadership.⁶⁸⁶ The people the president would persuade must be convinced in their own minds that the president has skill and will enough to use his or her advantages.⁶⁸⁷ Thus, intelligence is a double-edged sword. It must be in the president so that the right men and women can be positioned to deliberate national issues and policy. It also must be in the people the president chooses to oversee the management of public interest.

The *modus operandi* or method of operation (MO) of intelligence is contained in the information gathered itself. Indeed, it is documented that the Rhodesian Special Branch charged Brumer in 1964, to feed President Kaunda with genuine high-level intelligence (information) because “they wished to strengthen him through knowledge.”⁶⁸⁸ That is the key principle of intelligence; it is believed that the better informed the president is, the better decisions he or she will be able to make and the more secure and safe his or her state will eventually remain. Thus, the president protects his or her power

⁶⁸⁶ By definition, presidential politics is anchored on persuasion. Both the person of, and the office itself, needs a scintillating persuasive force in order to get consensus of the peers on matters of public concern. Presidential persuasiveness with other stakeholders in government depends partly on bargaining. First, the president must choose men and women who should form the core of public decision-makers. Second, the president must persuade these leaders to move the country in a particular direction. To do so, the president needs something more than the advantages for bargaining.

⁶⁸⁷ See Speech (under “Communication Classics”), which is a basic persuasive technique, as adequately discussed in Charles Mwewa, *The Seven Laws of Influence* (Baltimore: PublishAmerica, 2010), pp. 32-37 (The book has been republished as *Laws of Influence* (Ottawa: ACP, 2021).

⁶⁸⁸ Christie, *supra.*, p. 42

stakes in his or her own acts of choice. The people who are privileged to share in governance must be inveterate observers of the president.⁶⁸⁹

In presidential politics, there is no distinction whether one belongs to the presidential Cabinet, is a member of the provincial or local administration, is a part of the military command in the fields, or belongs to the cohort of the leading politicians, or simply represents private organizations, the diplomatic core or the common citizen on the ground; all are at the service of the president for the accomplishment of *national* goals. However, events in North Africa and the Arab world in the wake of revolutionary chants for democratic change proved that governments must now be more answerable to the people than ever before.

§10.10 Leader Principle Offends Democracy

The tendency by the Zambians to hero-worship their presidents has led to autocratic predispositions in the Zambian leadership formation. Phiri argues that, “Former president Kaunda was not born an autocrat.”⁶⁹⁰ He was made one by the people of Zambia. When the people see their president as one above reproach, a form of a political savior and as a father-figure, they quickly create a platform for him or her to autocratic rule.

⁶⁸⁹ In other words, the presidential operatives are the objects of the president’s personal persuasion. They are even more; they are the most attentive members of the president’s audience. They are the doers, who comprise in spirit the notion of the *Zambian Nation*. This follows that in presidential politics, the notion of a *nation* itself cuts across the president’s own constituencies.

⁶⁹⁰ Bizeck Phiri, “Colonial Legacy and Role of Society in the Creation and Demise of Autocracy in Zambia, 1964-1991,” (2001) *Nordic Journal of African Studies* 10(2), p. 229

Kaunda, for example, “was made an autocrat by the masses and fellow UNIP leaders who placed him above reproach.”⁶⁹¹ It is officially recorded that Sikota Wina considered the name of former president Kaunda as above reproach, noting, “The name of His Excellency the President of this Republic must never be taken in vain.”⁶⁹² Indeed, Kaunda was unarguably, one of the “best minds on the continent of Africa.”⁶⁹³ However, that did not make him infallible.

Similarly, Kaunda was considered as one who was beyond ridicule. Kapwepwe is quoted as saying: “When you make a mistake with your father [Kaunda], he whips you,”⁶⁹⁴ and that Kaunda was a man who, “listens to all complaints small and big from rich and poor, the real humanitarian, a man that we may not find again in our generation.”⁶⁹⁵ Indeed, it was sentiments like these which made Kaunda into what Phiri calls a “Frankenstein’s Monster.”⁶⁹⁶ In fact, “Little did Kapwepwe and other UNIP leaders realize that they were creating a personality cult around former president Kaunda whereby his name became synonymous with ‘His Excellency the President.’”⁶⁹⁷

Five years after the fact, Kapwepwe and others would feel the weight of the ‘monster’ they had created, resulting into Kapwepwe’s unceremonious burial, for all that he had done for the country. Hero-worship creates autocrats. Good people can become dictators overnight where they are given undeserved adulations. Only God is infallible and a “Father.”⁶⁹⁸

⁶⁹¹ *Ibid.*

⁶⁹² Hansard No. 4, 1965, p. 189

⁶⁹³ Skeva Soko, “Independence for Zambia,” (March 1962) *Africa Today*, p. 16

⁶⁹⁴ See Hansard, No. 4, 1965, pp. 199-200

⁶⁹⁵ *Ibid.*, p. 201

⁶⁹⁶ Phiri, *supra.*, p. 231

⁶⁹⁷ *Ibid.*, p. 230

⁶⁹⁸ In Zambia, this tendency to regard leaders as fathers has transcended politics into religion itself. Many congregants see their Bishops and Reverends as father-figures, offending Jesus’ charge that no human factor should be regarded as father, noting, “You have only one Father in Heaven” (Matthew 23:9, Bible).

Hero-worship in Zambia did not end with Kaunda; it persisted in the Third Republic.⁶⁹⁹ Although the late president Chiluba has been credited with “The end of an era,”⁷⁰⁰ the twenty years of autocratic rule in Zambia, “did not seem to have taught Zambians the dangers of surrendering their political rights to one individual.”⁷⁰¹ Hero-worship tendencies were still rife during the Chiluba rule.⁷⁰² However, in rejecting Chiluba’s third term bid, the people of Zambia had shown tremendous resilience in ditching the tendencies of the regime that serenaded one man as a demigod.⁷⁰³

Hero-worship is pegged on *Leader Principle*, as Bishop Imakando used to preach, “Everything rises and falls on a leader.” This is a very dangerous prognosis, because at the least, it entails that a leader determines the success or failure of an enterprise. It goes even further than that; it sees the leader as a sort of a *savior*. In other words, a leader is idolized and the followers are meant to think that without the leader, the organization, and indeed, a nation, may not make progress.

When it gets deeply entrenched into the followers, they begin to believe that they are condemned to follow and obey the leader. The result is a culture of hero-worship. This, in itself, leads to the creation of sycophantic relationships between the

⁶⁹⁹ Under President Banda, for example, it is rumored that one called William Banda, the Lusaka Province Chairman, is said to control the Neo-Patrimonial *agenda*. Someone once told me that it is easier to see President Banda through William Banda than through government bureaucratic channels.

⁷⁰⁰ See John M. Mwanakatwe, *End of an Era* (Lusaka: Multimedia Publications, 1994); *The Economist* (July 7th, 1990).

⁷⁰¹ Phiri, *supra.*, p. 240

⁷⁰² See *The Monitor*, No. 134 of November 2000

⁷⁰³ For example, as far as the Zambians were concerned, Kaunda was a god. The UNIP motto went something like: “*One Zambia, One Nation; One Nation, One Leader; that Leader, Dr. Kaunda Wamuyayaya (Forever), Umutende (Peace) No Bayantanshi (and Development).*” Other slogans were even more explicit, like: “*In Heaven, God; On Earth, Kaunda.*”

leader (patron) and the people (clients).⁷⁰⁴ Dictators are made by people who senselessly support them.

As argued elsewhere in this book, history has played a big role in the culture of hero-worship in Zambia. Indeed, “The nature of colonial rule made it easier for the new African leaders to become autocrats.”⁷⁰⁵ Colonial rule in Africa did not reflect the ideals of liberal democracy, either.⁷⁰⁶ For one, the *Northern Rhodesia Constitution* did not permit for the formation of opposition parties.⁷⁰⁷ For another, British rule in Northern Rhodesia did not encourage the development of leadership redolent to liberal democracy. In 1958, for example, the colonial government developed an impromptu *Africanization* program, “in preparation for the hand-over of power to an African government.”⁷⁰⁸ Thus, “At independence neither UNIP nor the majority of politicians were sufficiently prepared to nurture liberal democracy, which Britain had hurriedly put in place in 1958.”⁷⁰⁹

More seriously, however, was the dictatorial nature of colonial rule. Abroad, the colonial regime gave the impression that democracy was thriving at home. In 1962, Soko wrote that, “Contrary to fact, the Whites and their supporters [were] fond of saying that the Africans [were] represented in the federal and territorial legislatures.”⁷¹⁰ Soko then informs that, that was, in

⁷⁰⁴ This kind of sycophantic relationship is known as Neo-Patrimonialism, and is said to be the catalyst for predatory behaviors like public corruption.

⁷⁰⁵ Phiri, *supra.*, p. 228

⁷⁰⁶ See J. S. Coleman, “Economic Growth and Political Reorientation,” in M. J. Herskovits and M. Harwitz (eds.), *Economic Transition in Africa* (Evanston: Northwestern University Press, 1964), p. 396

⁷⁰⁷ H.C Donald Mackenzie-Kennedy, Northern Rhodesia Chief Secretary to Stewart Gore-Brown, in R. I. Rotberg, *Black Heart: Gore-Brown and Politics of Multiracial Zambia* (Los Angeles: Berkeley, 1977), p. 168

⁷⁰⁸ Grant, *Zambia, Then and Now*, p. 30

⁷⁰⁹ Phiri, *supra.*, p. 229

⁷¹⁰ Soko, *supra.*, p. 16

fact, “A deliberate distortion of the truth: the Africans who [sat] in...legislatures [were] hand-picked by the White political parties. They [could] not be said to represent their fellow Africans but [were] in fact the tools of their masters.”⁷¹¹

“Tools of their masters” indeed, they were, and even worse. They were enslaved to an oppressive regime “operating as a police state.”⁷¹² In this police state, “Democracy as the Whites [saw] it [could] be achieved only under their continued dictatorship.”⁷¹³ It is little wonder that when they attained political independence, the first Zambian leaders did not have a democratic model to emulate.

At independence, leadership was fashioned at gun-point. Those who had served as clerks, a position akin to middle district management, emerged as the governors of an independent nation. Those who still distinguished themselves became the new idols. Through them, the people perpetuated a *Kapitao Syndrome*. Emerged Zambian Leaders should work relentless and hard to annihilate such dictatorial tendencies of hero-worship in the Zambian polity. A president is not a god; he is a fallible human being subject to making mistakes.

Moreover, pursuant to the doctrine of the Separation of Powers, the presidency is not the supreme institution in the country. The president is, therefore, not above reproach, not beyond ridicule, and his or her name can be taken in vain, just like any person in the nation. Hero-worship produces politics based on instincts rather than issues; and parochialism is said to taunt posterity.

In a democratic arrangement, a president is two things: He or she is the epitome of democracy personified; and he or she must be seen to champion the widely acceptable tenets of democracy. Thus, the president must be seen to obey and operate within the law, even when such law or laws work against the president’s best interest. For this reason, “The president

⁷¹¹ *Ibid.*

⁷¹² *Ibid.*

⁷¹³ *Ibid.*

should stay out of particular cases. He should not participate in certain cases because that is politicizing them.”⁷¹⁴

Hero-worship defeats democracy. It sets the president both above the people and the law. By its nature, hero-worship is inherently anti-Rule of Law. In Zambia, there is a presumption that the nation is democratic: “The premise under which we live is that Zambia is a democratic society.”⁷¹⁵ This is not only because the *Zambian Constitution* states so, but also because democracy was the premise on which independence was fought and achieved.

The *Zambian* freedom fighters did not sacrifice all, including life itself, in order to gain independence and surrender their rights to a president. They, rather, sacrificed all in order to establish a society pegged on the Rule of Law - and where the president was to be a symbol of the new nation’s quest for democratic manumission. Until the *Zambian* political psychology is transformed to viewing the presidency as a national right not privilege, the culture of hero-worship will not only be deeply entrenched, but it will also defile all the efforts at being truly a free society.

Hero-worship damns political pluralism and tolerance. It is no wonder the UNIP regime naturally skewed towards a One-Party dictatorship because of this unpalatable social behavior. Where there is hero-worship, one least expects, “Political pluralism and political tolerance and freedom of the media.”⁷¹⁶ Emerged *Zambian* Leaders must abash hero-worship, preach unadulterated equality of all persons, and insist that Zambia does not fall back into the doldrums of political serfdom.

⁷¹⁴ *Africa News*, “Zambia; Levy’s Order to Arrest Sata Was Improper - Prof Chanda,” (Thursday, July 28th, 2005)

⁷¹⁵ *Ibid.*

⁷¹⁶ *Ibid.*

Chapter 11 Rule of Law in Zambia

The vile wars of Banguanaland/ The world believes it is free/ Poverty, like locusts, invades/ Ballots are nothing but a ruse/ While laws only favor the rich.

BRIEF INTRODUCTION

This chapter introduces the Rule of Law in Zambia and answers the question of whether law rules in Zambia. The chapter will show that Zambia is in the process of respecting the law in the public management of affairs. However, this process is hampered by naivety, corruption and personal interests. The chapter then launches into the novelty consideration of the role of law in the eradication of poverty in Zambia.

Politics \approx Law

AT THE END OF THIS CHAPTER:

1. You will learn that law and politics are directly interlinked – and both are key to the equitable management of national affairs and resources;
2. You will understand that the Rule of Law is the supreme harbinger and guarantor of the social contract; and
3. You will be invited to appreciate the fact that law must be an instrument in the fight against injustice and poverty.

MAJOR THEMES:

Constitutionalism;
Democracy;
Rule of Law;
Separation of Powers.

§11.1 Law is Politics

Law is part of politics. Politics is about who gets what and how in a certain political order. To do so, there must be the Rule of Law. In fact, “Government cannot live long unless its foundations are laid on principles of justice.”⁷¹⁷ The first principle of the Rule of Law is that everyone is equal before the law. “It does not matter whether one is a wealthy professional, unemployed, or a member of the political bureaucracy; one is subject to the same laws.”⁷¹⁸ Maiko Zulu has aptly put it, “the law knows no personality,”⁷¹⁹ because it should not.

The second principle of the Rule of Law establishes what law should do. This principle means that there is an arbitrary set of rules by which people ought to be governed. In the application of the Rule of Law the governor and the governed, must in principle, operate at the same level and must be governed by the same rules.

§11.2 Crimes of Poverty

In developing countries, there exists an economic chasm between the governors and the governed. The governors are said to belong to an elitist club while the majority of the ruled grope into the very jaws of poverty. The ruling class, or the politicians, usually in power, enjoys all the economic benefits of the land while the ruled are eluded by wealth. They struggle to earn and keep a living and are subjected to oppressive and demeaning working conditions. Most are unemployed and are used as capitalistic pawns. Capitalism needs them as operators

⁷¹⁷ Poultney Bigelow, *White Man's Africa* (New York & London: Harper & Brothers Publishers, 1898), p. i

⁷¹⁸ Shirley V. Scott, *International Law in World Politics* (New Delhi: Viva Books Private Limited, 2005), p. 13

⁷¹⁹ Zulu remarked when Danny Mwikisa, a renowned Zambian singer who rose to fame with the hit song *Ichiloto Ukunwama*, was sentenced to four years imprisonment for theft of K26 million in 2007.

and propellers of the free-market system that keeps the elites comfortably in power.

In such a system, law is said to perpetuate disparities that keep the poor where they are and elevates the rich and powerful to an even loftier glory. To survive, the poor tends to commit what are known as crimes of poverty. Poverty, and the subsequent crimes arising from it, undermines the Rule of Law. As a Zambian statesman has succinctly put it, “An empty stomach knows no law.”⁷²⁰ Muhammad Yunus, founder of Grameen Bank and winner of the 2006 Nobel Peace Prize, argues:

Poverty is perhaps the most serious threat to world peace, even more dangerous than terrorism, religious fundamentalism, ethnic hatred, political rivalries, or any of the other forces that are often cited as promoting violence and war. Poverty leads to hopelessness, which provokes people to desperate acts. Those with practically nothing have no good reason to refrain from violence.⁷²¹

He adds that nations whose people are brutalized by poverty find it easy to resort to vices like crime or war.⁷²²

In Zambia, the Rule of Law must move in tandem with the fight against poverty. People are reluctant to obey good laws when such laws bring them no benefit. The Good Lord would argue: “What does it profit a person to gain the whole world and lose their own soul?”⁷²³ The poor would answer, what does it profit a poor soul to obey all the laws and still lose this world?

In December 2002, the Quebec National Assembly adopted the *Act to Combat Poverty and Social Exclusion (Poverty Act)*, becoming the first jurisdiction to do so in the world. The *Poverty*

⁷²⁰ Zulu, *Memoirs of Alexander Grey Zulu*, p. 290

⁷²¹ Muhammad Yunus, *Creating a World Without Poverty* (New York: PublicAffairs, 2007), p. 105

⁷²² *Ibid.*

⁷²³ Mark 8:36, “For what does it profit a man to gain the whole world, and forfeit his soul?” (The New American Standard Bible)

Act deals with the “future of the poor”⁷²⁴ and provides a “model of participatory democracy.”⁷²⁵ Law has, thus, a prominent role to play in the fight against poverty. Fighting poverty itself contributes to the “promotion and protection of human rights, and more specifically of economic and social rights.”⁷²⁶

Moreover, the Rule of Law means that government is bound in all its actions by fixed rules. These rules should be “announced beforehand so that it is possible to foresee with fair certainty how authorities will use its coercive powers in given circumstances and to plan one’s individual affairs on the basis of this knowledge.”⁷²⁷ The principle of the Rule of Law may not always match the realities of the legal system, but it is necessary to set parameters along which certain behaviors may be contained.

§11.3 Balance of Powers

In a perfect world, there would be no power imbalances as all the people would be equal on the basis of birth or nationality. However, in the real world, society is highly imbalanced. The rich are more powerful than the poor, and those who govern are more influential than the governed.

The Rule of Law brings balance to society. The Rule of Law limits the extent to which power can be used as leverage against the weak and the poor. In principle, it gives the weak of society the same access, privileges and rights the strong of society enjoy. By ensuring that everything that is done officially be according not only to law, but to well-defined and popularly

⁷²⁴ Lucie Lamarche, “The ‘Made in Quebec’ Act to Combat Poverty and Social Exclusion: The Complex Relationship between Poverty and Human Rights,” in Margot Young; Susan B. Boyd; Gwen Brodsky & Shelagh Day, (eds.) *Poverty: Rights, Social Citizenship, and Legal Activism* (Vancouver, BC: UBC Press, 2007), p. 139

⁷²⁵ *Ibid.*

⁷²⁶ *Ibid.*

⁷²⁷ F. A. Hayek, *The Road to Serfdom* (London: G. Routledge, 1944), p. 39

enacted law, the Rule of Law puts premium on equality and, in principle, strengthens the ideal of equal benefit before the law.

The Rule of Law preserves democracy. “History has also shown that countries which, come out of violent conflicts, often face the same problems.”⁷²⁸ Thus, war-like behavior produces war-like effects. Nations that began on a path of violence have followed the same course to their own peril. The Rule of Law safeguards democracy and ensures that the benefits of hard work and diligence are not negated by the pulsations of war.

To guarantee the balance of power, the Rule of Law must entail three objectives: The presence of the Bill or Charter of Rights, an understanding and accessibility to the law, and independence of the Judiciary. Part Three of the 1996 *Constitution of Zambia* constitutes the *Zambian Bill of Rights*⁷²⁹ - which contains twenty-one articles ranging from Article 11 on Fundamental Rights and Freedoms to Article 32 on Interpretation and Savings.

However, the Rule of Law is futile if citizens cannot understand or access the law. “Unless people understand and know [the law’s] provisions,”⁷³⁰ the Rule of Law will have no benefit on the common person. This is the reason why citizens should insist that a constitution to last the test of time is enacted with the people’s absolute consent.

Philosophically, law must by itself be just to guarantee the protection and safety of the members of society. A good law is defined not by what the law is, but by why it was enacted. A bad law, that is a law that discriminates or gives unnecessary powers and privileges to one sector of society, say to political leaders, cannot be good even if a sane and well-meaning Judiciary interprets it. However, with an independent Judiciary, laws, good or bad, may serve as an umpire for the cause of justice.

⁷²⁸ Mwaanga, *The Long Sunset* (Lusaka: Fleetfoot Publishing Company, 2008), p. 24

⁷²⁹ Or the Protection of Fundamental Rights and Freedom of the Individual

⁷³⁰ Mwaanga, *supra*.

In a democratic society, law must be above men. In Zambia, this must be the case: “The absolute supremacy or predominance of regular law as opposed to the influence of arbitrary power, and excludes the existence of arbitrariness, of prerogative, or even of wide discretionary authority on the part of the government.”⁷³¹ Putting it simply, the Rule of Law is founded on the premise that whatever is done officially must be done in accordance with law.

In the charge to his most noble knights, King Arthur of the Kingdom of Camelot played by Sean Connery in the *First Knight* says, “Let all the citizens see that the law rules in Camelot.” This was to be the case even if it had to do with Lancelot himself,⁷³² that great deliverer of Queen Guinevere, the wife of King Arthur and Lancelot’s future lover.

To actualize this rule, the Judiciary must operate independently of the Executive. Independence of the Judiciary is necessary if law must prevail over arbitrary force. For this to happen, the courts ought to not be seen to be instruments of government or the state. The courts should not exhibit marked deference to the political organs and should, where and if necessary, be seen to challenge the “validity of legislation and Executive acts (even those that seriously [limit] liberties).”⁷³³

To guarantee the independence of the Judiciary in a democratic society, the appointment and removal of judges must be regulated by a system based on merit and not political association or lack of it. In 2002, a retired Zambian High Court judge Kabazo Chanda and Dr. Frederick Nga’ndu of UNZA remarked that, “The Zambian Judiciary has never been independent.”⁷³⁴ The duo accused Zambian judges of

⁷³¹ Albert Venn Dicey's *An Introduction to the Study of the Law of the Constitution*, p. 173.

⁷³² Lancelot was played by Richard Gere.

⁷³³ Munyonzwe Hamalengwa, “The Legal System of Zambia: Law, Politics and Development in Historic Perspectives,” in P. Ebow Bondzi-Simpson, (ed.), *The Law and Economic Development in the Third World* (New York: Praeger Publishers, 1992), p. 27

⁷³⁴ Reuben Phiri, “‘Judiciary in Zambia has Never been Independent,’ says Judge Chanda,” *The Post*, (Wednesday, June 5th, 2002)

cowardice and that the said judges would rather dance to the tune of government than maintain judicial independence.

The thread of self-censorship and general cowardice runs through the history of the High and Supreme courts of Zambia. The traditional conduct of the Zambian Judiciary in political cases has generally been one of leaning towards the Executive. In political matters between an ordinary citizen and the state, or between an opposition party and the state, the courts have almost invariably, decided in favor of the state, even in cases where evidence clearly showed that the private citizen or the private organization deserved justice.⁷³⁵

This conjecture is saddening, and should induce in every democrat a sense of repugnancy towards the so-called arbiters of justice in society. Zambia should seek to elect to office action-oriented individuals who would stand by the Rule of Law, whether it chops off their heads or portrays them as daring-doers. Courts have a duty to society, to ensure that they interpret the law fairly whether it concerns the State or the individual.

On April 3rd, 2009, in an article famously dubbed *The Captive Chief Justice*, the Law Association of Zambia (LAZ)⁷³⁶ refused to endorse Mwamba Chanda. Critics observed that Chanda, though a rising star of the Judiciary, possessed no special discernible qualifications and her Curriculum Vitae (CV) was replete with workshop qualifications. However, Chanda had topped the list⁷³⁷ and Justice Sakala insisted she be appointed or ratified as High Court Judge.

⁷³⁵ Phiri, *ibid.*

⁷³⁶ LAZ is established by the *Law Association Act* as Zambia's bar association whose membership consists of all lawyers and judges in Zambia. It furthers the development of law as an instrument of social order and social justice, as well as providing all lawyers in Zambia with a forum to contributing to the development of the Zambian society. It deals with legal ethics as well as ensuring that legislation related to legal aid is effectuated.

⁷³⁷ The list also included Edward Luputa Musona, Jones Chinyama (who acquitted Chiluba in the *Matrix* Case), Egispo Mwansa and Chilombo Maka Phiri.

§11.4 Rule of Law and Development

Law must be an instrument for transforming society. It must prescribe the role government and legal organs should play to establish the necessary infrastructures for realizing political, economic and social change leading to development. The practice of law for its own sake, derogates the fundamentals of justice in a nation in which the majority is poor.

To achieve the above, legal power⁷³⁸ should be strengthened to supersede state power. Legal power is defined as “the performance of legislative functions by an organ that is independent of the Executive and/or party organs,”⁷³⁹ is more likely to be stable and durable and is as a result of “deliberate and tempered decision-making.”⁷⁴⁰ Legal power gives credence to democracy and is vital to the concept of freedom.

The Rule of Law must be distinguished from rule by law.⁷⁴¹ The Rule of Law checks on the way the Executive uses power prescribed by the constitution. In fact, Mazuba Mwiinga has branded Chiluba as, “The man who served this country with a rule by law formula in which he unleashed the snaring dogmatic repressive laws on his opponents.”⁷⁴² By “dogmatic repressive laws,” Mwiinga is indirectly asserting the fact that Zambian laws⁷⁴³ are in dire need of surgery to acclimatize them to the changing needs of a modern society.

⁷³⁸ As opposed to state power. State power “underscores the supremacy of the Executive and/or the party organs. State power, however, is usually a whimsical, one person show that inherently is potentially unstable,” (Hamalengwa in *The Law and Economic Development in the Third World*).

⁷³⁹ Hamalengwa, *supra.*, p. 21

⁷⁴⁰ *Ibid.*

⁷⁴¹ Under rule by law, the law can serve as a mere tool for government to suppress divergent views in a legalistic fashion.

⁷⁴² Mazuba Mwiinga, “Chiluba the Scared Man,” *The Post*, (Wednesday, June 2nd, 2010)

⁷⁴³ The updated and consolidated laws of Zambia include: Accountants (Amendment) Act, Cap 390; Actions for Smoke Damage (Prohibition) (Repeal) Act, Cap 205; Acts of Parliament Act, Cap 3; Administration of Estates (Trust Corporations) Act, Cap 62; Administrator-General’s Act, Cap 58; Adoption (Amendment) Act, Cap 54; Affiliation and Maintenance of

Children Act, Cap 64; African Education Act, Cap 135; African War Memorial Fund Act, Cap 178; Agricultural Credits Act, Cap 224; Agricultural Lands Act, Cap 187; Agricultural Products Levy Act, Cap 232; Agricultural Statistics Act, Cap 229; Agriculture (Fertilisers and Feed) Act, Cap 226; Air Passenger Service Charge Act, Cap 450; Air Services Act, Cap 446; ant, Cap 113, Cap 113; ant, Cap 330, Cap 330; ant, Cap 467, Cap 467; Anti-Corruption Commission Act, Cap 91; Apprenticeship Act, Cap 275; Arbitration Act, Cap 40; Authentication of Documents Act, Cap 75; Aviation Act, Cap 444; Bank of Zambia (Amendment) Act, Cap 360; Banking and Financial Services Act, Cap 387; Bankruptcy Act, Cap 82; Benefits of Former Presidents Act, Cap 15; Betting Control Act, Cap 166; Bills of Sale (Registration) Act, Cap 191; Births and Deaths Registration Act, Cap 51; Boy Scouts and Girl Guides Associations Act, Cap 141; Brands Act, Cap 244; Bretton Woods Agreement Act, Cap 367; British Acts Extension Act, Cap 10; Building Societies Act, Cap 412; Calculation of Taxes (Consequential Provisions) Act, Cap 339; Carriage by Air Act, Cap 447; Casino (Amendment) Act, Cap 157; Cattle Cleansing Act, Cap 248; Cattle Slaughter (Control) Act, Cap 250; Census and Statistics Act, Cap 127; Central African Civil Air Transport Act, Cap 451; Central African Power Corporation (Financial Provisions) Act, Cap 374; Cheques Act, Cap 424; Chiefs Act, Cap 287; Citizenship of Zambia Act, Cap 124; Civil Courts (Attachment of Debts) Act, Cap 78; Clubs' Registration Act, Cap 162; Co-operative Societies Act, Cap 397; Coffee Act, Cap 228; Combined Cadet Force Act, Cap 118; Commercial Travellers (Special Provisions) Act, Cap 407; Commission for Investigations Act, Cap 39; Commissioners for Oaths Act, Cap 33; Common Leasehold Schemes Act, Cap 208; Companies (Certificates Validation) Act, Cap 414; Companies Act (Amendment) Act, Cap 388; Competition and Fair-Trading Act, Cap 417; Constitution of Zambia Act, Cap 1; Constitutional Offices (Emoluments) Act, Cap 263; Consular Conventions Act, Cap 21; Contempt of Court (Miscellaneous Provisions) Act, Cap 38; Control of Dogs Act, Cap 247; Control of Goods Act, Cap 421; Copyright and Performance Rights Act, Cap 406; Cotton Act, Cap 227; Council of Law Reporting Act, Cap 46; Criminal Procedure Code Act, Cap 88; Customs and Excise Act, Cap 322; Cyber Security and Cyber Crimes Act of 2021; Dairies and Dairy Produce Act, Cap 230; Dairy Produce Board (Establishment) Act, Cap 235; Dairy Produce Marketing and Levy Act, Cap 234; Dangerous Drugs Act, Cap 95; Data Protection Act of 2021; Day Nurseries Act, Cap 313; Debtors Act, Cap 77; Deceased Brother's Widow's Marriage Act, Cap 57; Decimal Currency System (Arrangements) Act, Cap 362; Deeds of Arrangement Act, Cap 84; Defamation Act, Cap 68; Defence Act, Cap 106; Development (United Kingdom Government) Loan Act, Cap 373; Development Bank of Zambia Act, Cap 363; Development Bond Act, Cap 379; Diplomatic Immunities and Privileges Act, Cap 20; Disposal of Uncollected Goods Act, Cap 410; District Messengers Act, Cap 288; Education (Amendment) Act, Cap 134;

Electoral Act, Cap 13; Electoral Commission Act, Cap 17; Electricity (Amendment) Act, Cap 433; Electronic Communications and Transactions Act (2009); Electronic Communications and Transactions Act, No. 4 of 2021; Emergency Powers Act, Cap 108; Employment (Special Provisions) Act, Cap 270; Employment Act, Cap 268; Employment of Young Persons and Children Act, Cap 274; Energy Regulation (Amendment) Act, Cap 436; Engineering Institution of Zambia Act, Cap 432; English Law (Extent of Application) Act, Cap 11; Environmental Protection and Pollution Control (amendment) Act, Cap 204; Equity Levy Act, Cap 338; Estate Duty (Repeal) Act, Cap 334; European Officers' Pensions Act, Cap 266; Evidence (Bankers' Books) Act, Cap 44; Evidence Act, Cap 43; Examinations Council of Zambia Act, Cap 137; Explosives Act, Cap 115; Export Development Act, Cap 418; Export of Pigs Act, Cap 246; Extermination of Mosquitoes Act, Cap 312; Extradition Act, Cap 94; Factories Act, Cap 441; Fees and Fines Act, Cap 45; Fencing Act, Cap 190; Finance (Control and Management) Act, Cap 347; Financial Institutions (Validation of Acts) Act, Cap 420; Firearms Act, Cap 110; Fisheries Act, Cap 200; Flying Doctor Service Act, Cap 298; Food and Drugs Act, Cap 303; Food Reserve Act, Cap 225; Foreign Judgments (Reciprocal Enforcement) Act, Cap 76; Forests Act, Cap 199; Gaming Machines (Prohibition) Act, Cap 92; General Loan and Stock Act, Cap 350; General Loans (Guarantee) Act, Cap 358; General Loans (International Bank) Act, Cap 365; General Loans (Mediobanca) Act, Cap 376; Gold Trade Act, Cap 396; Government Securities Act, Cap 357; Gwembe District Special Fund (Dissolution) Act, Cap 291; High Court Act, Cap 27; Higher Authority for Power (Special Provisions) Act, Cap 437; Hire-Purchase Act, Cap 399; Home Guard Act, Cap 122; Honors and Decorations (Prevention of Abuses) Act, Cap 9; Hotels Act, Cap 153; Housing (Statutory and Improvement Areas) Act, Cap 194; Human Rights Commission Act, Cap 48; Human Tissue Act, Cap 306; Immigration and Deportation (Amendment) Bill, Cap 123; Income Tax Act, Cap 323; Industrial and Labor Relations (Amendment) Act, Cap 269; Independent Broadcasting Authority (IBA) Act of 2002; Independent Broadcasting Authority (Amendment) Act, 2017; Information and Communications Technologies Act (2009); Inland Waters Shipping Act, Cap 466; Inquests Act, Cap 36; Inquiries Act, Cap 41; Insurance Act, Cap 392; Insurance Levy Act, Cap 341; International Bank Loan (Approval) Act, Cap 372; International Bank Loan Act, Cap 375; International Development Association Act, Cap 361; International Finance Corporation Act, Cap 368; International Game Park and Wildlife Act, Cap 202; Interpretation and General Provisions Act, Cap 2; Intestate Succession Act, Cap 59; Investment (Amendment) Act, Cap 385; Investment Disputes Convention Act, Cap 42; Ionizing Radiation Act, Cap 311; Judges (Conditions of Service) Act, Cap 277; Judgments (Amendment) Act, Cap 81; Judicature Administration Act, Cap 24; Juveniles Act, Cap 53; Land (Perpetual Succession) Act, Cap 186; Land

Survey Act, Cap 188; Landlord and Tenant (Business Premises) Act, Cap 193; Lands (Amendment) Act, Cap 184; Lands Acquisition Act, Cap 189; Lands and Deeds Registry Act, Cap 185; Law Association of Zambia Act, Cap 31; Law Reform (Frustrated Contracts) Act, Cap 73; Law Reform (Limitation of Actions, Cap etc.) Act; Law Reform (Miscellaneous Provisions) Act, Cap 74; Legal Aid Act, Cap 34; Legal Practitioners Act, Cap 30; Legitimacy Act, Cap 52; Limitation of Liability (Passengers in Government Aircraft) Act, Cap 448; Liquor Licensing Act, Cap 167; Loan Act, Cap 351; Loans (Authorization) Act, Cap 355; Loans (Kafue Gorge Hydro-electric Power Project) Act, Cap 377; loans and Guarantees (Authorization) Act, Cap 366; Local Authorities Superannuation Fund Act, Cap 284; Local Courts (Amendment) Act, Cap 29; Local Government Act, Cap 281; Local Government Elections Act, Cap 282; Local Loans (Registered Stock and Securities) Act, Cap 353; Lotteries Act, Cap 163; Maintenance Orders (Enforcement) Act, Cap 56; Maintenance Orders Act, Cap 55; Management Services Board Act, Cap 264; Markets Act, Cap 290; Marriage Act, Cap 50; Mashona Railway Company Limited Act, Cap 459; Medical Aid Societies and Nursing Homes (Dissolution and Prohibition) Act, Cap 317; Medical and Allied Professions Act, Cap 297; Medical Examination of Young Persons (Underground Work) Act, Cap 216; Mental Disorders Act, Cap 305; Merchandise Marks Act, Cap 405; Merchant Shipping (Temporary Provisions) Act, Cap 468; Mineral Royalty (Repeal) Act, Cap 214; Mines Acquisition (Special Provisions) (No. 2) Act, Cap 219; Mines Acquisition (Special Provisions) Act, Cap 218; Mines and Minerals Act, Cap 213; Minimum Wages and Conditions of Employment Act, Cap 276; Minister of Finance (Incorporation) Act, Cap 349; Ministerial and Parliamentary Offices (Emoluments) (Amendment) Act, Cap 262; Misrepresentation Act, Cap 69; Money-lenders Act, Cap 398; Mufulira-Mokambo Railway Act, Cap 461; Mutual Legal Assistance in Criminal Matters Act, Cap 98; Narcotic Drugs and Psychotropic Substances Act, Cap 96; National Anthem Act, Cap 7; National Archives Act, Cap 175; National Arts Council of Zambia Act, Cap 170; National Assembly (Powers and Privileges) Act, Cap 12; National Assembly Staff Act, Cap 257; National College for Management and Development Studies Act, Cap 146; National Council for Scientific Research Act, Cap 140; National Flag and Armorial Ensigns Act, Cap 6; National Food and Nutrition Commission Act, Cap 308; National Health Services Act, Cap 315; National Heritage Conservation Commission Act, Cap 173; National Housing Authority Act, Cap 195; National Museums Act, Cap 174; National Parks and Wildlife Act, Cap 201; National Pension Scheme (Amendment) Act, Cap 256; National Registration Act, Cap 126; National Road Safety Council Act, Cap 471; National Savings and Credit Act, Cap 423; National Savings and Credit Bank of Zambia (Dissolution) Act, Cap 426; National Youth Development Council Act, Cap 144; Nkana-Nchanga Branch Railway Act, Cap 457; Non-Designated Expatriate Officers (Retiring Benefits) Act, Cap 280; Notaries

Public and Notarial Functions Act, Cap 35; Noxious Weeds Act, Cap 231; International Bank Loan (Rhodesia Railways) Act, Cap 371; Nurses and Midwives Act, Cap 300; Occupiers' Liability Act, Cap 70; Official Oaths Act, Cap 5; Organizations (Control of Assistance) Act, Cap 116; Parliamentary and Ministerial Code of Conduct Act, Cap 16; Patents Act, Cap 400; Penal Code Act, Cap 87; Pension Scheme Regulation (Amendment) Act, Cap 255; Pensions (Increase) Act, Cap 258; Personal Levy Act, Cap 329; Persons with Disabilities Act, Cap 65; Petroleum (Exploration and Production) Act, Cap 440; Petroleum Act, Cap 435; Pharmacy and Poisons Act, Cap 299; Pig Industry Act, Cap 251; Plant Pests and Diseases Act, Cap 233; Plant Variety and Seeds Act, Cap 236; Plumage Birds Protection Act, Cap 203; Pneumoconiosis Act, Cap 217; Pools Act, Cap 165; Postal Services Act, Cap 470; Preferential Claims in Bankruptcy Act, Cap 83; Preservation of Public Security Act, Cap 112; Presidential Emoluments Act, Cap 261; Prevention of Cruelty to Animals Act, Cap 245; Printed Publications Act, Cap 161; Prisons (Amendment) Act, Cap 97; Privatization Act, Cap 386; Probates (Resealing) Act, Cap 61; Probation of Offenders Act, Cap 93; Professional Boxing and Wrestling Control Act, Cap 156; Property Transfer Tax Act, Cap 340; Protected Places and Areas Act, Cap 125; Protection of Names, Cap Uniforms and Badges Act; Provinces and Districts Boundaries (Division) Order, Cap 286; Public Audit Act, Cap 378; Public Health Act, Cap 295; Public Holidays Act, Cap 272; Public Officers (Change of Titles) Act, Cap 267; Public Officers' Pensions (Zambia) Agreement (Implementation) Act, Cap 278; Public Pounds and Trespass Act, Cap 253; Public Seal Act, Cap 8; Public Service Pensions Act, Cap 260; Quantity Surveyors Act, Cap 438; Radiocommunications Act, Cap 169; Railways (Deviations) Act, Cap 456; Railways Act, Cap 453; Railways Transfer of Statutory Powers Act, Cap 462; Rating (Amendment) Act, Cap 192; Referendum Act, Cap 14; Refugees (Control) Act, Cap 120; Registered Designs Act, Cap 402; Registration and Development of Villages Act, Cap 289; Registration of Business Names Act, Cap 389; Rent Act, Cap 206; Rhodesia and Nyasaland Act, Cap 475; Rhodesia Railways Act, Cap 458; Rhodesia Railways Act, Cap 463; Rhodesia Railways Loans Guarantee Act, Cap 369; Roads and Road Traffic (Amendment) Act, Cap 464; Roan Antelope Branch Railway Act, Cap 460; Rural Councils (Beer Surtax) Fund Act, Cap 337; Safety of Civil Aviation Act, Cap 445; Savings Certificates Act, Cap 352; Scrap Metal Dealers Act, Cap 409; Securities Act, Cap 354; Self-Management Enterprises Act, Cap 408; Service Commissions Act, Cap 259; Service of Process and Execution of Judgments Act, Cap 79; Sheriffs Act, Cap 37; Small Claims Courts Act, Cap 47; Small Enterprise Development Act, Cap 425; Societies Act, Cap 119; Specific Loan (Rhodesia Railways) Act, Cap 370; Sports Council of Zambia Act, Cap 142; Standardization of Soap Act, Cap 404; Standards (Amendment) Act, Cap 416; State Lotteries Act, Cap 328; State Proceedings Act, Cap 71; State Security Act, Cap 111; Statutory Functions Act, Cap 4;

However, a critical look will reveal that Zambia has fared well on law vis-à-vis amending and repealing those laws which have outlived their effectiveness. For example, Zambia has currently over 400 laws and as early as 1911 when the first Order-in-Council was proclaimed or when the North-western

Stock Diseases Act, Cap 252; Subordinate Courts (Amendment) Act, Cap 28; Suicide Act, Cap 89; Supreme Court and High Court (Number of Judges) (Amendment) Act, Cap 26; Supreme Court of Zambia (Amendment) Act, Cap 25; Tanganyika Victoria Memorial Institute Act, Cap 176; Tanzania-Zambia Railway Act, Cap 454; Tax Reserve Certificates Act, Cap 356; Taxation (Provisional Charging) Act, Cap 364; Technical Education and Vocational Training Act, Cap 138; Telecommunications (Amendment) Act, Cap 469; Termination of Pregnancy Act, Cap 304; Theatres and Cinematograph Exhibition Act, Cap 158; Therapeutic Substances Act, Cap 310; Tobacco Act, Cap 237; Tobacco Levy Act, Cap 238; Tokyo Convention Act, Cap 449; Tolls Act, Cap 465; Tourism Act, Cap 155; Town and Country Planning (Amendment) Act, Cap 283; Trade Marks Act, Cap 401; Trades Charges Act, Cap 415; Trades Licensing Act, Cap 393; Trading with the Enemy Act, Cap 114; Traditional Beer (Levy) Act, Cap 335; Traditional Beer Act, Cap 168; Transferred Federal Officers (Dependants) Pensions Act, Cap 265; Treasury Bills Act, Cap 348; Tropical Diseases Research Centre Act, Cap 301; Trusts Restriction Act, Cap 63; Tsetse Control Act, Cap 249; University Act, Cap 136; Valuation Surveyors Act, Cap 207; Value Added Tax Act, Cap 331; Veterinary Surgeons Act, Cap 243; Victoria Memorial Institute (Repeal) Act, Cap 177; War Graves and Memorials Act, Cap 179; Water Act, Cap 198; Weights and Measures (Amendment) Act, Cap 403; Widows and Orphans Pension Act, Cap 279; Wills and Administration of Testate Estates Act, Cap 60; Witchcraft Act, Cap 90; Workers' Compensation Act, Cap 271; Zambia Centre for Accountancy Studies (amendment) Act, Cap 391; Zambia Educational Publishing House Act, Cap 145; Zambia Institute of Advanced Legal Education Act, Cap 49; Zambia Institute of Architects Act, Cap 442; Zambia Institute of Diplomacy and International Studies Act, Cap 22; Zambia Institute of Human Resources Management Act, Cap 147; Zambia Institute of Mass Communications (Repeal) Act, Cap 164; Zambia Law Development Commission Act, Cap 32; Zambia National Broadcasting Corporation Act, Cap 154; Zambia National Commission for UNESCO Act, Cap 139; Zambia National Provident Fund Act, Cap 273; Zambia National Service Act, Cap 121; Zambia National Tender Board Act, Cap 394; Zambia Police (Amendment) Act, Cap 107; Zambia Police Reserve Act, Cap 117; Zambia Red Cross Society Act, Cap 307; Zambia Revenue Authority Act, Cap 321; Zambia Security Intelligence Service Act, Cap 109; Zambia Tanzania Pipeline Act, Cap 455; Zambia Youth Service Act, Cap 143; Zambian Mines Local Pension Fund (Dissolution) Act, Cap 220.

Rhodesia and North-eastern Rhodesia Deeds Registry was amended and then repealed by 15 of 1914,⁷⁴⁴ to as recent as 2021 when the *Data Protection Act* was enacted, Zambia might have repealed and/or amended more laws than it has enacted.

§11.5 Independent Judiciary⁷⁴⁵

The history of constitutionalism⁷⁴⁶ can be traced to two historic landmarks. The first is the American Revolution and the second is the implosion of the Eastern Bloc of the Berlin Wall in 1989. After armed struggles with the British Empire, thirteen American states formed a new constitution “after engaging in extensive debate as to the proper form of popular government.”⁷⁴⁷ This tradition of “extensive debate” is a permutation of the dynamism of the force of the Rule of Law. The Rule of Law should, therefore, encapsulate the idea of how law itself is made and interpreted. The fall of the Berlin Wall marked the end of the Cold War. Many Republics of the former USSR began to pattern their governments on the principles of constitutionalism.

The idea of an independent Judiciary should be a vital presence in Zambian politics and should be part of its constitutional order. In reality, there is no such a thing as an

⁷⁴⁴ Volume 1 of the Laws of Zambia

⁷⁴⁵ In this book, “Independent Judiciary,” or “Independence of the Judiciary,” or indeed, “Judicial Independence,” mean one and the same thing.

⁷⁴⁶ The idea of, or spirit of, constitutionalism stipulates that governments are not the controlling force of societies. They are simply instruments within societies. Governments must exercise the powers of authority and coercion for the general welfare of the people. Constitutionalism, thus, connotes the idea of limited state. The constitution, which sets out the fundamental rules and principles by which a state should be organized, expresses governments’ limitations. It does so by stipulating the powers to the people or bodies to exercise particular privileges in governments for the sake of the people. For more discussion on constitutionalism, see §11.6.

⁷⁴⁷ Mark Kozlowski, *The Myth of the Imperial Judiciary* (New York: New York University Press, 2003), p. 51

“independent.” Judiciary because by definition independence means, “not subject to control of any person...free to act as one pleases.”⁷⁴⁸ The Judiciary,⁷⁴⁹ especially the judges and justices, is so constrained by administrative and procedural requirements that it is not feasible to be said to be independent. As Sakala notes, judges do not act as they may please, “otherwise one good, namely justice, would be sacrificed on the altar of another, namely, independence.”⁷⁵⁰ Rodger Chongwe argues that judicial independence is necessary but should be augmented by judicial accountability: “Thus, judicial independence must not be pursued to a point where judges become totally unaccountable for their actions. In short, judicial independence must be balanced with an appropriate measure of judicial accountability.”⁷⁵¹

However, the independence of the Judiciary is predicated upon the premise that judges are at least able to decide matters free of political or any other form of interference. Judicial independence encapsulates at least three facets: (1) That judges would assess facts and understand the law applicable without any improper influence;⁷⁵² (2) that judges would be impartial in deciding matters;⁷⁵³ and (3) that judges would be free to do justice in their communities, protected from the power and influence of the State and also made as immune as humanly

⁷⁴⁸ Ernest L. Sakala, *Autonomy and Independence of the Judiciary in Zambia: Realities and Challenges* (LL.M Thesis, 2000), University of Zambia, p. 119

⁷⁴⁹ The roles or core functions of the Judiciary include the following: dispute resolution; interpretation of the Laws of Zambia ; promotion of Order and the Rule of Law; protection of human rights; and safeguarding of the *Zambia Constitution* (source: <http://www.judiciary.gov.zm/tiki-index.php>, retrieved: May 12th, 2011)

⁷⁵⁰ Sakala, *supra*.

⁷⁵¹ Rodger Chongwe, “Judicial Accountability,” *The Post*, (Wednesday, July 30th, 2008)

⁷⁵² International Court of Jurists, 25-26 *CIJL Bulletin*, April – October 1990 as quoted in Sakala, *ibid.*, p. 120

⁷⁵³ See Macgarvie R. E., “The Ways Available to the Judicial Arm of Government to Preserve Judicial Independence,” (1992) *Journal of Judicial Administration*, Vol. 1, No. 235, as cited by Nicholson R. D., “Judicial Independence and Accountability: Can They Co-exist?” reproduced in Sakala, *supra*, p. 120

possible from all other influences that may affect their impartiality.⁷⁵⁴

Coupled with the above three facets, and bearing in mind that judicial interference is not only limited to the State and the Executive, but to the corporate masterminds as well, there are two principles of an independent Judiciary. These two principles relate to how judges should be selected and remunerated and the relationship between the Judiciary and the other two branches of government.

First, there should be the employment of the standard of good behavior for the continuation of the office of judicial magistracy. Judges should not be appointed and removed at will by the governors. Similarly, courts should not be created without legislative approval. Both practices help to curtail the overarching power of the appointed authorities. The standard of good behavior for the judges ensures that there is a “steady, upright and impartial administration of laws.”⁷⁵⁵

Courts are very important in the overall administration of justice. Like judges, courts should be approved by Parliament, lest they become weapons against all those “who don’t mean well to this administration.” The judicature should be fair and unbiased. From the magistrate to the justice of the peace, to the judge and the Chief Justice, the judicature should not be dismissed at the governors’ *fiat*. For example, in 1969, President Kenneth D. Kaunda summonsed Chief Justice James Skinner⁷⁵⁶

⁷⁵⁴ Stephen N., “Judicial Independence,” The Inaugural Oration in Judicial Administration, The Australian Institute of Judicial Administration Incorporated, July 31st, 1989, in Sakala, *supra.*, p. 121

⁷⁵⁵ Kozłowski, *supra.*, p. 52

⁷⁵⁶ Sinner supported the African nationalists in the campaigns for self-rule. He had joined UNIP in 1960 and he was the legal advisor to UNIP as well as one of its principal campaign advisors in 1962. He wrote the *Election Workers Handbook* in 1962, a 22-paged manual that was sent to UNIP officials at all levels to guide them through the election procedure. He was appointed Attorney-General in September 1964 and also as Minister of Justice. He was Attorney-General until 1969 and as Minister of Justice until 1965. In 1967, he was appointed Minister of Legal Affairs and as Chief Justice of Zambia in March 1969. (See Grotmeter *et. al*, *Historical Dictionary of Zambia*, p. 408)

to explain a judgment passed by Justice Evans. Apparently, the president did not agree with it. Such actions go against the very soul of judicial autonomy and they are bathos to the ideals of a free and democratic society.

In matters of court structures and procedures the State Legislatures should not exercise unchecked powers. Judicial decisions should not be overturned simply because of legislative *fiat*. Judicial discretion should be eliminated to the greatest extent possible. “The aim is to end eccentric impulses of whimsical, capricious designing man.”⁷⁵⁷

Moreover, a viable Judiciary is one which does not absorb all the powers into its own hands and does not carry out all the tasks of government through its committees. To perform this neutral role, the Judiciary must be distinct but mutual to the Executive and the Legislature.

Second, to ensure the independence of the Judiciary, the Judiciary should constitute a distinct branch of government. Montesquieu argues, “There is no liberty, if the Judiciary power be not separated from the Legislature and Executive.”⁷⁵⁸ Not only will liberty be jeopardized, where there is no independence of the Judiciary, “the Legislature and Executive branches might use judges to further their own oppressive designs.”⁷⁵⁹ However, the Judiciary needs the other two branches of government because on its own, it may not administer justice to the fullest.

William Blackstone fears that the alliance among the Judiciary, the Legislature and the Executive, where they are not kept independent, may harm life, liberty and property: “Were [the Judiciary] joined with the Legislature, the life, liberty, and property, of the subject would be in the hands of arbitrary men.”⁷⁶⁰ In other words, lack of independence of the Judiciary

⁷⁵⁷ Goldon Wood, “Comments,” in Amy Gutmann, (ed.), (1997) *A Matter of Interpretation*, 50, 51

⁷⁵⁸ Montesquieu, *The Spirit of the Laws*, 152 (Hafner, 1949), p. 1

⁷⁵⁹ Kozlowski, *supra*.

⁷⁶⁰ William Blackstone, (1765) *Commentaries on the Laws of England*, Vol. 1: 259-60

is detrimental to the very foundation of freedom and democracy.

In Zambia, especially in the first decade of the 21st Century, emphasis was on the Executive branch of government. The presidential office attracted enormous attention in wake of the *Chiluba Matrix* and the *Captive Chief Justice*. However, this should not be advanced at the expense of the Legislature which has been used, for example, in the Mwanawasa administration to lift the immunity of a former Head of State.

Zambia, a presidential democracy, is considered by the United Nations to devolve an extreme concentration of powers upon the president. This concentration of powers is considered illicit and excessive. Concentration of powers in the presidency is said to aggravate the corruption situation in the country. Thus, excessive presidential powers, “Significantly increase the level of corruption in the country; influence the president’s refusal to drive a constitutional review process forward and to address seriously electoral reforms; and does not respect the principle of independency among the Legislative, the Executive and the Judiciary.”⁷⁶¹

Like in the Second Republic where “meetings of the National Assembly were not supposed to offer criticism of policy,”⁷⁶² the Third Republic has been flanked by similar attitudes. For example, criticisms of the Judiciary when the decisions go against government, “have continued even in the Third Republic if not even more vicious.”⁷⁶³ James Madison warns that the compilers of the *Zambian Constitution* should not allow the National Assembly to be “everywhere extending the sphere of its activity and drawing all power into its impetuous vortex.”⁷⁶⁴ This caveat should apply to the government of the day as well.

⁷⁶¹ United Nations Offices on Drugs and Crime (UNODC), “Anti-corruption Strategies: Comparative Cases from Indonesia, Pakistan and Zambia,” (Vienna, 2010)

⁷⁶² Frederick Chiluba, *Democracy: The Challenge of Change*, p. 44

⁷⁶³ Sakala, *supra.*, p. 198

⁷⁶⁴ James Madison, 48, (Mentor 1961), *The Federalist*, Clinton Rossiter, (ed.), pp. 308-309

In order to avoid falling back into the doldrums of illiberal tendencies such as were espoused in the Second and Third Republics,⁷⁶⁵ and from time to time perpetrated in the Post-Third Republic, government must be restrained through the doctrine of the Separation of Powers. Apart from retaining the powers of the Executive, the Judiciary, headed by the Chief Justice,⁷⁶⁶ must be reformed to operate autonomously against the vagaries of the Executive branch.

The president in Zambia possesses enormous powers in the appointment of the Chief Justice. Although the constitution stipulates the procedure whereby the appointment is subject to parliamentary ratification, the practice has favored naivety at the expense of serious vetting. A system similar to the US whereby Senate grills and drills the appointee prior to approval should be favored in Zambia.

⁷⁶⁵ Reference is made to *Silva and Freitas v. The People* (1969) ZR 121 and to *Kaunda v. The People* (1990/1991) ZR 215 in which the public demonstrated against the decisions of the courts regarding the acquittals of two Portuguese soldiers, and of the acquittal of President Kaunda's son, respectively. Similar incidents in the Third Republic have happened when in 1996 the Supreme Court of Zambia declared section 5(4) and section 7 of the *Public Order Act* unconstitutional. This government protestation saw the venerated parliamentary procedure of legislation thwarted as the Bill went through all the procedure for passage in one day. In 2009, the public expressed dissatisfaction when late president Chiluba was acquitted of corruption charges. In essence, there have been criticisms of the Judiciary from both government and the public in Zambia from time to time. Chief Justice Earnest L. Sakala thinks that such criticisms of the Judiciary ought to be accepted as healthy in a democratic society. See Sakala, *supra.*, pp. 197–198.

⁷⁶⁶ The question of “A Captive Chief Justice” is at issue here. It is said that a Chief Justice of a country should be allowed to be as independent as possible, for citizens to access fairness and justice. But if he or she were unfortunate to be held captive, he should be a captive of the state and its institutions only. But Zambia portended a different scenario where a few private individuals had held the Chief Justice captive by promising to hide his questionable *agenda* while they made him help settle their personal political and legal scores. Mutembo Nchito faced Chief Justice Mathew Ngulube demanding cooperation. Ngulube thought that Mutembo was attempting to blackmail a sitting Chief Justice who enjoyed constitutional protection and security of tenure. Ngulube was dismissed after being implicated in a ZAMTROP controversy!

A vetting process like this one would ensure that the person chosen as Chief Justice is not a political puppet of the incumbent. It would also make certain that he or she does not exist merely to convey the wishes of the ruling party. A system like this would induce credibility into the process and make the Judiciary truly autonomous.

Zambia's electoral record needs commendation. Zambia's elections are relatively free and fair. The presidential term of office is firmly fixed and the transfer of power has been very impressive so far. Emerged Zambian Leaders have a moral and legal obligation to perpetuate this tradition.

As Zambia espouses the ideals of free and fair elections, resolution of political conflicts via a ballot, smooth transfer of power, two-term presidential tenure of office and the Rule of Law, Zambia should not pay a blind eye to the experiences of neighboring states. It is common observation that nations which take short-cuts to power reap bitter political legacies. Once a nation loses its grip on democracy, it also bids farewell to peace and order.⁷⁶⁷

Examples of Congo DR and Nigeria, to mention but two, illustrate the fact that once a nation resorts to coup d'états, it is very difficult to reinstitute it to democracy. Although, in the long run, democracy may be attained, undemocratic tendencies will shoot up from time to time, sinking down progressive strides which have been achieved already at great cost and sacrifice.

Liberal-minded Emerged Zambian Leaders should condemn any appearance of illiberal tendencies and insist that Zambia remains the harbinger of peace, transparency and democracy in the central-southern African region. In 1997, shortly after the failed coup of Captain Solo, the author wrote a letter to the editor of the *Zambia Daily Mail* condemning the attempted coup in strongest terms. Then as now, the author believes that it is better to be poor but democratic than to be both poor and at war.

⁷⁶⁷ See Chapter Nine

In Zambia, people's rights and freedoms must continue to be explicitly guaranteed in the constitution. For the most part, Zambian laws have been adequate. However, modern laws should take into consideration women,⁷⁶⁸ children, minority

⁷⁶⁸ In Zambia, women who have held influential positions are far and few. Here is a list, and by no means an exhausted line-up, of women who have trailblazed the leadership and political echelons: Margaret Mwanakatwe, head of Barclays Bank in Ghana; Ireen Muyenga, managing director of the Zambia State Insurance Company; Anne Chifungula, Auditor-General; Doris Mwiinga, clerk of the National Assembly; Nkandu Luo, first Zambian woman professor; Lombe Chibesakunda, first Zambian woman high commissioner and High Court Judge; Mama Kankasa, head of UNIP Women's League for 16 years; Mama "UNIP" Julia Chikamoneka, woman freedom fighter; Mukwae Nakatindi Nganga Yeta, MP for Nalokwanda constituency; Esther Banda, MP for Roan constituency; Margaret Mbeba, MP for Kazimuli constituency; Edith Madeline Robertson, nominated Member of Parliament (MP); Nakatindi Nganga, later Chieftainess Nakatindi of Sesheke, served as Parliamentary Secretary to the Minister of Labor and Social Development; Monica Chintu Nanyangwe, MP for Mbala North constituency; Walumweya Monze, nominated MP and served as Minister of State for Planning and Finance Minister of State in the Office of the Prime Minister for a year and as Minister of State for Economic and Technical Cooperation; Dr. Mainga Mutumba Bull, MP for Nalolo, first woman full Cabinet Minister and who also served as Minister of Health, Minister of State (Minister of State in the First and Second Republics was equivalent to Deputy Minister) for Information, Broadcasting and Tourism. Dr. Bull is also the first Zambian woman to obtain a PhD. and the first Zambian woman to lecture at UNZA. She also served as Minister of State for Foreign Affairs and as Minister of State for Civil Service; Phyllis Lombe Chibesakunda, MP for Matero constituency, Minister of State for Legal Affairs and Solicitor-General; Senior Chieftainess Nkomeshya, Minister of State for Home Affairs, Minister at National Commission for Development and Planning and also served in the Ministry of Decentralization; Elizabeth Peggy Mullenje, MP for Chilanga; Grace Chilufya Mulule, MP for Shivan'gandu; Mary Kaluluma Mwango, MP for Kabwata; Zenia Ndhlovu, MP for Kazimuli and served as Minister of State for Youth and Sport and as Minister at the National Commission for Development and Planning; Alice Pearce Lloyd, MP for Kabwe constituency and also served as Minister of State; Mavis Muyunda, MP for Kabwata constituency, Minister of State for Decentralization, Minister at the National Commission for Development and Planning and Minister of Foreign Affairs; Bathsheba Ng'andu, Minister for Lands and Natural Resources; Esther Mwanakatenya Chande, MP for Ndola; Matildah Kolala, MP for Mkushi South; Alina Nyikosa, nominated MP; Kabunda Kayongo served as Deputy Education Minister and Youth

and the environment, and has been argued in this book, gay-lesbian rights. A society that recognizes that minorities, gays and lesbian people, women and children have the same inalienable rights and freedoms as everyone else is progressing towards a sound democratic culture. The rights of every person in Zambia, regardless of age, gender, or sexual orientation, must continue to be protected under the Zambian Bill of Rights.

§11.6 Constitutionalism

Constitutionalism is related to the idea of limited government and the Rule of Law. There is an ancient expression that rule should be of laws and not of men. By that

Sport and Child Development Minister; Edith Nawakwi, Nakonde MP, Cabinet Minister for Labor and Social Security, Energy and Water Development Minister, Agriculture, Food and Fisheries Minister, first woman appointed Finance Minister in Zambia and President of Forum for Democracy and Development (FDD); Princess Nakatindi Wina, MP for Kanyama and for Sesheke; Katongo Mulenga, MP for Chinsali; Wendy Wakapembe Sinkala, MP for Maine and Bwacha and also served as Deputy Minister; Inonge Mbikusita-Lewanika, MP for Senanga and Zambia's Ambassador to the United States; Letizia Mwanza, MP for Lumezi; Chilufya Chileshe Kapwepwe, MP for Lunte; Matildah Chakulya, MP for Nkana; Dr. Mbikusita Lewanika, first woman to head a political party called Agenda for Zambia; Gwendoline Konie, ambassador and one of the first women to head a political party called Social Democratic Party; Gladys Nyirongo, Cabinet Minister for Lands; Chileshe Kapwepwe, Deputy Minister of Finance and National Planning; Marina Nsingo, Cabinet Minister for Works and Supply; Sylvia Masebo, Cabinet Minister for Health; Judith Kapijimpanga, Cabinet Minister for Science and Technology; Mutale Nalumango, Cabinet Minister for Labor; Patricia Nawa, Deputy Minister for Defence; Rosemary Banda, Deputy Minister in the Office of the Vice-president; Julianne Chisupa Chipwende, Deputy Minister for Works and Supply; Angela Cifire, Minister of Health; Vera Tembo (formerly Vera Chiluba), Deputy Minister of Tourism; Gladys Lundwe, Deputy Minister of Energy and Water Development as well as Deputy Minister in the Ministry of Sports, Youth and Child Development; Alice Simango, Deputy Minister for Southern Province; Sarah Sayifwanda, Minister of Gender and Women's Development; Dora Siliya, Minister of Transport and Communications as well as Minister of Education; and many more, but only up to 2012.

is meant that the governed should not be subjected to the unhindered discretion of the governors. The governors, as well as the governed, should all obey “known, predictable, and impartial rules of conduct.”⁷⁶⁹ Thus the laws, which the governors should rule by, must not only be legitimately legislated, but must also be well-known to the common person. What is germane to Zambia is the idea that democratic pluralism, which Zambia has embraced, is itself a “foundational principle of constitutionalism.”⁷⁷⁰

§11.7 Constitution Reviews

The history of constitutionalism in Zambia is as old as Zambia itself. Pre-independence constitution reforms were tailored towards solidifying colonial power in Northern Rhodesia. Reforms in the First and Second Republics were, like the Intelligence System itself, “centered on the president.”⁷⁷¹ Under the Second Republic, everything from politics, to party politics, to secret service and to security, were based on the principle of royalty to the president.⁷⁷²

Chiluba’s political and rhetorical charm and finesse raised an aura of change from politically motivated constitutional reforms, away from the political rat-race of the Second Republic. Consequently, shortly after the beginning of his second term in office, Chiluba and the MMD began to put in place a new constitution. In speeches as well as in campaigns, Chiluba pledged to create a constitution that “would reflect

⁷⁶⁹ Mark O. Dickerson and Thomas Flanagan, *An Introduction to Government and Politics* (Toronto: Nelson, 2006), p. 82

⁷⁷⁰ Errol P. Mendes, “Democratic Pluralism: The Foundational Principle of Constitutionalism in Canada,” in Linda Cardinal & David Headon (eds.) *Shaping Nations: Constitutionalism and Society in Australia and Canada* (Ottawa: University of Ottawa Press, 2002), p. 39

⁷⁷¹ Roy Christie, *For the President’s Eyes Only* (Johannesburg: Hugh Keartland Publishers, 1971), p. 148

⁷⁷² *Ibid.*

higher goals of national interest.”⁷⁷³ The focus of the new constitution would be on non-partisanship and would represent different Zambian interests.

On November 22nd, 1993, Chiluba appointed John Mwanakatwe to head the Mwanakatwe Commission. In 1995, John Mwanakatwe, Zambia’s first Minister of Education, academician and lawyer, was the same person who appended the forward to late president Chiluba’s book, *Democracy: The Challenge of Change*.⁷⁷⁴ The Mwanakatwe Constitution Review Commission, as it is known in full, has been one of the many attempts⁷⁷⁵ at creating a constitution that is truly representative of the wishes and aspirations of the Zambian people.

Zambia’s constitution review process, like the constitution itself, grants both the president and the government tremendous power. Its history has only favored government whims at the expense of the wishes of the people.

In order to have a concise grasp of the constitutional review process and the rumpus this caused in the case of Zambia, it is prudent to begin the analysis from far before independence. In 1953, at the dawn of the Federation of Rhodesia and Nyasaland, an Order-in-Council was drafted to allocate powers to the federal government and to the territorial governments. This was followed, in 1962, by a constitution to accommodate the participation of the European settlers and the Africans in the Legislative Council. This constitutional review granted more electoral privileges to the settlers than to the Africans. In 1964, just before independence, another constitution was drafted to provide a more representative framework leading to the independence of Northern Rhodesia. It also dissolved the

⁷⁷³ Goodson Machona, “A Harvest of Treason Trials” Conciliation Resources <http://www.c-r.org/resources/occasional-papers/african-media-and-conflict-part-four-machona.php> (April 10th, 2010)

⁷⁷⁴ Frederick Chiluba, *Democracy: The Challenge of Change*, p. xi.

⁷⁷⁵ Zambia’s constitutional making process is powered by *The Inquiries Act*. This Act requires that a Commission of Inquiry be first established. Government is empowered to accept or reject recommendations of the people from the public inquiry. Moreover, government can make any modifications that it deems desirable through a document commonly referred to as the government White Paper.

Federation after the secession of Nyasaland. These so-called Westminster model constitutions were not the phantasm of the Africans. They were designed for the emerging nations of former British Colonies and Protectorates.

The real first Zambian constitutional review was the creation of the 1973 constitution which eliminated all political opposition. It emerged from the recommendations of the Chona Commission for a One-Party Participatory Democracy. Kaunda and UNIP realized that the only way of sorting out internal conflicts in Zambia was the proscription of all political parties with the sole exception of UNIP, mandated by article 4 of the 1973 constitution. (For a thorough discussion on the One-Party Participatory Democracy, see Chapter Eight).

In 1991, arising out of the public's demand for a return to multiparty politics, Kaunda passed a resolution for constitutional amendment. This resulted in the *Constitution Act* of August 30th, 1991. In essence it was this constitution, whose commission was chaired by the then Solicitor-General, Mphanza Patrick Mvunga, which re-introduced multiparty politics to Zambia.

Due to the emergent nature under which the *Constitution Act*, 1991, was enacted, the immediate concern of the newly installed MMD government was re-enact a constitution it believed was comprehensive and broad-based enough to represent the general wishes of the people. The 1991 constitution was no longer seen as a legitimate document. It had already outlived its mandate, which was the facilitation of the transition to multiparty politics.

In 1993, both as part of an election promise and as a search for a comprehensive constitution, late president Chiluba appointed a Constitution Review Commission, chaired by John Mwanakatwe. Upon the completion of making substantive recommendations, the draft constitution was presented to late president Chiluba in June 1995.

Final amendments were made to the constitution in 1996. These amendments, however, met two cardinal drawbacks: First, the MMD government rejected the following recommendations of the Mwanakatwe Constitution Review

Commission, namely (1) a Bill of Rights to include women, children, economic, social and cultural rights; (2) the introduction of a Constitutional Court; and (3) the adoption of the constitution through a Constituent Assembly. Second, people were infuriated for government's refusal to take into account most of the submissions they made.

Consequent to this constitutional unrest, the 2001 eleven presidential contenders all pledged to review the constitution if elected into office. In 2003, the Wila Mung'omba Constitution Review, also known as the Dragged Constitutional Review Commission, was constituted. It was the initiative of late President Mwanawasa and it came about by Statutory Instrument Number 40 of April 17th, 2003. The Mung'omba Commission comprised 31 terms of reference which included the protection of human rights, the examination of the death penalty, the elimination of discriminatory provisions in the *Zambian Constitution*, and the promotion of good democratic governance, among other recommendations.

One of the recommendations of the Mung'omba Commission under Chapter 27 of its report dubbed, "Methods of Amending the Constitution" was the adoption of the constitution either through a Constituent Assembly or a Constitutional Conference. The later method was chosen. Consequent to this recommendation, under the *National Constitutional Conference (NCC) Act*, Number 19 of 2007, the National Constitutional Conference (NCC) was established. In this way, and for the first time since constitutional history, the will of the people of amending the constitution through a constitutional conference was respected. The NCC sat under the chairmanship of Chifumu Banda flanked by three vice-chairpersons – Faustina Sinyangwe, Regina Musokotwane and Leonard Hikaumba – with Mwangala Zaloumis as its spokesperson.

The NCC adoption process was designed as follows: After 14 months of debate, recommendations and comments, the final text of the new constitution would be decided either by submitting to the Minister the entire adopted constitution for submission to a National Referendum or by any one of the two

options (1) presenting to the National Assembly for enactment if the Draft Bill did not contain any provisions to alter Part III or Article 79 of the *Zambian Constitution* or (2) submitting to a referendum, if the Draft Bill contains provisions to alter Part III or Article 79 of the *Zambian Constitution* or any provisions in the Mung’omba Draft Constitution on which there was no agreement either through consensus or secret ballot. In 2011, the NCC failed to pass a vote in the National Assembly.

President Rupiah Banda served as vice-president to President Mwanawasa. Upon the death of the later in July 2008, Rupiah Banda acted as president until the presidential by-elections of October 2008 in which he emerged as the winner over Michael Sata, becoming the fourth president of Zambia since independence.

Zambia’s political system is tempting for power-hungry governors. As mentioned earlier, in Zambia, the president is – Head of State, head of government and commander-in-chief of the armed forces. He initiates bills, signs laws, appoints ambassadors, negotiates treaties and grants pardons. He presides over Cabinet. With such extensive powers, it is only the Rule of Law in the context of the separation of powers that can keep the president, and indeed other public officials, in constant check.

Since 1970, the first three presidents of Zambia, with the exception of President Rupiah Banda,⁷⁷⁶ had constituted five⁷⁷⁷ constitution review commissions to amend the *Zambian Constitution*. Each of those times, with the exception of the NCC constitution, they had fallen short. *The Inquiries Act* requires

⁷⁷⁶ As already stated above and repeated here, President Rupiah Banda served as vice-president to President Mwanawasa. Upon the death of the later in July 2008, Rupiah Banda acted as president until the presidential by-elections of October 2008 in which he emerged as the winner over Michael Sata, becoming the fourth president of Zambia since independence.

⁷⁷⁷ Since independence, Zambia has had six constitutional review commissions. These are the Chona Commission of 1970; the Mvunga Commission of 1990; the Mwanakatwe Commission of 1993, the Mung’omba Commission of 2003; the National Constitution Conference (NCC) of 2007; and the Technical Committee on Drafting the *Zambian Constitution* (TCDZC) of 2011.

that a Commission of Inquiry is constituted to find out the feasibility of amending the constitution.⁷⁷⁸ The law gives the government power to accept or reject or modify through a White Paper the recommendations of the people. This power had made it very difficult for Zambia to create a constitution which is truly representative as government had from time to time used the White Paper power to veto the people's will. Mwale⁷⁷⁹ bemoans the lackadaisical attempts at reforming the *Zambian Constitution* for over forty years, vis-à-vis *The Inquiries Act*. In the last over fifty years Zambia had been in existence, successive administrations had unfortunately initiated constitutional reforms under *The Inquiries Act* much to their advantage and had defied the collective wisdom of the people and popular sovereignty. And so, "using *The Inquiries Act*, the government hindered people's demands of a constitution-making process that is broad-based, inclusive and representative, in order to give the constitution, the necessary legitimacy."⁷⁸⁰

In 1996, the people of Zambia reached a place where they were fed up with the constitution innuendos of government. The people rejected the White Paper released by the Chiluba government. Among other things, the White Paper had added some recommendations to those in the Mwanakatwe Commission. The most controversial one was Article 34(3) (b).⁷⁸¹ People saw this as targeting former president Kaunda whose parents hurled from Malawi. This assertion is supported by other commentators as well. What made matters worse was that the ruling MMD had successfully pushed through a clause in the 1996 *Constitution (Amendment) Act* - Article 34(3) - which

⁷⁷⁸ *The Inquiries Act*, Cap. 41 of the Laws of Zambia

⁷⁷⁹ Simson Mwale, "Constitutional Hiccup," *The Post*, (August 30th, 2005)

⁷⁸⁰ *Ibid.*

⁷⁸¹ This clause required that the presidential candidate prove that their parents were Zambians by birth or descent. At its face, this clause is reasonable; after all, most countries demand the same. But in the context of the 1996 general and presidential elections, this clause was seen as an attempt by the Chiluba government at barring former president Kaunda from contesting the elections. Kaunda's father, David Kaunda, was the first missionary to Zambia. He hurled from, and was born in Malawi.

centered on the requirement for presidential aspirants to have “both parents” being “Zambians by birth or descent.” This effectively discriminated against the then UNIP’s Kaunda, who had Malawian parentage. It also effectively barred from the election race UNIP Vice-president, Senior Chief Inyambo Iluta Yeta, because there was another contentious clause - Article 129 - which provided that no person, while remaining a chief, would join or participate in partisan politics.⁷⁸²

Besides, from the prior attempts at reforming the constitution, government’s all-powerful mandate to change or modify the report, had always left the people out of the process, the process which was supposed to be the people’s making. This time, people had had enough. It was time to eliminate self-interest in the process and create a document which would stand the test of time.

The stance taken by the government, especially the barring of the traditional chiefs from participating in active politics, was worrying to many Zambians.⁷⁸³ The action was immoral not because it was bent on guarantying a safe passage of the MMD and late president Chiluba to power; it lacked taste because it was meant to undermine the contributions made by traditional rulers to the liberation struggles of Zambia.

It has been mentioned earlier that it was largely due to the intervention of the traditional rulers in 1935 that the establishment of the first Tribal Elders’ Advisory Council was made possible in Northern Rhodesia. This, in essence, acted like the first local court for the Africans. This was the foundation of both political and legal Zambian set-ups as we know them today. Traditional rulers are an integral part of the Zambian social mosaic. Their contribution to freedom, development and social justice is indisputable.

⁷⁸² Fackson Banda, “The Presidency and the Media,” *The Post*, (September 30th, 2009)

⁷⁸³ The August 1995 Government White Paper added Article 34 (3)(b), rejected the participation of traditional leaders in active politics, and rejected the adoption of the constitution through a Constituency Assembly and a referendum, among other things.

In March 1996, the author was in Livingstone, Zambia, residing at his friend Humphrey Salimu's sister Mercy B. S. Mukoba and her husband Felix Mukoba's place. The author took keen interest in following the constitutional debates in Zambia at that time not because later that year he would go to UNZA, but also because while in Livingstone, he spent a substantial part of his free time reading law. Even prior to attending university, he had accumulated quite a great deal of legal knowledge. Two unrelated events made him read and study Zambian law on his own that year.

First, almost by accident, he stumbled upon a gigantic pile of legal materials at the Mukoba's servant's quarters. Either the previous tenant was a lawyer or a legal professor. There were all kinds of legal materials, from statutes to legal reports to legal dissertations, and to case law. The author buried himself into those piles day and night.

Second, he was anticipating getting into Law School that year. Until the Grade 12 results determined otherwise, he had frequented the Livingstone High Court, and occasionally visited lawyer Muzyamba's law offices by the Livingstone Post Office to ask questions and observe law practice. The author did not study law officially in Zambia until very much later. But no sooner had he arrived in Canada than he studied law officially.⁷⁸⁴ Thus, his mind was preoccupied with legal thinking. Against this backdrop, he listened and followed the developments in Lusaka on the constitutional reforms.

The Chiluba government had nothing to lose if it had allowed the will of the people to prevail, *viz*, the adoption of the constitution through a Constituency Assembly and the allowance for traditional chiefs to take active stage in national politics. Both the Mung'omba Commission and the resumption of office of Senior Chief Inyambo Yeta as UNIP president, proved that both these demands were workable in Zambia with

⁷⁸⁴ By 2021, this author would have studied Canadian, British, Californian and Zambian laws either on his own or through a legal school or both.

relatively little political capital expended.⁷⁸⁵ In this regard, late president Mwanawasa has a much more venerated legacy than late president Chiluba with regard to the constitution reform process in Zambia. It is strongly accepted that if Mwanawasa had not died, the NCC could have been passed into law under his watch.

§11.8 In Search of a Democrat

The Rule of Law is the means by which popular legislatures are controlled and limited. It acts as a shield that protects citizens against the abuse of powers because it lays down a set of procedures which govern the use and misuse of coercive power. However, Chanda and Ng'andu charge that the thread of self-censorship and general cowardice runs through the history of the Judiciary in Zambia. Since independence the traditional conduct of the Zambian Judiciary in political cases has generally been one of leaning towards the Executive.⁷⁸⁶

Chanda and Ng'andu conceive that the Rule of Law has dilly-dallied because Zambia “has never been ruled by a democrat.”⁷⁸⁷ By a “democrat,” Chanda and Ng'andu do not imply someone who identifies with the centrist-to-left wing ideals of the US Democratic Party.⁷⁸⁸ They, rather, use the word democrat in the ordinary sense to denote a supporter of democracy.

To the duo, neither Kaunda nor Chiluba was a democrat. For most analysts, Kaunda's regime was repressive and

⁷⁸⁵ In 1996, Senior Chief Inyambo Yeta was UNIP vice-president when Kaunda was UNIP president. After the 1996 presidential elections, which Kaunda boycotted, Inyambo Yeta succeeded Kaunda as UNIP president.

⁷⁸⁶ The duo postulates that in political matters between an ordinary citizen and the State, or between an opposition party and the State, the courts have almost invariably, decided in favor of the State, even in cases where evidence clearly showed that the private citizen or the private organization deserved justice.

⁷⁸⁷ Phiri, *supra*.

⁷⁸⁸ In US politics, the two major political organizations are the Democratic Party and the Republican Party. The Republicans identify with the centrist-to-right wing ideals of the Republican Party.

autocratic: “The elections [of 1991] were celebrated not only as a return to democracy, but also as a victory for the people of Zambia in their struggle against an oppressive and autocratic regime.”⁷⁸⁹ Although regular presidential and parliamentary elections were held in the Second Republic, “the elections had not been considered free and fair.”⁷⁹⁰ Not only was the Second Republic a dictatorial and repressive regime, but it was “no longer observing human rights and the Rule of Law.”⁷⁹¹

§11.9 Rule of Law - Legacies

In democracy, it is not enough to only have a heart for the people. It is even more important to respect the legally enacted laws of the land and to rule according to those laws. Political leaders, like leaders in general, will be judged according to their works. Few are idolized because of a speech they made,⁷⁹² but the majority is weighed on the performance scale.

In Zambia, the Rule of Law will always be tied to development. What is the Rule of Law if the majority cannot make enough money to care for those they love? What is the Rule of Law when the majority does not have enough food to feed their families? What is the Rule of Law if over 50 percent of the productive force cannot find employment? What is the Rule of Law if freedom means debt, foreign aid and perpetual insubordination to conditional shackles prescribed by the international agencies?

⁷⁸⁹ Bizeck J. Phiri, “Democratization and Security Sector Reform in Zambia,” < www.iiss.org.uk/EasySiteWeb/GatewayLink.aspx?aId=20024> (Retrieved: August 2nd, 2010)

⁷⁹⁰ *Ibid.*

⁷⁹¹ *Ibid.*

⁷⁹² This is a famous line quoted by the US Republicans in relation to President Obama. It was used, too, by Hilary Clinton in the Democratic Primaries. It has so happened that the same speeches Mr. Obama made were enough to grant him the US presidency. So, speeches are effective campaign tools.

However, the Rule of Law is necessary in laying down a foundation upon which development may rest. It is even more; it creates an environment in which freedom and human rights thrive. Future Zambian democrats should insist that law rules above men and that the rights and freedoms of the citizens are granted an unalienable recognition.

§11.10 Future Legal Issue that Became Contemporary

President Rupiah Bwezani Banda (also known as RB) first reigned as president after the death of President Mwanawasa on August 19th, 2008. Mwanawasa passed away at Percy Military Hospital in France, where he was admitted after suffering a stroke on June 29th, 2008, in Egypt where he had gone to attend the AU Heads of State and Government Summit. Before his evacuation to France on July 1st, 2008, Mwanawasa was admitted to Egypt's Sharma El-Shiekh Hospital.

The *Constitution of Zambia* provides for a five-tenure presidential office, subject to re-election.⁷⁹³ It is clear that no person can be re-elected thrice to the Zambian presidency. On October 30th, 2008, President Banda was elected as the fourth President of Zambia in a presidential by-election, completing the presidential cycle commenced by Mwanawasa in 2006. According to the *China View*, “The new president is to complete the remainder of Mwanawasa’s term before running for a second term of five years in 2011.”⁷⁹⁴

In 2011, President Banda was eligible for re-election. This would constitutionally complete his two-term cycle as president if he were to win the election. He lost that election. However, the question arose whether his reign from October 30th, 2008,

⁷⁹³ The *Constitution of Zambia* (1996) states in Article 35(1) subject to clauses (2) and (4) every president shall hold office for a period of five years. (2) Notwithstanding anything to the contrary contained in this constitution or any other Law no person who has twice been elected as president shall be eligible for re-election to that office.

⁷⁹⁴ Xinhua News Agency, “Zambia to Hold Presidential By-election on Oct.30,” *China View*, October 9th, 2008

to 2011, nearly two years, constituted a first-term presidential cycle? If he had won the 2011 elections, would President Banda then been eligible for elections in 2016?

Former President Edgar Chagwa Lungu of Zambia ran for the office of president in 2021. He lost to Hakainde Hichilema. Lungu had ruled from January 25th, 2015 to August 24th, 2021. If former President Lungu had won, he could, however, only have governed for the balance he inherited from President Michael Sata. President Michael Charles Chilufya Sata died on October 28th, 2014 in London, United Kingdom. He was 77 years old. He had suffered from an undisclosed severe illness. He died before the end of his first term presidential tenure which would have expired in 2016. It could not be said that President Lungu had served a full presidential tenure if he had won in 2021. Lungu's rule from 2015 to 2016 could not be reasonably considered a full presidential tenure under the *Zambian Constitution* which provides for a five-year term.

Prior to the election on August 12th, 2021, there was a heated debate in Zambia whether Lungu should be barred from standing as president. One school of thought posited that the rule from 2015 to 2016 constituted the first term. Others, including Lungu's PF were of the view that the rule from 2015 to 2016 was not Lungu's first term in office; it was, rather, part of the term. Lungu would have to vie for the remaining four years on his first term tenure. This author agreed.

The Banda-Lungu case tested popular opinion, but did not test the highest law in the land. In 2021, Lungu could not be barred from taking part in the 2021 presidential elections because PF had chosen him as its candidate. He had qualified to stand. However, if he should have been elected president in 2021, Lungu could not have ruled for more than four years. If he did, he would have offended the constitution which pegs the maximum tenure to ten years. Therefore, Lungu could only have ruled for four years if he was elected president in 2021.

The legal (and even political question) was, what would have happened at the end of his four-year rule (in 2025), if Lungu had been elected president in 2021? This is neither a complicated nor a controversial issue. At the end of his four-

year rule, the Chief Justice of Zambia should have assumed the presidency till elections were held in 2026. A PF vice-president could not sit in as president, either, because the PF constitutional mandate would have expired by then.

The *Constitution of Zambia* must always rule. It is very clear that no-one individual can rule for more than ten years if they have already served a two-ten-year tenure. Although not stated so directly in the constitution, it is, nevertheless, clearly implied that unless the incumbent suffers death, mental or related incapacitations, or resigns, and if electable, should serve the complete ten-year tenure if elected twice. Lungu was capable and was alive, and if he was elected twice, he was entitled to serving as president for ten years. Barring him to run in the August 2021 elections, would have been unconstitutional.

Lungu lost the 2021 presidential elections. How would history classify his presidential tenure? There are two interpretations. It is either he served two “terms,” (a one-year “term” and a full five-year term) or he will be the first person since 1991 to have served a term of five years for six years. The first scenario would be problematic; because a one-year term (2015 to 2016) in the absence of death, incapacity or resignation would be unconstitutional. And this is where constitutional scholars, experts and the national Parliament should be focused. In subsequent constitutional amendments (and for the case of Zambia, at least one amendment is feasible given the quaky and politically motivated nature of how previous amendments have been made), foresight would be needed. It would be, for example, necessary to provide for transitional articles to allow for the Lungu-type cases. Lungu-type cases are likely because of death, incapacity, or the resignation of an incumbent. Moreover, although Lungu lost the 2021 elections, Lungu might be entitled to stand again for president, because he never completed the first-five-year term for the grounds provided for under the current constitution. He did not resign. He was not incapacitated. And he did not die. However, Lungu should run in subsequent elections, he would only serve, if elected, as president for four years. That would justify a legal, political, moral and even commonsensical judgment.

The new constitution attempted to find a solution to this impasse. It included a presidential “running mate” provision. Only time will tell if this is the ultimate solution. However, what is lucid is the fact that the *Zambian Constitution* still needs critical surgery, especially to perfect it through incorporation of voting from abroad and inclusion of the diaspora provisions, the elimination of the Domicility Clause, and the provision to allow dual citizens from the diaspora to stand for presidential elections, as discussed in Chapter 39.

Chapter 12 Human Rights or Human Wrongs

“Men [and women] need States, States need rulers. And all rulers need laws. A State cannot live without law” – Artuk Bey.

BRIEF INTRODUCTION

In this chapter, human rights are discussed. The chapter reminisces on what has, historically, been considered human wrongs and why they have ascended to human rights in the 21st Century. The sister upheavals of slavery and colonialism have contributed to the worsened human rights situation in Africa. The chapter ends with a review of the Zambian laws dealing with the protection of children in Zambia, and provides recommendations based on the United Nations Convention on the Rights of a Child (or UNCRC).

≈ Politics ≈ Law ≈

AT THE END OF THIS CHAPTER:

1. You will understand the urgent need to strengthen human rights in Africa;
2. You will appreciate the reason why Zambia should be at the forefront of human rights protection and promotion; and
3. You will be informed of the failures of both the OAU and the AU in the fight for legal and political rights of the Africans.

MAJOR THEMES:
Human Rights

§12.1 Respect and Dignity Define Humanity

“ All humans need to be treated with respect and dignity. Even the servant in your house deserves respect. Even those who differ with you in opinion or view deserve respect. Even those who commit offences big or small have human rights. Torture is a human travesty, whatever the excuse!”⁷⁹⁵ This quotation summarizes what is believed to be central to human dignity and life. Humans are not the same as other higher primates; they have quality to their life and that is priceless. No other human being should have the audacity to vituperate the inherent human dignity to satisfy some political or personal *agenda*. There is no place or region where the human rights of the people have not been recognized. Conventions, resolutions, declarations and recommendations all attest to this unalienable human quality. From the Universal Declaration of Human Rights⁷⁹⁶ to documents detailing the worthy of women, children, Lesbian, Gay, Bisexual, Transgender, Queer, Intersex, Asexual (or “LGBTQIA”), the dignity of human life has been articulated.

In its preamble the *African Charter on Human and People’s Rights* stated, “Freedom, equality, justice and dignity are essential objectives for the achievement of the legitimate aspirations of the African people.”⁷⁹⁷ The *Law of Lagos*⁷⁹⁸ took this further to encompass human rights abuses in the exercise of Emergency Powers, thus, “The proclamation of a State of Emergency is a matter of serious concern as it directly affects

⁷⁹⁵ This is what the author posted on his profile on Facebook on June 3rd, 2010.

⁷⁹⁶ The Universal Declaration of Human Rights was adopted in the UN’s General Assembly in 1948.

⁷⁹⁷ *The African Charter on Human and People’s Rights* was adopted by the 18th Assembly of the Heads of States and Government of the Organization of African Unity (OAU) on June 27th, 1981, in Nairobi, Kenya. This was itself an adoption of the Charter of the OAU signed at Addis Ababa on May 25th, 1963, and which came into force on September 13th, 1963.

⁷⁹⁸ The *Law of Lagos* was a resolution reached on January 7th, 1961 at the conference organized to discuss the Rule of Law by the International Commission of Justice in Lagos, Nigeria.

and may infringe upon human rights.”⁷⁹⁹ The efforts made by local, regional and international bodies, such the UN, in advocacy and education on human rights is accompanied by rigorous campaigns to end torture and unlawful arrests and detentions. The *Conference of the African Jurists on African Legal Process and the Individual* affirmed the resolution of the Lagos Conference. It deplored and condemned any legislation which permitted detention without trial. It emphasized the importance of respecting the provisions regarding the conditions of arrest and detention contained in various criminal codes. It also urged that respect for those provisions should be extended as far as possible to all kinds of arrest and detention.⁸⁰⁰

§12.2 Human Rights Advocacy

Moreover, there is plenty of literature and documentation in regards to human rights advocacy. Instruments and documents such as the following, all innumerate on the need to safeguard against human rights abuses: *Convention on the Prevention and Punishment of the Crime of Genocide* (1951); *International Convention on the Suppression and Punishment of the Crime of Apartheid* (1976); *Optional Protocol to the International Covenant on Civil and Political Rights* (1976); *OAU Plan of Action* (1980); *Recommendations of the Gaborone Seminar on Human Rights and Development in Africa* (1982); *Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment* (1984); and many others dealing with women, labor, refugee, prisoners, the environment and other rights.

Zambia is a signatory to all regional conventions and protocols that protect and safeguard human rights. In April 1969, thirteen governments from regional nations signed at Lusaka what came to be known as the *Lusaka Manifesto on Southern Africa*. The Manifesto declared, “We wish to make it

⁷⁹⁹ Hamalengwa M, Flinterman C. & Dankwa E.V.O, (eds.) *The International Law of Human Rights in Africa*, p. 39

⁸⁰⁰ *Ibid.*, p. 56

clear, beyond all shadow of doubt, our acceptance of the belief that all men are equal, and have equal rights to human dignity and respect, regardless of color, race, religion, or sex. We believe that all men have the equal right and the duty to participate, as equal members of society, in their own government.”⁸⁰¹

§12.3 Zambia and the African Union

The African Union (AU), which is the predecessor of the Organization of African Unity (OAU), perpetuates the original mandate of the OAU, *viz*, “to accelerate the process of integration in the continent to enable it play its rightful role in the global economy while addressing multifaceted social, economic and political problems compounded as they are by certain negative aspects of globalization.”⁸⁰² One of the roles that the AU plays in global affairs is the promotion and the protection of fundamental human and people’s rights.

The process of the creation of the AU began with the Sirte Extraordinary Session in 1999, which decided to establish an African Union. This was followed up by the Lome Summit in 2000, which adopted the *Constitutive Act of the Union*. The Lusaka Summit of 2001 drew the roadmap for the implementation of the AU, and the Durban Summit in 2002, launched the AU and convened the first Assembly of the Heads of States of the AU. From the organization’s inception, Zambia has been a key player in the AU affairs.

On December 11th, 2003, the AU decided “to continue, in concert with the Commission of the African Union, to enhance interaction and coordination with the different organs of the African Union in order to strengthen the African Mechanism for the Promotion and Protection of Human and Peoples’

⁸⁰¹ ⁸⁰¹ Hamalengwa M, Flinterman C. & Dankwa E.V.O, (eds.) *The International Law of Human Rights in Africa*, p. 104

⁸⁰² “African Union in a Nutshell” <http://www.africaunion.org/About_AU/au_in_a_nutshell.htm> (Retrieved: June 3rd, 2010)

Rights.”⁸⁰³ Thus, the issue of human rights is an important aspect of both local and international connotations. Within the *Zambian Constitution* itself is embedded a Bill of Rights, which solidifies the essence of the protection of human rights.

Despite the fact that Zambia is a signatory to major regional and international human rights’ bodies, human rights abuses continue to be a problem.⁸⁰⁴ To the extent to which these abuses and disregards are allowed by government or bodies mandated with this task, to the same extent Zambia’s democracy suffers irreparable damage. In Zambia, the issue of arrest and detention impinges upon the very basis of human rights and freedoms, and has been rampant not only in the First and Second Republics, but in the Third Republic as well.

§12.4 “A History of Failure”

To the West, the AU is a toothless organization whose, “History of failure is not a secret.”⁸⁰⁵ This thesis was retooled when the AU’s bid to act as peace broker in the Libyan war failed because, “The organization’s track record promoting democracy and preventing massacres is abysmal. The African leaders know it.”⁸⁰⁶

The AU plan in Libya, like Resolution 1973, called for immediate ceasefire⁸⁰⁷ and an opportunity for opened channels

⁸⁰³ “Decision on the 16th Annual Activity Report of the African Commission on Human and Peoples’ Rights, Doc. Assembly/AU/7 (II)”

<<http://www.africa>

[union.org/official_documents/Decisions_Declarations/Assemblypercent20AUpercent20Decpercent2011percent20II.pdf](http://www.africaunion.org/official_documents/Decisions_Declarations/Assemblypercent20AUpercent20Decpercent2011percent20II.pdf)> (Retrieved: June 4th, 2010)

⁸⁰⁴ See Chapter 13

⁸⁰⁵ Peter Goodspeed, “A Peace Deal that No-One is Buying,” *National Post*, (Tuesday, April 12th, 2011), p. A1

⁸⁰⁶ *Ibid.*

⁸⁰⁷ SC Resolution 1973 demanded an immediate ceasefire in Libya, including an end to the current attacks against civilians, which it said might constitute “crimes against humanity” (UN Security Council SC/10200, “Security Council Approves ‘No-Fly Zone’ Over Libya, Authorizing ‘All Necessary

for humanitarian aid and talks between the Libyan government forces under Gaddafi and the rebels, mostly based in the Eastern city of Benghazi. The *Libyan Case* is an important study of how Africa continues to be used as a pawn in the international chess game. The case defies all aspects of international law, the doctrine of sovereignty and the role of the Security Council in peace-keeping missions.

But even more than that, it showcases how Western and African interests differ exponentially in value. To the West Gaddafi was a “Crazy bastard who wants to kill all his people.”⁸⁰⁸ However, to many African leaders, Gaddafi was, in fact, a “Brother Leader.”

Aisha Gaddafi, the daughter of Gaddafi, slammed NATO, “You want to kill my father on the pretext of protecting civilians?”⁸⁰⁹ Indeed, on the issue of “pretext of protecting civilians,” many commentators have lamented the rush with which NATO was engaged to bringing the dictator down. However, even within the US itself, there was concern that NATO might be overlooking the inherent tribal factions in Libya in its quest to effect regime change. Will,⁸¹⁰ thus, warned that the US was intervening in a civil war in a tribal society, the dynamics of which the US did not understand. He further asserted that, the US was supporting one faction, the nature of which it did not know. He added, “Many...call Gaddafi’s opponents ‘freedom fighters,’ but no-one calling them that really knows how the insurgents regard one another, or if freedom...is their priority.”⁸¹¹ Clarfield⁸¹² argued that the Libyan civil conflict was not about democracy; it was about an

Measures’ to Protect Civilians, by Vote of 10 in Favor with 5 Abstentions,” Security Council 6498th Meeting (Resolution 1973), March 17th, 2011

⁸⁰⁸ www.electrotanji.com, “Zanga Zanga,” (April 20th, 2011)

⁸⁰⁹ Sandeep, “Libya: NATO Wants the Fall of Gaddafi, Who Parade in Tripoli,” *Pisqa*, (Friday, April 15th, 2011)

⁸¹⁰ George F. Will, “Is it America’s Duty to Intervene Wherever Regime Change is Needed?” *The Washington Post*, (March 21st, 2011)

⁸¹¹ *Ibid.*

⁸¹² Geoffrey Clarfield, “The Tribes of Libya: A Brief History,” *National Post*, (Thursday, April 21st, 2011), p. A15

ancient tribal war. And the price that drove all parties involved was the “control of Libya’s immense oil wealth.”⁸¹³

Moreover, if Gaddafi had “lost the confidence of his own people and the legitimacy to lead,”⁸¹⁴ then that confidence and legitimacy would only go to expose Western hypocrisy. Gaddafi neither had the confidence nor the legitimacy of his people; he assumed power through a military coup. NATO was being driven by something deeper than oil, otherwise the massacre in Ivory Coast would not have happened.

§12.5 Need for Full Domestication of the UNCRC

Critical review of the Zambian laws dealing with the protection of children in family-related situations, revealed that, even by October 2021, they were inadequate. A brief analysis of such laws is hereby provided and recommendations to the Zambian Government based on the United Nations Convention on the Rights of the Child (UNCRC) to incorporate the said recommendations into domestic law to ensure greater protection to children, are offered below.

§12.5.1 Zambia Has Laws Related to Children

Zambia has laws dealing with the plight of children in family-related matters. From marriage, to maintenance, to adoption, to contact (access), to divorce and succession, both the nation of Zambia and Britain have laws legislating parent-child affairs. The laws of Great Britain in family-related issues apply to Zambia by virtue of sections 11 and 12 of the *High Court Act*⁸¹⁵ and subsection 4(1) of the Zambian Independence Order.⁸¹⁶ Owing to its colonial history, Zambia utilizes both British laws and ordinances in divorce and matrimonial matters. In other words, those laws in English which deal with marriage,

⁸¹³ *Ibid.*

⁸¹⁴ *Ibid.*

⁸¹⁵ Chapter 27 of the Laws of Zambia

⁸¹⁶ Of 1964

custody, access, maintenance and divorce and succession (inheritance) have jurisdiction in Zambia.

Among the British laws that have jurisdiction in Zambia are the *Matrimonial Causes Act 1973* (also known as MCA 73). This law provides for several safeguards that are parent-child-related. Divorce can be refused on the ground of financial hardship or other hardship to a child of the family. This law empowers judges who believe that the best interest of a child is at stake to refuse to grant a divorce. This is mostly where it is adjudged that a divorce might prevent a child from having access to finances or it may lead to financial hardships to the child.

If a marriage cannot be saved, divorce should be allowed as soon as possible with minimum distress to the children. This will usually be followed where, if the divorce process is prolonged, children might be subjected to gross distress and psychological anguish. Questions of post-divorce arrangements should be dealt with promptly in order to promote good relationships with the children.

The law also addresses issues of violence against children. For their sake, violence is to be removed from the divorce process. The plight of children as far as violence is concerned, goes further than the divorce process. Children should be protected from all forms of violence in the family. Judges will consider this aspect when they determine cases and render their decisions.

Part II of MCA 73⁸¹⁷ empowers the court and gives them a duty to have due regard to all circumstances of the case, consideration being given to the welfare of the children for financial relief. Children's welfare is of paramount importance in the adjudication of family law matters. Where it involves children, regard should be had to their welfare in the sharing or management of finances. In short, children come first. The courts and judges must weigh the needs of children and those of their parents. Where the needs of the children are involved, any decision made in regards to divorce or no divorce should benefit the children in terms of finances.

⁸¹⁷ See sections 21 to 25A

The MCA 73 (including the Matrimonial Causes Rules, 1968) should be read together with: *Summary Jurisdiction (Married Women) Act*,⁸¹⁸ the *Summary Jurisdiction (Separation and Maintenance) Act*,⁸¹⁹ the *Married Women (Maintenance) Act*,⁸²⁰ and the *Licensing Act*. These pieces of legislation are British laws but they apply to Zambia. They inform the same principle of the best interest of a child in relation to divorce, access or maintenance where parent-child relations are concerned.

Zambian laws that government the welfare of children and their parents are the *Administration of Estates (Trust Corporations) Act*,⁸²¹ the *Adoption (Amendment) Act*,⁸²² the *Affiliation and Maintenance of Children Act*,⁸²³ the *Marriage Act*,⁸²⁴ the *Maintenance Orders Act*,⁸²⁵ the *Maintenance (Enforcement) Orders Act*,⁸²⁶ the *Local Courts (Amendment) Act*,⁸²⁷ the *Legitimacy Act*,⁸²⁸ the *Subordinate Courts (Amendment) Act*,⁸²⁹ the *Wills and Administration of Testate Estates Act*,⁸³⁰ the *Intestate Succession Act*,⁸³¹ and the general rules made pursuant to them.

Generally, the mentioned Zambian laws (statutes) protect the interests of both parents and children in issues of adoption, access, maintenance, legitimacy and succession. Even the English enacted MCA 73 deals with children in matters where a party to a marriage neglects to maintain a child.⁸³² Either parent may apply to the court for a child because the other parent has failed to provide “reasonable maintenance.”⁸³³ The

⁸¹⁸ Of 1895

⁸¹⁹ Of 1925

⁸²⁰ Of 1920

⁸²¹ Chapter 62 of the Laws of Zambia

⁸²² Chapter 54 of the Laws of Zambia

⁸²³ Chapter 64 of the Laws of Zambia

⁸²⁴ Chapter 50 of the Laws of Zambia

⁸²⁵ Chapter 55 of the Laws of Zambia

⁸²⁶ Chapter 56 of the Laws of Zambia

⁸²⁷ Chapter 29 of the Laws of Zambia

⁸²⁸ Chapter 52 of the Laws of Zambia

⁸²⁹ Chapter 28 of the Laws of Zambia

⁸³⁰ Chapter 60 of the Laws of Zambia

⁸³¹ Chapter 59 of the Laws of Zambia

⁸³² See sections 27(1)(a)(ii) to (8)

⁸³³ *Ibid*

*Subordinate Courts Act*⁸³⁴ provides that a court of first class has jurisdiction to order a party to make maintenance payments. The same power is contained in the *Summary Jurisdiction (Married Women) Act*.⁸³⁵ Parents are legally liable if they fail to maintain children. The subordinate courts in Zambia may also make orders pursuant to the *Married Woman (Maintenance) Act* if a parent neglects to provide maintenance earmarked for the child.⁸³⁶

The combination of the already mentioned both British and Zambian laws do protect children in Zambia in the following four areas: Maintenance of the child through financial support; access of the child to parental care and support; where the child finds herself alone, adoption through government-regulated centers and individuals; and protection through inheritance rights. The child's right to being well-treated through the best of interest of the child are enforced throughout the court system with jurisdiction over child-parent matters.

§12.5.2 The Best Interest of a Child Test: Zambia v. UNCRC

Zambia has incorporated the best interest of a child requirement in all of its parent-child-related laws. This is fundamentally an adjustment of its laws in compliance with the principles set in the *United Nations Convention on the Rights of a Child* (hereinafter, "UNCRC"). Article 3 of UNCRC provides that, "The best interest of a child shall be a primary consideration." The Convention also guarantees the health and safety of children which have to be dealt with according to competent standards. It also aims "to diminish infant and child mortality"⁸³⁷ as well as providing the right to a "periodic review

⁸³⁴ See section 20(1)(d)

⁸³⁵ See section 4

⁸³⁶ See section 1(1)

⁸³⁷ UNCRC, Article 24

of the child's treatment"⁸³⁸ where a child is placed on health treatment regime.

Despite these, the current laws of Zambia dealing with parent-child relationships generally lack harmonization and codification. In terms of codification, the majority of the principles set in the UNCRC have not been adopted locally in Zambia. Coupled with this, it is the fact that Zambian legal system remains inaccessible for majority of the people who cannot afford legal services. Therefore, although the Zambian laws may support the best interest of the child in regards to matters of maintenance, custody and access, many families are unable to access such legal help. Inexpensive legal procedures to promote access to justice are, therefore, required.

§12.5.3 The Role of Customary Law in Matters of Parent-Child Relationships

Customary law does not generally give children clear rights and freedoms. Parents are tasked with the responsibility of looking after children and where the parent is not available, the near of kins takes the initiative. Children may not have a say in the affairs that affect them. Decisions that affect their welfare are made for them or in their absentia.

Moreover, some of the practices under customary law outrightly impugn against the inalienable rights and freedoms of the child. For example, customary law, since each tribe may have its own custom related to the welfare and treatment of a child, does require a man to divorce his wife if she cannot bear him a child. This practice may have an indirect negative impact on the psychology of the child. As children may see their birth as only a trophy for the man and not a right-based obligation. Men, too, might think of children as a proof of manhood rather than seeing children as human beings deserving of rights and freedoms.

⁸³⁸ *Ibid.*, Article 25

§12.5.4 The Domestication of UNCRC Principles into Zambian Law: Recommendations

Aspects of UNCRC principles should be incorporated into the Zambian domestic laws to provide greater protection to children. From its preamble, the UNCRC provides that children are entitled to special care and assistance. The family should be afforded the necessary protections for the growth and wellbeing of children. A child should grow in a family environment with love, happiness and understanding so as to develop a harmonious personality.

In addition, the principles enumerated in the UNCRC are focused on preparing a child to be independent and to live in peace, freedom, dignity, tolerance, solidarity and equality. The Declaration of the Right of a Child states that, “The child, by reason of his physical and mental immaturity, needs special safeguards and care, including appropriate legal protection, before as well as after birth.”⁸³⁹ In line with these principles, children living in exceptionally poor conditions in Zambia, in fact, need special consideration.

UNCRC defines a child as “anyone below the age of 18 years old...”⁸⁴⁰ The UNCRC requires state parties to “respect children regardless of parent or guardian’s race, color, sex, language, religion, political or other opinion, national or social origin, property, disability, birth, or other status...”⁸⁴¹ If adopted into the Zambian laws, this principle will bridge the gap that exists between customary law and common-law. Customary law allows children as old as nine to seventeen years old to be married, which would be contrary to the principles established in UNCRC.

Although the Zambian laws seem to protect children against violence, in practice, the laws are weak or unclear. The use of the best interest of the child may be interpreted differently in different contexts. Zambia needs to domesticate the UNCRC

⁸³⁹ UNCRC Preamble

⁸⁴⁰ UNCRC, Article 1

⁸⁴¹ *Ibid.*, Article 2

which specifically forbids violence against children. The UNCRC states, thus, “States shall undertake all appropriate legislative, administrative and other measures for the implementation of the rights recognized in the present Convention...” and shall protect the child from physical or mental violence or injury, abuse or neglect.⁸⁴²

Although the Zambian law in general mentions children, it does not make a distinction between children of different developmental states and stages. The law must be clear and correct in addressing specific needs of the child based on evolving capacities as provided for in the UNCRC where state parties are mandated to support parents, guardians, local custom, and so on, to provide care and assistance “in a manner consistent with the evolving capacities of the child...”⁸⁴³

For the most part, Zambia recognizes that life begins after conception. However, the UNCRC is very specific; even an unborn baby is a child. Zambian law should be strengthened to protect unborn children and to ensure that they survive during their development. Every child should have the inherent right to life and to survival.⁸⁴⁴

In recent developments, many nations have not domesticated principles that protect the illicit transfer and transportation of children. The UNCRC states that: “State parties shall take measures to combat the illicit transfer and non-return of children abroad...”; to protect the child from “illicit use of narcotic drugs and psychotropic substances...”;⁸⁴⁵ to protect the child from “sexual exploitation and sexual abuse...”;⁸⁴⁶ to protect a child from “abduction of, the sale or traffic in children for any purpose or any form”;⁸⁴⁷ and to protect the child from “all other forms of exploitation prejudicial to any aspects of the child’s welfare.”⁸⁴⁸

⁸⁴² *Ibid.*, Articles 4 and 19

⁸⁴³ *Ibid.*, Article 5

⁸⁴⁴ *Ibid.*, Article 6

⁸⁴⁵ *Ibid.*, Article 33

⁸⁴⁶ *Ibid.*, Article 34

⁸⁴⁷ *Ibid.*, Article 35

⁸⁴⁸ *Ibid.*, Article 36

Even if a child is protected from violence, illicit trafficking and exploitation, if the law does not empower the child with freedoms so that it can express itself freely, greater protection for children will be only a pipe dream. In line with the UNCRC mandate, the “Child shall have the right to freedom of expression...thought, conscience, and religion, association and peaceful assembly and privacy...”⁸⁴⁹ and to enhance their freedoms and rights each child should access to age-appropriate news and right to appropriate education.⁸⁵⁰

The Zambian laws applicable to children have not provided for a special type of a child, a disabled child. This kind of a child requires even more special attention and consideration than other children. The UNCRC recognizes the special needs of disabled children, “...disabled child should enjoy a full and decent life, in conditions which ensure dignity, promote self-reliance and facilitate the child’s active participation in the community.”⁸⁵¹ It is very important that the Zambian government domesticates this principle into domestic law.

Children may wonder from their nation of birth or habitual residence to foreign lands. This may be caused by economic conditions where they live. It may also be caused by war or civil conflicts. Where children have wondered into a state party, that nation must have domesticated UNCRC principles that protect child refugees. The UNCRC specifically provides for assistance to children seeking for refugee and to “assist such a child and trace the parents and other members of the family of any refugee child in order to obtain information necessary for the reunification with his or her family...”⁸⁵² Moreover, “No child shall be subject to torture or other cruel, inhuman or degrading treatment or punishment”⁸⁵³ and, indeed, and, in fact, state parties should “take all appropriate measures to promote physical and psychological recovery and social integration [of

⁸⁴⁹ *Ibid.*, Articles 13 - 16

⁸⁵⁰ *Ibid.*, see Articles 17, 28 and 29

⁸⁵¹ *Ibid.*, Article 23

⁸⁵² *Ibid.*, Article 22

⁸⁵³ *Ibid.*, Article 37

children caught up in wars] of a child victim...”⁸⁵⁴ There is urgent need, where these principles have not been domesticated, that they are domesticated because of the likelihood of children finding themselves in conflict zones. Even if Zambia does not currently have civil conflicts or war, it is a very important safeguard to enact such principles into law. This will ensure that when conflicts break, children are greatly protected.

In Zambia, there is clearly an absence of laws that provide for social security and social insurance. The US provides a very good model of social security.⁸⁵⁵ Generally, social security protects and provides “material needs of individuals and families; [protects] the aged and disabled persons against the expenses of illnesses that may otherwise use up their savings; [and keeps] families together.”⁸⁵⁶ Nations that have strong social security laws have, in practice, domesticated the UNCRC principle which articulates that a child has a right to social security and social insurance.⁸⁵⁷ Zambia should enact laws that provide children with vital needs and which cushion them against the vagaries of poverty. This will serve to domesticate Article 26 of UNCRC.

In tandem with the spirit of Article 26, Article 27 of the UNCRC requires parents or state actors to provide an adequate standard of living for the child’s physical, mental, spiritual, moral and social development. And Articles 30, 31, and 32 protect the children of ethnically minorities. These children should not be “denied the right...to enjoy his or her own culture, to profess and practice his or her own religion, or to use his or her own language...and right to...rest and leisure...and [to have the] protection from...economic exploitation.” Children of those going through a divorce or separation may be more prone to exploitation than other

⁸⁵⁴ Ibid., Article 40

⁸⁵⁵ See *Social Security Act* of 1935 of the USA

⁸⁵⁶ “Introduction to Social Security,”

https://www.ssa.gov/section218training/basic_course_3.htm (Retrieved: September 2nd, 2021)

⁸⁵⁷ UNCRC, *supra.*, Article 26

children. It should be in the best interest of such children that government domesticates Articles 30 to 32 of UNCRC.

Chapter 13 Naked before Government

Until we begin to see beyond political parties, and stop banking our fate in our leaders. Until we begin to believe that among us are rising stars, we may think Zambia is headed to the doom. Zambia is more than politics.

BRIEF INTRODUCTION

This chapter lays bare the issue of repression in Zambia. Real victims are allowed to retell their ordeals and from their accounts lessons are learned that future Zambian leaders should take to heart in their quest to create a strong, free and democratic nation. The chapter further discusses the continued political violence under the Patriotic Front (PF)'s successive administrations.

≈ Politics ≈ Law

AT THE END OF THIS CHAPTER:

1. You will find out the extent to which Kenneth Kaunda went to silence his political challengers; and
2. You will appreciate the irony of the *ruling-opposition shamanism* – that is, each party in opposition indicts the one in power but still perpetuates the same ills once it attains to power.

MAJOR THEMES:

Repression in Zambia;
Undemocratic Tendencies

§13.1 Naked Before Government

Liberal democrats ardently argue against a large government for no other reason than that it runs the risk of becoming too powerful. Power by definition is addictive. A smaller government is deemed to be more efficient and easier to manage. There is perhaps nowhere where government exercises enormous

power other than in socialistic systems. There, government may be said to exist *without* the people. The Second Republic under Kaunda and UNIP was, without prejudice, a good example of a government *without* the people.

It can be appropriately said that in Kaunda's Zambia everyone existed naked before the government. Kaunda had marshaled one of the most powerful intelligence systems in Africa: "The UNIP government intelligence network was probably one of the most sophisticated and atrocious systems on the continent of Africa."⁸⁵⁸ The reasons can only be speculated. However, it was obvious that the UNIP government did not want anyone to challenge its power. To do so, it resorted to the use of the Emergency Powers.

According to Chisala, the existence of the State of Emergency obliterated the presence of civil liberties in Zambia. He informs that institutions in Zambia were infiltrated by agents who reported people averse to Kaunda: "Every Zambian suspected of being disloyal was detained, tortured and blacklisted from employment."⁸⁵⁹ Chisala then gives a heart-breaking narration of what victims of the Kaunda intelligence regime went through. The case of Reverend Jones Sinyangwe begs to be retold:

Reverend Sinyangwe said he was driving his...car along the Great East Road in Lusaka on October 17th, 1977, when a Nissan Sunny car driven by Maxwell Chiyokoma overtook him and one of the passengers signaled him to stop. Sinyangwe recognized Chiyokoma and he stopped. As he approached Chiyokoma's car, the two men grabbed him and bundled him into the back seat and sped off towards Kafue. "I was kidnapped and taken to a farm in Shamabale area between Chilanga and Kafue where I was tortured," [Sinyangwe said].

After three months of this inhuman treatment, the health of Sinyangwe deteriorated and he was released on instructions from the Director General, Paul Malukutula, with a strong warning not to reveal anything. But Sinyangwe was not the same. He had lost sex potency and this condition led to the breakup of his marriage.⁸⁶⁰

Chisala has also implicated the secret agency in the torture of Peter Mutafungwa, Justin Chimba, Nkaka Puta, and the death of

⁸⁵⁸ Beatwell Chisala, *The Fall of President Kaunda*, p. 156

⁸⁵⁹ *Ibid.*

⁸⁶⁰ *Ibid.*, p. 158

Archbishop Elias Mutale. Under the notorious State of Emergency, people's rights and freedoms barely existed. People were tortured for voicing out the indignities of the regime, let alone murdered for exercising their freedom of speech, expression or association. Perhaps the most heart-wrecking incident involved the death of Josephine Mundashi Kapansa. Chisala narrates how Kapansa died in a road accident after she had confronted Kaunda over the rental arrears incurred by the Angolan Ambassador.

The above cited examples were suitably chosen to illustrate, in a miniature, the brutality of the UNIP regime. Chisala mentions other examples like the unceremonious disappearance of Berrings Lennox Lombe “who was kidnapped and killed in October 1982. Up to now nobody including his family and relatives, knows the circumstances of his death.”⁸⁶¹ What is devastating in Lombe's case is that the police refused to properly investigate his death and when the relatives took the matter to court in 1983, the expert witness, a pathologist said, “All the documents pertaining to the post-mortem have been sent to State House.”⁸⁶² Citing insufficiency of evidence, the court dismissed the case.

The Special Branch in the Second Republic operated like the secret police in European dictatorships. In fact, they “operated like people who were above the law.”⁸⁶³ They interrogated and tortured people in secret places like the Red Brick without the knowledge of the regular police.

The incidents above go on to show how repression can be prevalent but at the same time be suppressed under fear of disclosure. People, who live under a repressive regime, are told not to voice out their bitterness because doing so would expose them to the risk of life itself. The result is that other freedoms, such as speech and expression, are taken away in the quest to hide the indignities of the regime.

What might have begun as an isolated incident could end up implicating others, leading to more serious abuses. In order to cover-up the evils of one event, several evils might be committed. Thus, to tolerate one undemocratic incident, is to open a floodgate of more abuses. When the UNIP regime silenced people, it also took away their rights and freedoms. Those who did not want to dance to the

⁸⁶¹ *Ibid.*, p. 165

⁸⁶² *Ibid.*

⁸⁶³ Former Lusaka Police Chief, Mwenda Muyunda, in the *Zambia Daily Mail* of February 3rd, 1993

tune of the dictatorial regime were labeled dissidents and persecuted, like Fostino Lombe and Simon Mwansa Kapwepwe, to mention but two.

§13.2 “Thoughts are Free”

In 1976, UNZA was closed and several UNZA Student Union (UNZASU) leaders arrested, and later detained. Among them was Munyonzwe Hamalengwa, a prominent Toronto and Lusaka lawyer. Hamalengwa narrates in *Thoughts are Free*,⁸⁶⁴ the circumstances that led to his arrest and subsequent detention: “It must have been Monday, February 9th, 1976, at the University of Zambia, Lusaka, Zambia. I looked up towards the balcony window-door and saw silhouettes of men carrying club-like objects. Several soldiers carrying machine guns and communication gear rushed into the room almost knocking me down.”⁸⁶⁵

Kaunda’s soldiers would later arrest Hamalengwa without a warrant; subject him to torturous conditions before detaining him at Mumbwa Detention Prison, a notorious detention center for political prisoners in the colonial days and during the Second Republic. On March 6th, 1976, late president Kaunda issued the reasons for the detention of Hamalengwa. The detention order stated, “That on dates unknown but in January and February, 1976, you collaborated with certain persons in plotting and indulging in subversive political agitation among the students of the University of Zambia.”⁸⁶⁶ What the regime called “subversive political agitation” were, in fact, UNZASU’s refusal to support the Government of Zambia (GRZ)’s endorsement of the National Union for the Total Independence of Angola (UNITA) led by Jonas Savimbi, a party that UNZASU believed was supported by Apartheid South Africa.⁸⁶⁷

Here is the demagoguism of Kaunda; he did not meander from the law to action his undemocratic character. In fact, he used the *Preservation of Public Security Act*⁸⁶⁸ to detain all whom he considered a threat to his tyrannous rule. Most autocratic rulers cannot be accused of lawlessness because they operate under the shadow of the

⁸⁶⁴ Munyonzwe Hamalengwa, *Thoughts are Free: Prison Experience and Reflections on Law and Politics in General* (Toronto: Africa in Canada Press, 1991)

⁸⁶⁵ *Ibid.*, p. 3.

⁸⁶⁶ *Ibid.*, p. 25

⁸⁶⁷ Hamalengwa, *supra*. p. 17

⁸⁶⁸ *The Preservation of Public Security Act* (Laws, Volume II, Cap. 106)

legitimate statutes of their nations. Like Kaunda, they only use the law against interests they consider averse to their continuity. In this way, they can manipulate laws to suit their despotic interpretation and keep their people to the hook.

There had been a State of Emergency in Zambia almost continuously since before independence in 1964. The British colonial government established three sets of emergency powers in Zambia: (1) Emergency Powers Order-in-Council 1939-61; (2) Emergency Powers Ordinance, 1948; and (3) Preservation of Public Security Ordinance, 1960. The first one formed part of the constitutional framework of every British dependence in Africa and Asia.

§13.3 Abuse of Office and S. 37 of ACC Act

Whether it garbs itself into abuse of office or corruption the effects are the same – innocent people are subjected to untold suffering and poverty. Zambia Civic Education Association Executive Director, Judith Mulenga, linked abuse of office to corruption: “Removing the abuse of office clause from the *ACC Act* will turn Zambia into a corrupt haven.”⁸⁶⁹ She was contributing to the debate why section 37 of the *ACC Act* number 46 of 1996 should not be removed from the statute.

Section 37 of the *ACC Act* empowered the ACC to investigate public officers who possessed unexplained property. Transparency International Zambia (TIZ), Jubilee Center, LAZ and the opposition PF all linked abuse of office to corruption. Kambanja Chinyemba, a retired Kitwe magistrate, considered abuse of office as a Pandora’s Box for all sorts of corruption.⁸⁷⁰

The Banda administration maintained that abuse of office would “continue to remain an offence under the laws of the country.”⁸⁷¹ This was in the wake of its attempt to remove section 37 of the *ACC Act*. Government argued that the clause had existed unconstitutionally and undemocratically. The clause was deemed unconstitutional because it contradicted the presumption of

⁸⁶⁹George Chellah, “Zambia: Removing ‘Abuse of Office’ Will Turn Zambia into a Corrupt Haven, SALAN (October 3rd, 2010)

⁸⁷⁰Mwila Chansa, “Zambia: Retired Magistrate Warns against Removing Abuse of Office Clause,” SALAN (November 7th, 2010)

⁸⁷¹*Times of Zambia*, “Abuse of Office Clause Intact – Vice-president,” (August 7th, 2010)

innocence principle in the constitution. Patrick Mvunga argued that the clause warranted removal “because it gives unrestrained power to the court to convict an accused person who has chosen to remain silent in a corruption case.”⁸⁷² For a refreshing change, and in arguing that the clause was “retrogressive and anti-democratic,”⁸⁷³ President Banda joined his Attorney-General in the quest to protect the right to property as a universal liberal principle.

Indeed, s. 37 remains a valid provision in the *ACC Act*, Chapter 91 of the Laws of Zambia. It requires suspected public officials and officers to explain how they came to be in possession of “unexplained property” or they risk being charged with abuse or misuse of office or position.

§13.4 Undemocratic Tendencies in 2020

As of its score on Global Freedom Score, Zambia scored 54/100 in 2020, and undemocratic tendencies were linked mainly to political violence: “Zambia’s political system features regular multiparty elections, and some civil liberties are respected. However, opposition parties face onerous legal and practical obstacles to fair competition, and the government regularly invokes restrictive laws to curb freedom of expression and ban peaceful demonstrations and meetings. Political violence remained a problem.”⁸⁷⁴

To move on from the Dispensation of Political Caderism (DPC), successive governments, especially the Hakainde Hichilema (HH) administration that suffered repeated political violence at the whims of the PF, should embrace the following: Allow magnanimity of political rights (including people’s right to a fair and free electoral process, political pluralism and participation, and a functioning of government), government must ensure free operation of civil liberties (including the freedom of expression and belief; freedom of association and organization; the Rule of Law; and personal autonomy and individual rights).

⁸⁷² *The Zambian Chronicles*, “Prof. Mvunga Calls for Removal of Section 37 of *ACC Act*,” (November 9th, 2010)

⁸⁷³ Patson Chilemba , “Rupiah Justifies His ‘Abuse of Office,’” *The Post Online* (November 3rd, 2010)

⁸⁷⁴ “Zambia – Overview,” Freedomhouse.org < <https://freedomhouse.org/country/zambia/freedom-world/2020> > (Retrieved: September 21st, 2021)

Chapter 14 Criminal Reforms

It is neither senseless snobbishness nor willful blindness to accord criminals a second chance. After all, to some extent, the degree of punishment emitted to the convict is a measure of the law's discernment on their eligibility into the school of second chances.

<p>BRIEF INTRODUCTION</p> <p>This chapter discusses criminal justice in Zambia and the state of Zambian prisons. The chapter further explores the condition of prisoners in the Zambian prisons and proffers this as a yardstick of how stable or insane the politics of the nation are at any point in time.</p> <hr/> <p>≈ Politics ≈ Law</p>	<p>AT THE END OF THIS CHAPTER:</p> <ol style="list-style-type: none">1. You will learn about the state of Zambian prisons before and after 2015;2. You will appreciate the fact that Zambia has been making some progress towards combating overincarceration and overcrowding in prisons. <p>MAJOR THEMES: Human Rights; Law and Justice</p>
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§14.1 The State of Zambian Prisons

It is rare to read anything about Zambia in the Canadian press. When something is finally reported about Zambia, it must be significant. The state of Zambian prisons is very significant. The following article appeared in the Canadian *Metro* newspaper:

Prisons in Zambia are so overcrowded that inmates are sometimes forced to sleep seated or in shifts, and children

behind bars are vulnerable to rape by adult prisoners, aids organizations said. A report released by the Prisons Care and Counselling Association (PRICCA), AIDS and Rights Alliance for Southern Africa (ARASA), and Human Rights Watch Tuesday said that some prisoners are detained for years enduring such conditions before they are even brought to trial. “Zambian prisoners are starved, packed into cells unfit for human habitation, and face beatings at the hands of certain guards or fellow inmates. Children, pregnant women, pre-trial detainees, and convicted criminals are condemned to brutal treatment and are at serious risk of drug-resistant TB and HIV infection,” said Kenneth Roth, Executive Director of Human Rights Watch. The groups are calling on the Zambian government and its partners to make immediate improvements in prison conditions and medical care.⁸⁷⁵

This article painted a sad picture of precious men, women and children in the Zambian prisons. The standards did not improve, either, by 2017: “Zambian prisons do not comply with internationally accepted human rights standards, thus violating the rights of inmates, both convicted and awaiting trial, including ‘circumstantial children’ living in prisons.”⁸⁷⁶ Although Zambia has done well in constitutionalizing two weeks vacations for inmates and providing some basic vocation to some inmates, more still need to be done.

Zambia has 53 prisons. All of them were built before independence for a total of 5,500 prisoners. By 2011, the prisons were housing more than 15,000 prisoners.⁸⁷⁷ About 1,000 prisoners were released on parole in 2011 “to address overcrowding in prisons.”⁸⁷⁸ Clearly, some efforts were being done to addressing Zambia’s highly congested prisons: “Although there are signs of reduction in the number of prisoners, the prison population countrywide is still very high and prisons are still overcrowded.”⁸⁷⁹ And by 2015, the Office of the High Commissioner for Human Rights (OHCHR) had

⁸⁷⁵ *Metro*, “Zambian Prisons Unfit for Human Habitation,” (Thursday, April 29th, 2010)

⁸⁷⁶ Francis Maingaila, “Zambia’s ‘Substandard Prisons Violate Human Rights,’” *Anadolu Agency*, May 18th, 2017

⁸⁷⁷ See *Zambia Weekly*, “1000 Prisoners on Parole in 2011,” Week 1, Vol. 2, Issue 1, January 7th, 2011, p. 1

⁸⁷⁸ *Ibid.*

⁸⁷⁹ Institute for Security Studies, “Chapter 7: Zambia Prison Service,” <<https://issafrica.org/chapter-7-zambia-prison-service>> (Retrieved: September 21st, 2021)

declared that, “Zambia does not rank highly on over-incarceration.”⁸⁸⁰

Prisons should not be considered as punishment chambers anymore. In contemporary times, prisons have been chambers of knowledge and ideas. Some of great Zambian books have been conceived behind bars. These books include Sakala’s *A Mockery of Justice*, Mwaanga’s *The Other Society* or Hamalengwa’s *Thoughts are Free*.

Geloo charges that, “It is no longer the insane or social misfits that inhabit the cells. People in other countries have been known to acquire degrees and other forms of education while in cells – this means they access books and write and their minds are kept alive.”⁸⁸¹ Prisons, therefore, can be centers for reformation and knowledge enhancement.

As reported in the *Metro*, Zambian prisons are in dire need of a make-over. It is travesty that “prisoners are starved, packed into cells unfit for human habitation, and face beatings at the hands of certain guards or fellow inmates.” It is even felonious that “children behind bars are vulnerable to rape by adult prisoners.”

There are two factors that make it difficult to know exactly what obtains inside the prison walls. First, it is the design of prisons themselves. They are meant to “lock” up people and their secrets. In other words, what happens inside the prisons is meant to remain, and even die, within the prisons.

Second, because of the sensitive nature of such exposure, most governments, and justifiably for the governments in developing countries, are reluctant to devour information on the state of their prisons. Thus, it is only through the eyes of prison survivors that society at large is able to know more of what happens inside the prison bars. Sata “thanked President Levy Mwanawasa for taking him to prison two times because he now knows that which he did not know from outside the prison.”⁸⁸²

Most political prisoners are usually high-profile figures who are well-known by the international community. As such, they are treated relatively “better” than common criminals and less known victims.

⁸⁸⁰ OHCHR, “Analytical Report on the Implication of Overincarceration and Overcrowding for the Human Rights of Persons deprived of their Liberty,” The Human Rights Council, Resolution 24/12 <https://www.ohchr.org/Documents/Issues/RuleOfLaw/OverIncarceration/Zambia.pdf> (Retrieved: September 21st, 2021)

⁸⁸¹ Zarina, *supra*.

⁸⁸² Amos Malupenga, “They Only Allowed Me Two Minutes with My Wife, Reveals Sata,” *The Post*, (August 14th, 2005)

Ironically, most of what is known about prisons is narrated through the testimony of former political prisoners.⁸⁸³

A thorough analysis of Mwaanga's *The Other Society* and Sakala's *A Mockery of Justice* reveal that Zambian prisons have moved from bad to worse. The events of the two books are over two decades apart. And yet in all angles they regurgitate the same prison ordeal.

In 1985, Mwaanga re-told the sad story of the Zambian prisons then. It was a pathetic sight and grave disservice to human rights. Everything from ventilation to capacity to sanitation left much to be desired. The conditions were absolutely inhuman:

There were 17 of us in the cell and at night it became very warm. A cell of similar size next door (cell eight) had had 57 inmates the previous night and I wondered how they had managed. I inspected the kitchen, laundry, toilets, showers, penal block and library. All these places were filthy and unfit for human habitation. I was surprised that no one had died, at least since I had been there, from food poisoning. The inmates received their food on old newspapers, those who were lucky, that is – because there were no plates of any kind. The conditions had to be seen to be believed. *These are the painful realities of prison life in Zambia today.*⁸⁸⁴

In fact, Mwaanga hints that the situation had been like that for a long time. Implicitly, Zambian prison conditions had been in a poor state of affairs for the better part of the 1970s and 1980s. When Mwaanga writes, “These are the painful realities of prison life in Zambia today,” he is alluding to the 1980s. However, even after two decades, prison conditions in Zambia have not improved.

Writing in *A Mockery of Justice*, Sakala laments, “Every single day in prison is punishment without measure.”⁸⁸⁵ This was about 24 years after the Mwaanga detention ordeal. And by April 2010 that situation had only worsened, for “Children, pregnant women, pre-trial detainees, and convicted criminals are condemned to brutal treatment

⁸⁸³ In Zambia, for example, both Vernon J. Mwaanga and Richard Sakala were very important persons and high-profile politicians. Through their books, *The Other Society* or *A Prisoner's Diary* and *A Mockery of Justice*, respectively, we have come to know about the state of the Zambian prisons. However, because their treatment in prison was one of privilege, it is difficult to gauge how the other not-so-important, and they are in the majority, are treated. It could be assumed that their situations are worse than imagined.

⁸⁸⁴ Mwaanga, *The Other Society*, p. 170 (Emphasis added).

⁸⁸⁵ Sakala, *supra*, p. 55

and are at serious risk of drug-resistant TB and HIV infection.” The 2015 report by the OHCHR presented some light at the end of the tunnel, and successive Zambian governments should ensure that prisons are expanded, conditions are improved and funding is sourced to make them reform-worthy.

§14.2 Reformation or Punishment

The critical question to ask is: Are Zambian prisons systems of reform and reintegration or torture chambers? Since the Second Republic, Zambian prisons have become popular as places where detainees are tortured or are given “numerous threats of impending torture.”⁸⁸⁶ The ushering in of the MMD government in 1991 promised so much in terms of the protection of the rights of the detainees. It was expected to be more humane to the plight of the prisoners than in the Second Republic, which Mwanakatwe captures nonchalantly:

Yet over the whole period of twenty-seven years of Kaunda’s rule the power of detention of people was used more against political opponents than the detention of spies or saboteurs from Rhodesia or South Africa. Even long after the independence of Zimbabwe and the beginning of negotiations for peaceful political change in South Africa, Kaunda never entertained the idea of lifting the State of Emergency. It was his most powerful weapon for use against his political opponents. The police have been beneficiaries of the additional powers they are given when State of Emergency is in force.⁸⁸⁷

There is a very important lesson to be learned from this experience. In the interest of democracy, it is imperative that Emerged Zambian Leaders take stock of the immorality of a prolonged State of Emergency. Late president Kaunda used it as “powerful weapon...against his political opponents” long after the purpose for which it had been imposed had elapsed.

Admittedly, the insecurity of the Unilateral Declaration of Independence (UDI) of Ian Douglas Smith in Rhodesia was real. In

⁸⁸⁶ Hamalengwa, *Thoughts are Free*, p. 19

⁸⁸⁷ John M. Mwanakatwe, *End of Kaunda Era* (Lusaka: Multimedia Publication, 1994), pp. 146-7

that sense alone the State of Emergency was justified, but only in so far as it went to curb the hostility of the clandestine acts of sabotage the neighbors were engaged in intending to destabilize Zambia. President Kaunda himself had admitted that the UDI was “extremely difficult times. Happening just a year after our independence, UDI made Zambia, a promising young nation, pass through great hardships and challenges.”⁸⁸⁸

But the president turned the weapon for his external enemies against his own people, albeit his political opponents. From being a noble instrument aimed at suppressing external rebellion, the State of Emergency became a lethal injection in the veins of Zambia’s democratic free voice. With it, Kaunda had murdered freedom of speech and expression; with it he had solidified his position as the supreme leader of the “young and promising nation.”

With the State of Emergency, the prisons had become abodes of punishment, places where the promising brains of Zambia went to waste. Following the electoral victory of the MMD government in 1991, late president Kaunda escaped with impunity, “Yet so as through fire.”⁸⁸⁹

If anything, that was a sign that the new government would adopt a new style of political rubrics. There was a real promise that a police officer above the rank of Superintendent would not have the power to arrest any person in respect of whom he or she had reason to believe that there were grounds justifying the arrest. There was a real promise that detainees would not be unlawfully tortured. There was hope that there would be change from subjecting detainees and prisoners to cruelty where their “physical strength and well-being was impaired after release because of the severity of their torture and ill-treatment.”⁸⁹⁰

That promise has not been fulfilled. The PF government, like the UNIP government in the Second Republic and the MMD government, did not respect the rights of prisoners in Zambia. However, not all hope is lost. Brazil has demonstrated that prisons can be places of reform and not punishment. Emerged Zambian Leaders have a mandate to articulate democratic ideals that favor respect for life, dignity and the right to detention with trial without being subjected to inhuman treatment or torture.

⁸⁸⁸ Kenneth D. Kaunda, “KK’s Diary: UDI, 40 Years Ago,” *Post Lifestyle*, (December 4th, 2005)

⁸⁸⁹ I Corinthians 3:15b

⁸⁹⁰ Mwanakatwe, *supra*. p. 147

§14.3 Criminal Justice

The Zambian criminal justice system continues to be a big worry both in terms of access to justice and justice delivery. This is not to imply that the Zambian government is not taking steps to curb the situation as can be demonstrated by the 2015 OHCHR Report. “Since the re-introduction of multiparty democracy in Zambia in 1991, some progress has been registered in the governance system of the country, including its criminal justice system. However, many challenges remain across Zambia’s criminal justice institutions, and these inhibit the efficient and effective delivery of justice to its citizens.”⁸⁹¹

A lot has been said previously about the abuses of power and office prevalent in the Second Republic. There is undeniable evidence that the Kaunda regime had set a bitter precedent of rampant mistreatment of prisoners and abuse of their democratic and other rights.

§14.4 Sons Unlike Their Fathers

The thematic argument in this book is that historical corollaries impact greatly on Zambia’s contemporary challenges. Imprisonment and the treatment of prisoners are not exceptions. While in many respects President Kaunda should be emulated, in one cardinal respect, however, he should not. The Kaunda regime maintained a bitter and oppressive colonial apparatus by perpetuating the same oppressive laws and tactics that victimized and dehumanized the Africans in the Colonial Era.

At the height of the colonial rule, and during a boycott, the colonial administration police ambushed the Northern Rhodesian women. It was during one of these episodes that Kaunda witnessed women with babies straddle on their backs outside the butcher-shops in Lusaka being whipped by the police. It is widely believed that as a result of this episode, Kaunda vowed not to eat meat. He remained a vegetarian till he died on June 17th, 2021.

⁸⁹¹ The Criminal Justice System in Zambia: Enhancing the Delivery of Security in Africa (Policy Brief of July 6, 2009) <<http://www.issafrica.org>>

Kaunda and Nkumbula were arrested in November 1953 for what the colonial regime called unlawful publications. ANC had been publishing a newspaper called the *Congress News*. The authorities later learned that the publication was authorized. The duo was released.

On January 6th, 1955, Kaunda, Nkumbula and Sikalumbi were arrested. Prior to the arrest, their houses were thoroughly searched. The trio was accused of being found in possession of prohibited publications. Sikalumbi was acquitted, but Kaunda and Nkumbula were found guilty by a Lusaka Resident Magistrate court which sentenced them to two months in prison with hard labor. The duo was later released a day earlier.

In March 1959, Kaunda, Kapwepwe and other freedom fighters were arrested. In May 1959, Kaunda appeared before Senior Resident Magistrate, Thomas Pickett, in Lusaka, and was charged with convening an unlawful assembly. In June 1959, Kaunda was sentenced to nine months in prison with hard labor. He was sent to Lusaka Central Prison where he cleaned “communal lavatory [toilet] buckets.”⁸⁹² Kaunda was moved to Salisbury Central Prison in Southern Rhodesia by bus handcuffed to Wilson Chakulya. In 1962, then as National Secretary of UNIP, Chona was charged and convicted with “publishing a seditious publication contrary to section 53D (i)(d) of the *Penal Code*.”⁸⁹³

Notwithstanding the above, Kaunda would use the same tactics, if not worse, to punish his fellow Zambians in the Second Republic. For example, on January 9th, 1981, Kaunda and UNIP suspended seventeen union leaders from ZCTU and MUZ including the man that would ten years later replace Kaunda as president, Frederick Chiluba.

The deemed cause for the arrest of the seventeen was “for causing the country 205,681 man-days of lost work because of wild cat strikes aimed at overthrowing the government.”⁸⁹⁴ Kaunda’s undemocratic tendencies were based on fear, fear that any agitation by the people amounted to treasonous activities. Subsequently, on July 27th, 1981, UNIP amended the constitution in order to “abolish primary elections; candidates for National Assembly elections must be

⁸⁹² Chisala, *The Fall of President Kaunda*, p. 13

⁸⁹³ See *R. v. Chona* (High Court of Northern Rhodesia, 1962); John Hatchard and Muna Ndulo *A Case Book on Criminal Law* (Lusaka: Government Printer, 1983), pp. 306-307

⁸⁹⁴ Grotperter *et. al.*, *Historical Dictionary of Zambia*, p. xxv

approved by the Central Committee of UNIP.”⁸⁹⁵ And by November 1981, this was practically a norm.

Second Republic politics were based on justified blame. As propounded in this book, this, too, was a bequeathed attitude from the colonial masters. Even now, former colonial forces do not admit that they plundered and destroyed Africa. They would, rather, accuse lack of Africa’s economic underdevelopment on Africa’s poor leadership, corruption or bad policies and their attendant untimely implementation.

Justified blame was a political tactic aimed at entrenching dictatorial tendencies without tracing the blame to the incumbency. Therefore, the president or his or her political party would have decided to subvert justice or introduce unpopular policies but then look for a scapegoat. That scapegoat would usually be an omission or revolting activity seen to have originated from the opposition parties or the ruling party’s hardliner nemesis.

Thus, Kaunda did not only punish his fellow countrymen and women, but he never bothered to improve prison conditions, let alone repealing or amending the repressive laws inherited from the colonial government. As Clarence Darrow has said, “True patriotism hates injustices in its own land more than anywhere else.”⁸⁹⁶

Indeed, the colonial and Kaunda eras had failed to improve conditions for prisoners in Northern Rhodesian and Zambian prisons, respectively. It is incumbent on the EZLs to regard prisons as centers for human rights celebration, and to initiate reforms aimed at improving conditions, lodging, capacity, sanitation and dignity for all prisoners.

§14.5 Why Prison Reforms

Prisons are places where people are sent when they have been convicted of crimes. This might sound like a legitimate premise upon which those who abuse prisoners base their arguments for punitive measures. However, prisoners are more than just punitive centers. After all, prisoners’ rights are already curtailed. Prison reforms are meant for more than human rights safeguarding; improving prison

⁸⁹⁵ *Ibid.*

⁸⁹⁶ Famous Quotes and Authors, “Patriotism and Nationalism Quotes and Quotations,” <www.famousquotesandauthors.com> (Retrieved: February 6th, 2011)

conditions is in the best interest of Zambia for the following reasons as enumerated by the UN Office on Drugs and Crime:⁸⁹⁷

First, and rightly so, it is for human rights consideration: “A sentence of imprisonment constitutes only a deprivation of the basic right to liberty. It does not entail the restriction of other human rights, with the exception of those which are naturally restricted by the very fact of being in prison.”⁸⁹⁸ Thus, prison reforms are necessary in order to make sure that all other human rights of the prisoners are protected and respected.

Second, prisons exacerbate and contribute to the proliferation of poverty: Imprisonment disproportionately affects individuals and families living in poverty. When an income generating member of the family is imprisoned the rest of the family must adjust to this loss of income. The impact can be especially severe in poor, developing countries where the state does not provide financial assistance to the indigent and where it is not unusual for one breadwinner to financially support an extended family network.”⁸⁹⁹ Indeed, this is the situation in Zambia. When a breadwinner is incarcerated, the remaining members of his or her family are subjected to poverty.

Third, there are public health consequences of imprisonment: “Prisons have very serious health implications. Prisoners are likely to have existing health problems on entry to prison, as they are predominantly from poorly educated and socio-economically deprived sectors of the general population, with minimal access to adequate health services. Their health conditions deteriorate in prisons which are overcrowded, where nutrition is poor, sanitation inadequate and access to fresh air and exercise often unavailable. Psychiatric disorders, HIV infection, tuberculosis, hepatitis B and C, sexually transmitted diseases, skin diseases, malaria, malnutrition, diarrhea and injuries including self-mutilation are the main causes of morbidity and mortality in prison.”⁹⁰⁰ This is self-explanatory.

Fourth, imprisonment has a detrimental social impact: “Imprisonment disrupts relationships and weakens social cohesion, since the maintenance of such cohesion is based on long-term relationships. When a member of a family is imprisoned, the disruption of the family structure affects relationships between

⁸⁹⁷ UN, “Why Promote Prison Reform?”

<https://www.unodc.org/unodc/en/justice-and-prison-reform/prison-reform-and-alternatives-to-imprisonment.html> (Retrieved: October 29th, 2021)

⁸⁹⁸ *Ibid.*

⁸⁹⁹ *Ibid.*

⁹⁰⁰ *Ibid.*

spouses, as well as between parents and children, reshaping the family and community across generations.”⁹⁰¹ Thus, the more people are imprisoned in crowded and unsanitary conditions, the deeper the social transformation that negatively affects families and communities.

Fifth and last, imprisonment is costly: “Taking into account the above considerations, it is essential to note that, when considering the cost of imprisonment, account needs to be taken not only of the actual funds spent on the upkeep of each prisoner, which is usually significantly higher than what is spent on a person sentenced to non-custodial sanctions, but also of the indirect costs, such as the social, economic and healthcare related costs, which are difficult to measure, but which are immense and long-term.”⁹⁰² For a developing country like Zambia, prison reforms are not only feasible, but they are also necessary. They can result in the reduction on actual and indirect costs, and a relief on the national coffers.

Prison reforms ought to go in tandem with criminal justice reform. Crime prevention, sentencing policies, and including the care and treatment of male, female and child prisons, are a must if such reforms were to succeed. This is what the UN refers to as an “integrated, multi-disciplinary strategy to achieve sustainable impact.”⁹⁰³ Accordingly:

An integrated approach also takes account of areas that are typically not regarded as part of the "criminal justice system". These include, for example, the development of substance dependence treatment programmes in the community or psycho-social counselling programmes, to which certain offenders may be diverted, rather than being imprisoned, thus ensuring that services in prison are not overstretched, trying to meet the needs of a growing number of prisoners with special needs. The integrated strategy to prison reform can benefit immensely from the establishment and development of collaboration and partnerships with other UN agencies and other international and national organizations engaged in complementary programmes.⁹⁰⁴

⁹⁰¹ *Ibid.*

⁹⁰² *Ibid.*

⁹⁰³ *Ibid.*

⁹⁰⁴ *Ibid.*

The aim is to reform the entire justice system, and not only a partial, sectorial approach. Improvements in one area of justice is not improvement in all areas of justice.

Chapter 15 Sexual Orientation Debate

The Grand Unified Theory of Bible Interpretation is twofold - love of God and love of people - captured in these noble words: "Teacher, which is the greatest commandment in the Law?" Jesus replied: "Love the Lord your God with all your heart and with all your soul and with all your mind.' This is the first and greatest commandment. And the second is like it: 'Love your neighbor as yourself.' All the Law and the Prophets hang on these two commandments."

BRIEF INTRODUCTION

This chapter introduces the debate on sexual-orientation. Is Zambia ripe to embrace the minority of its social strata? This was the normative question that was put forward in the first edition of this book, published in 2011. However, after exactly ten years, the views of the Zambian people do not seem to have changed. This chapter, in essence, offers the on-going views of the Zambian people at home and in the diaspora. Specific to this edition is the link between African morality and the impact of colonialism.

Politics ≈ Law ≈ Religion

AT THE END OF THIS CHAPTER:

1. You will learn from the Zambians what their views on same-sex marriage and homosexuality are;
2. You will appreciate that although the Bible generally is against sin, the concept of grace and the impact of colonialism on Africans' conception of morality, demand that judgment be tempered with tolerance; and
3. You will be the judge.

MAJOR THEMES:

Religion; Culture and Traditions;
Human Rights;
Sexual-Orientation

§15.1 Equality among All

The growth of liberal democracy depends on the adherents' capacity to think, believe and act in ways that promote equality among all. A society that holds to the value of equality is a breeding ground for peace, rational thinking and development. People are created and born equal, regardless of sex, race or regional background. In Zambia, like in any other country desiring to advance democracy, both government and the civil society, have a duty to not only proclaim the equality of all persons, but also to be seen to do more to promote the ideal. There should not be second class-citizens, no matter where they live or how they live. There should be no distinction between the able- and the unable-, the haves and the have-nots, the royalty and the common, all peoples are equal and should be treated equally.

§15.2 Polarized Views

On November 29th, 2006, President Thabo Mbeki of South Africa assented to the November 3rd, 2006, Civil Union Bill into *Civil Union Act*.⁹⁰⁵ By that stroke, same-sex marriage became legal in South Africa, becoming the fifth country then, the first in Africa, the second outside Europe, and the first Republic to legalize same-sex marriage in the world. South Africa enacted the said law in the name of democracy against a backdrop of the most conservative continent on the planet. Home Affairs Minister Nosiviwe Mapisa-Nqakula told the South African National Assembly: "When we attained our democracy, we sought to distinguish ourselves from an unjust painful past, by declaring that never again shall it be that any South African will be discriminated against on the basis of color, creed, culture and sex."⁹⁰⁶

President Chiluba called the constitutional amendments in South Africa to accommodate the rights of the homosexuals as indorsing

⁹⁰⁵ *Civil Union Act*, Article Number 17, 2006

⁹⁰⁶ *Associated Press*, "South Africa to Legalize Gay Marriage," (November 14th, 2006) available online at http://www.msnbc.msn.com/id/15714036/ns/world_news-africa (Retrieved: December 26th, 2010)

the “rights of the devil.”⁹⁰⁷ These so-called rights of the devil, which the protagonist of the Declaration of Zambia as a Christian Nation said were imposed by the Western donors on South Africa, include homosexuality, prostitution and lesbianism.

On February 18th, 2010, the NCC unanimously agreed to adopt a clause that expressly prohibited marriage between people of the same sex.⁹⁰⁸ Antonette Phiri called the clause that prohibited same-sex marriage, “a progressive clause,”⁹⁰⁹ while Daniel Munkombwe, “emotionally argued that even animals did not go for those of the same sex.”⁹¹⁰

Recognizing the marginalized and the minority is a fundamental human right endorsed by the UN but eschewed by Zambia.⁹¹¹ And the challenge is: If the gay-lesbians are denied their rights, is it not undemocratic and even against their inherent human rights? Although, personally, the author does not subscribe to gay-lesbianism, he has, however, been confronted with these huge questions.

The moralists argue that it is against the Creationist Theory to be homosexual. But those who believe in the Big Bang Evolutionary Theory dispel that premise. It is explicit in the Bible that homosexuality is sin. But it is also true that we are all sinners. Therefore, we are commanded to love our “enemies.” But the big question is: If we hate homosexuals, ought we not to hate each other all over, because we all stumble and fall from time to time? Some have argued against homosexuality vis-à-vis the traditional African values. Don’t some, and not all, of what we call traditional values make people even worse than those who claim to be gay-lesbians? For example, initiation rituals, female genital mutilation (FGM), death rituals, or just marginalization of girls and women who have, traditionally, been looked upon as sex-objects?

⁹⁰⁷ See Edwin Mbulo, “Chiluba Under Fire Over Comment on SA Laws,” *The Post* online, (Monday, March 1st, 2010)

⁹⁰⁸ See Ernest Banda, “NCC to Adopt Clause that Forbids Same-sex Marriage,” *Sunday Post* online, (February 18th, 2010)

⁹⁰⁹ *Ibid.*

⁹¹⁰ *Ibid.*

⁹¹¹ The UN for the first time endorsed the rights of gay, lesbian, bisexual and transgender people on June 17th, 2011. Members of the UN Human Rights Council voted 23-19 in favor of the declaration put forward by South Africa. Those who voted for included the US, the EU, Brazil and the Latin American countries. Those who voted against were Russia, Saudi Arabia, Nigeria and Pakistan. China, Burkina Faso and Zambia abstained. See Frank Jordans, “UN Council Passes ‘Historic’ Motion on Anti-Gay Abuses,” *Toronto Star*, (Saturday, June 18th, 2011), p. A25

So, when others mention tradition and Christianity in the same breath, isn't this a contradiction in terms? Because Christianity preaches that some African traditions may be evil, devilish or of a pagan culture. Indeed, African traditions, for the most part, encourage practices that could be looked upon as sins in Christianity.⁹¹² And Zambia is a Christian Nation.⁹¹³ In fact, Zambia is a presidential democracy, declared a Christian Nation *tolerant* of other religions, and should it be added, *other* practices.

Among such other practices, shouldn't we expect to include the rights of the gay and lesbians? Fortunately, for a Christian Nation like Zambia, this question was settled by Jesus Christ. When it comes to rights and faith, the charge of our Lord as regards giving to Caesar (law, government or order) what belongs to Caesar, and to God what belongs to God,⁹¹⁴ is very instructive in this instance. In essence, what God does not endorse is technically a sin. However, grace overrules all faults and accepts all, regardless of their choices.⁹¹⁵

§15.3 Homosexuality, the West and Africa

Uganda's David Bahati had, perhaps, entered into history books as the tenacious MP who came short of declaring a death sentence on all homosexuals in Uganda. He authored the Ugandan Anti-Homosexuality Bill.⁹¹⁶ However, the West vehemently opposed the Bill. UK Foreign Secretary, William Hague, wrote on Twitter, thus: "We oppose this Bill and will continue to raise our concerns with the Ugandan government. We urge Ugandan MPs to reject it [...] Our embassy is lobbying the Ugandan government and the UK initiated a formal EU demarche to the Ugandan foreign minister on the Bill."⁹¹⁷

Hilary Renner, on behalf of the US State Department said: "The Department of State opposes the draft Anti-Homosexuality Bill,

⁹¹² For example, polygamy is appraised in some traditional Zambian culture, especially among the Mambwes and Namwungas. Should we hate these two tribes because of the practices that mainstream Christianity considers sinful?

⁹¹³ Zambia is not a theocracy; Zambia is not even a Papacy State, either.

⁹¹⁴ Luke 20:25 (Bible)

⁹¹⁵ See this author's book, Charles Mwewa, *Law and Grace: An Expository Study in the Rudiments of Sin and Truth* (Ottawa: ACP, 2021)

⁹¹⁶ The initial Bill proposed a death penalty for anyone convicted of homosexuality and it criminalized attempted homosexuality. It pegged the penalty for same-sex intimacy at life sentence.

⁹¹⁷ Sarmiento, *supra*.

which we view as manifestly inconsistent with international human rights obligations...President Obama, Secretary Clinton, Assistant Secretary Johnnie Carson, and US Ambassador to Uganda Jerry Lanier have all spoken out in opposition to the Bill. These public statements underscore the US government's strong support of the rights of the LGBTI community in Uganda and throughout the world."⁹¹⁸ Opposition to the Bill remained widespread. Graeme Reid of Human Rights Watch said that "It could be interpreted as an official incitement to commit violence against LGBTI people."⁹¹⁹

The UK Anglican Church came strongly against the Bill. The Archbishop of Canterbury issued a statement in which he opposed the Bill, saying: "Overall, the proposed legislation is of shocking severity, and I can't see how it could be supported by any Anglican who is committed to what the Communion has said in recent decades. Apart from invoking the death penalty, it makes pastoral care impossible – it seeks to turn pastors into informers."⁹²⁰

However, the statement by the Archbishop of Canterbury was in direct contradiction with the views of the local Anglican Church in Uganda. The Anglican Church of Uganda issued a detailed statement in February 2010 offering strong support for the Bill. The Anglican Church in Zambia has taken the same stance as its counterpart in Uganda. Zambia Anglican Council presiding Bishop, Robert Mumbi, said that "Homosexuality is against African traditional way of life and Christian values."⁹²¹ Because these words appeared on the Zambian State House website, it can be construed that this is also the official policy of the Zambian government on homosexuality.

President Sata would maintain Zambia as a Christian Nation, and he did: "The *Constitution of Zambia* does not accept lesbianism or homosexuality; those are the laws of the country which we must obey. So as a Christian Nation why should we even be talking about those things because Christianity does not allow sex by man to man."⁹²²

⁹¹⁸ Ron Buckmire, "US Government Talking Points on Uganda Anti-Gay Bill," *The Mad Professab Lectures*, Tuesday, May 10th, 2011; and Sarmiento, *ibid*.

⁹¹⁹ Sarmiento, *ibid*.

⁹²⁰ George Pitcher, "Dr. Rowan Williams: Taking a Break from Canterbury Travails," *The Telegraph*, (December 2009)

⁹²¹ State House (Zambia), "Homosexuality against African Norms — Anglicans," Thursday, May 6th, 2010

⁹²² African Activist, "Michael Sata Declares Zambia a Christian Nation and Denounces Gay Community," January 18th, 2011

§15.4 Impact of Colonialism on Africa's Moral Culture

“Nearly half of the countries worldwide where homosexuality is outlawed are in Africa.”⁹²³ – The most recent countries to legalize homosexuality in Africa were Angola (February 2021); Botswana (2019); Republic of Seychelles (2016); Mozambique (2015); and Lesotho (2010). As of 2020, nearly half of the African states had legalized same-sex marriages in one form or the other. To be specific, 22 out of 54 countries: “Same-sex relations are legal in only 22 of Africa’s 54 countries and are punishable by death or lengthy prison terms in some nations, according to a global review here by the International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA).”⁹²⁴ However, in countries where homosexuality is illegal (and these are the majority in Africa), the maximum penalty may be life imprisonment or death. In at least four African countries, the penalty is death, and these are: Mauritania, Nigeria (in states where sharia law is applied) Somalia and South Sudan.⁹²⁵

Life imprisonment is the maximum penalty in Tanzania, Uganda and Zambia, while jail terms of up to 14 years are possible in Gambia, Kenya and Malawi.⁹²⁶ It is ironic, though, that some countries in Africa see the criminalization of the homosexuals as colonial. This was the case in Botswana: “Botswana overturned colonial-era laws which criminalized homosexuality, with the judge, Michael Leburu, declaring that ‘the anti-sodomy laws are a British import’ and were developed ‘without the consultation of local peoples.’”⁹²⁷ Buckle’s account is reproduced below:

There is a direct correlation between countries which belong to the Commonwealth, and therefore have previously been under British rule, and countries that still have homophobic, biphobic and/or transphobic [provisions] in their constitutions. Twenty-five percent of the world’s population (2.4 billion people) currently live in a country belonging to the Commonwealth; however, they make up a disproportionately

⁹²³ Global Citizen, “5 Countries in Africa That Have Legalized Same-Sex Relationships in the Past 10 Years.”

⁹²⁴ Noor Zainab Hussain, “Legal Hurdles Faced by LGBT+ People in Africa,” *Reuters*, October 27th, 2020

⁹²⁵ *Ibid.*

⁹²⁶ *Ibid.*

⁹²⁷ Leah Buckle, “African Sexuality and the Legacy of Imported Homophobia,” Stonewall.org <https://www.stonewall.org.uk/about-us/news/african-sexuality-and-legacy-imported-homophobia> (Retrieved: September 21st, 2021)

large fifty percent of countries that still criminalize homosexuality.

But this phenomenon is specific to those under British rule. By the 13th century in France, punishments for male homosexuality include[d] castration for the first offence. But the French repealed their anti-sodomy laws after the first French Revolution in 1750, two centuries prior to the British in 1967. This is then echoed in *La Francophonie nations*; out of 54 member states, only thirty-three percent of these criminalize homosexuality, in comparison to sixty-six percent of Commonwealth nations.

Prior to European colonization, throughout the African continent we see far different, more relaxed attitudes towards sexual orientation and gender identity. As far back as 2400 BC tombs have been excavated in ancient Egypt with two men's bodies Niankhkhnum and Khnumhotep embracing each other as lovers. In addition to their acceptance of same sex relationships, Ancient Egyptians, similar to other civilisations at the time not only acknowledge a third gender but venerate it. Many deities were portrayed androgynously, and goddesses such as Mut (the goddess of Motherhood; lit. translation Mother) and Sekmeht (goddess of war) are often depicted as women with erect penises.

This was not unique to Egypt or this time period. In the 16th century, the Imbangala people of Angola had “men in womens apparel, with whom they kept amongst their wives”. In contrast, King Henry VIII had just signed the Buggery Act in 1533 in England, which criminalize d sex between two males. The last men to be sentenced to death by hanging in England were in 1835 for engaging in homosexual sex; whilst at the same time there was an openly gay monarch, King Mwanga II of Buganda (present day Uganda), who actively opposed Christianity and colonialism. The Igbo and Yoruba tribes, found mostly in present day Nigeria, did not have a binary of genders and typically did not assign gender to babies at birth, and instead waited until later life. Similarly the Dagaaba people (present day Ghana) assigned gender not based on ones anatomy, but rather the energy one presents. In the royal palaces of Northern Sudan, daughters were sometimes given slave girls for sex.

For centuries, across the African continent there was a completely different attitude towards sexual and gender identities. Many African countries did not see gender as a binary in the way that their European colonisers did, nor did they correlate anatomy to gender identity. In no African country prior to colonization do we see any persecution of

LGBT individuals because of their sexuality, nor any anti-LGBT laws.⁹²⁸

The above deserves some attention. Buckle suggests that homosexuality was an acceptable practice in Africa before the advent of colonialism. By implication, she vouches for colonialism putting a halt to, and criminalizing, homosexual tendencies in Africa. The quintessential colonizer of most of the African nations was the United Kingdom. Yet, same-sex marriage is allowed in the United Kingdom. As of July 2013, England and Wales had passed legislation which took effect on March 13th, 2014. By March 29th, 2014, the United Kingdom had celebrated its first same-sex marriage.

Buckle states that, “Prior to European colonization, throughout the African continent we see far different, more relaxed attitudes towards sexual orientation and gender identity.” Buckle, thus, and by implication, suggests that Africa was a far more accepting society than Europe was until colonialism reversed the trends. If this assertion is correct, it would further indicate that throughout its colonial history, Africa was being restructured to meet the imperialistic demands of the colonial powers, to appease the imperial *agenda*. Europeans dictated what was right or wrong to Africa, even if such dictations would have rung untrue in Europe. The aim would have been to obliterate Africa’s cultural foundation, including its tolerant nature.⁹²⁹

Buckle then concludes thus, “In no African country prior to colonization do we see any persecution of LGBT individuals because of their sexuality, nor any anti-LGBT laws.” There has been a long and unresolved philosophical debate among the world’s greatest thinkers on whether morality is subject to legislation. The debate is inconclusive. And the reason lies, partly, in the fact that humans have a propensity to punishing, publicly, the same behavior that they also engage in privately.

Jesus gave the guideline: “They kept demanding an answer, so he stood up again and said, ‘All right, but let the one who has never sinned throw the first stone.’”⁹³⁰ The choice of whom one loves and marries are personal choices that may not be subject to legislation. They are best left to religion. The authors of the *Zambian Constitution* preamble were wise when they framed it and injected a tolerant theme in it.

⁹²⁸ *Ibid.*

⁹²⁹ See the author’s arguments in §7.1 that, “Zambians are by nature democratic...”

⁹³⁰ John 8:7, New Living Translation, Bible.

Chapter 16 Church Politics in Zambia

The religious mission of the Church motivates political activity, providing the source of commitment, direction, and vigor to establish and consolidate the community of men and women according to the law of God – Catholic Civil Rights League.

<p>BRIEF INTRODUCTION</p> <p>This chapter explores the Church in reference to the author’s experiences under the Zambian Church administration. Key Church figures that have shaped not only the author’s philosophy, but Zambia’s as well are explored. The chapter then concludes with a clarification that some people have in relation to whether Christians can serve people as politicians and by what standard.</p>	<p>AT THE END OF THIS CHAPTER:</p> <ol style="list-style-type: none">1. You will understand the inexorable nature of Christian philosophy that shaped the author’s writings; and2. You will appreciate that Christian principles may not be the only guide in functional democracies, but they are especially desired.
<hr/> <p>≈ Politics ≈ Religion ≈</p>	<p>MAJOR THEMES: Christianity; Church in Zambia</p>

§16.1 Three Passions

In 1995, the author founded with Peter Whitehead what became known as the Life Movement. It was a youth movement which he had begun with the help of Rev. Bernard Mambwe of the St. Andrews Livingstone Anglican Church. Within six or so months, the

author had a working committee of twenty strong people with two Vice-presidents. For a little while, he became a household name to some quarters in Livingstone. Throughout his formidable years, the author was always involved in leading inter-faith initiatives, and he believes, that was primarily owing to his embrace of both Catholicism and Protestantism with the same passion.

§16.2 The Nevers Mumba Factor

In 2001, Dr. Nevers Mumba announced his candidature in the presidential elections. Mumba and Bishop Imakando had two very different philosophies when it came to politics. This author literally grew up under the leadership of Bishop Imakando. He worked closely with him from planting the Bread of Life Church in Kitwe to establishing the one in Midrand, South Africa. He knew him at a level very few people had a chance to. Bishop Imakando was a true spiritual leader, focused on the spiritual *agenda* and willing to do anything to “bring thousands into the kingdom.” Bishop Imakando and the author had been to almost every province in Zambia conducting mini-crusades they called *Three Days of Power*. It was a liaison they would cherish for the rest of their lives.

Bishop Imakando believed that politics should not meddle into Church business. To him, one could not serve God and government at the same time. Bishop Imakando’s stand on politics was that “[One] cannot serve two masters. You cannot be a pastor or Bishop overseeing a congregation and at the same time running for political office. If you are a pastor you will lose your congregation and influence in the Church.”⁹³¹ His views were principled on the premise that:

The Church or denominations comprises different political parties. The best is to leave the Church and follow [one’s] heart. Certainly [one] can and it has happened for a Christian to be a politician. As a Christian politician, one can conduct his or her affairs based on biblical standards of righteousness and justice. I have no problem with [one] running for political office if it is [one’s] calling, what I have a problem with is when [one is] economical with the truth and use questionable tactics to sell [oneself] as a capable candidate for high political office. What I

⁹³¹ In an email of Tuesday, February 15th, 2011

know is that if God has ordained [one's] destiny, He will make a way for [that one]. He will raise people to promote and support [that one] instead of [that one promoting and supporting themselves].⁹³²

Bishop Imakando encouraged other people in Bread of Life to serve as politicians. After the 2001 elections in which Levy Mwanawasa emerged the winner, John Ziba became one of the president's private secretaries. Ziba enlisted as a student under this author's tutorship in the *School of Intercession* in 1998. He was like a big brother to him. The author remembers the first hand-out he produced titled, "All Prayer Makes All Things Possible." It was full of typographic errors, and Ziba offered to edit it for him. Ziba was a brilliant Zambian politician and businessman.

Although they held different views on Christianity and politics, Bishop Imakando and the author were the best of friends. In Bishop Imakando, the author found a true shepherd, a man who shared the author's religious views. However, it was in Dr. Mumba that the author found a man who shared his political views. On November 26th, 1999, Mumba, then as chairman of the National Citizens' Coalition (NCC) made a speech in Kabwe. In that speech Mumba said: "Like many Zambians, I am not happy in Zambia because of the suffering and lack of opportunity. The only thing I am happy with is the prospect of change. We can make a difference. We can change things."⁹³³ Mumba's entrance into politics was like the author's own as well. A year before this speech, the author had already had an encounter in Guatemala. He had felt a burden for Zambia.

The author had wanted very much to meet Mumba. In 2000, the author became the founder president of the UNZA Inter-fellowships Committee (UNZA-IFEC). UNZA-IFEC was the unified voice of all the Christian groups at UNZA. Through UNZA-IFEC, they organized a meeting for Mumba to speak to them about his vision for Zambia. The author made a brief introductory speech at that meeting. Later Nephas Ndhlovu, who was very close to Mumba, told the author that Mumba liked the author. In fact, in his opening remarks, Mumba made a statement to the effect that the author was a very eloquent speaker.

On March 26th, 2010, then as ZAMCAN Vice-president, in the company of other ZAMCAN Board members, the author met

⁹³² *Ibid.*

⁹³³ Lockhart, *supra.*, p. 13

Mumba in person for the very first at close range at the Delta Chelsea Hotel in Toronto, Canada. Mumba was personable, gregarious and extremely intelligent. The same aura of dignity and influence he carried when he preached on *Zambian television*, he carried even in his political and *quasi-political* onuses.

The author was enthused when before they began deliberations, Mumba requested them to pray: “Like we do before every parliamentary session or Cabinet meeting in the *Zambian government*, we do so even here; we must pray before we begin.” Interacting with Mumba reminded the author of the charge Jubilee Center Director Lawrence Temfwe gave regarding Christian leaders serving in government. Temfwe joined the school of thought that advocated for holy men and women to participate in national politics as a way of “proving that even a Christian soldier, police officer, or government minister can serve God in office.”⁹³⁴

Historically, churches were centers of political indoctrination. This role was conveniently adopted by the *Oasis Forum* in *Zambian history*. Temfwe saw the connection between Church and the community in that way: “If you’re serious about having your church make an impact, become an expert on your community. ‘Pastors should know more about their communities than anyone else,’ says Rick Warren in *The Purpose Driven Church*. This statement is equally relevant to a business of political leadership.”⁹³⁵ In *Zambia*, the Church must continue on the path of socio-political advocacy. Many people spend more time in churches than anywhere else. It is only natural that discussions focused on their moral, economic and political well-being are mooted there as well.

Christians in *Zambia* have an obligation not only to pray but also to serve in government. In so doing, they “work within the framework of the constitution to claim [their] given rights and exercise them courageously and creatively.”⁹³⁶ Christians may fear to serve in government not because of their doctrine upshots, but because they are slaves to unsubstantiated opinions of the relationship between God and politics. *Zambia* is neither a monarchy nor a theocracy. The Declaration does not make *Zambia* a theocracy, either. *Zambia* is a presidential democracy declared a Christian

⁹³⁴ Lawrence Temfwe, “Abuse of Office,” Jubilee Center website (November 1st, 2010);

⁹³⁵ Lawrence Temfwe, “Do Our Children Have a Dream for a Better *Zambia*,” *Monday Issue*, April 11th, 2011

⁹³⁶ Temfwe, *supra*.

Nation *tolerant* of other religions. As such, Zambia must continue to conduct its affairs as any normal democracy. However, in matters of morality and guiding philosophies, the nation should adhere to the Christian principles of truth, equity, justice, transparency and accountability.

Ironically, an Islamic imam has abridged the Christian values vis-à-vis politics and national governance as the “message of sympathy, kindness, godliness and gentle behavior.”⁹³⁷ According to this notion, it is this message which attracts people to the Christian faith. In the wake of the Declaration of Zambia by a Christian president, many people believed that Zambia would become prosperous overnight. Some people became disgruntled when the Chiluba administration did not deliver economically as expected. First, there is nothing remarkably different between a president who may call himself or herself a Christian and another who may not be a Christian. Both are humans subject to weaknesses and challenges all humans face. The only difference between the two has to do with principles. The Christian is expected to live up to a higher level of moral conduct. Although this requirement is expected of all those who profess Christianity, it is more so attributed to those who hold leadership positions: “Let not many of you become teachers, my brethren, knowing that as such we will incur a strict judgment. For we all stumble in many ways. If anyone does not stumble in what he says, he is a perfect man, able to bridle the whole body as well.”⁹³⁸ Thus, Christian leaders, whether in religious or political circles, are held to a higher level of morality. They must lead by example. They must talk the talk and walk the walk. They must be accountable to their promises and display inner qualities of integrity. Christian leaders are judged by their conscience.

Second, and this is what augments the author’s argument, the Zambian society confused the Declaration with perfection, and even with economic prosperity. Economic prosperity does not just happen; it must be caused. Prayer can move mountains and make all things possible, but faith without action is dead.⁹³⁹ Emerged Zambian Leaders must be defined by a commitment to values, dedication to democratic principles and dexterity in transacting national and

⁹³⁷ Mirza Tahir Ahmad, *Christianity: A Journey from Facts to Fiction* (Surrey, UK: Islamic International Publications Ltd., 2006), p. 147

⁹³⁸ James 3:1-2 (Bible)

⁹³⁹ See James 2:17 (Bible)

economic matters. The Declaration is God's gift to Zambia. Translating it into reproductive actions is the people's gift to God.

Chapter 17 The Clergy and Politics

Christianity promotes justice, equity and the Golden Rule. All these are values espoused in politics. No other people more than Christians should seek for political office because it is in their nature. But it is in God's nature as well. For God is the judge, lawmaker and law enforcer (Isaiah 33:22)

<p>BRIEF INTRODUCTION</p> <p>This chapter explores the Church and clergy politics, and this is analyzed in relation to their reaction to government. Is it justified to conclude that in Zambia the clergy wears the hat as both politicians and spiritual guides?</p>	<p>AT THE END OF THIS CHAPTER:</p> <ol style="list-style-type: none">1. You will understand a close linkage between Church and State in Zambia;2. You will appreciate the role the clergy plays in the politics of Zambia; and3. You will learn about the meaning of the name “Zambia.”
<hr/> <p>≈ Politics ≈ Religion</p>	<p>MAJOR THEMES: Church Clergy in Zambia; Clergy-State Relationships</p>

§17.1 A Christian Nation

Zambia is a Christian nation.⁹⁴⁰ But there has been an unspoken notion that professing Christians cannot make good presidents or key politicians in government.⁹⁴¹ Every once in

⁹⁴⁰ Preamble, 1996 *Zambian Constitution*

⁹⁴¹ This notion is clearly unfounded. In the US, for example, it matters most to be a Christian to serve in government or to be a successful politician.

a while the Dan Pule's of Zambia rise,⁹⁴² and then they go. Clergy-turned-politicians of Mumba's stature have always found it a hard ground to break politically in Zambia.⁹⁴³ A good friend of the author's, Levy Ngoma, became an MP since the early 2000s. Despite all the apathy, Mumba went to becoming Zambia's Vice-president,⁹⁴⁴ and High Commissioner to Canada.⁹⁴⁵ In that regard, Mumba succeeded where many failed.

Historically, Zambia's political leaders have followed a Christian route. David Kaunda, the father of Zambia's first president, Kenneth Kaunda, was a Christian missionary to Zambia from Malawi. Kaunda himself became a Born-Again Christian. He was led to the Lord by Nevers Mumba.⁹⁴⁶

According to Mumba the encounter was significant. It did not only make Kaunda a Born-Again Christian, but it also gave him the courage to take back Zambia to multiparty democracy: "Little did I know that in two hours' time the president was going to address the nation on radio and television to diffuse a political time bomb, one that could have brought untold bloodshed to Zambia. He declared Zambia a multiparty state."⁹⁴⁷

Frederick Chiluba who succeeded Kaunda was a Born-Again Christian, too: "Chiluba, a labor union leader, had previously been detained in prison by the UNIP government for publicly speaking out against Zambia's Marxist government. During his incarceration he found Christ and was later filled with the Holy Spirit at a CFAN crusade."⁹⁴⁸ Late president Chiluba later declared Zambia as a Christian Nation on November 29th, 1991.

Zambia's third Republican president, the late Levy Patrick Mwanawasa was a man of great faith. Only after his death, and

⁹⁴² A Zambian pastor and first deputy Minister for Finance in the first Chiluba's government. He now heads a political party called Party of Unity for Democracy and Development or PUDD.

⁹⁴³ As recent as 2021, Nevers Mumba stood as presidential candidate for the MMD, and he lost the presidency to Hakainde Hichilema.

⁹⁴⁴ Nevers Mumba was appointed as Vice-president of Zambia in May 28th, 2003, by President Levy Mwanawasa.

⁹⁴⁵ "Nevers Mumba was sworn in as Zambia's High Commissioner to Canada on March 29th, 2009, by His Excellency Mr. Rupiah B. Banda, President of the Republic of Zambia, and officially took office on July 8th, 2009, in Ottawa, Canada." <<http://www.zambiahighcommission.ca/highcommission.php>> (Retrieved: July 10th, 2010)

⁹⁴⁶ Lockhart, pp. 42-43

⁹⁴⁷ Lockhart, *ibid*, p. 42

⁹⁴⁸ *Ibid*, p. 42

through Amos Malupenga’s biography of him,⁹⁴⁹ do we come to learn about what inspired this great son of Zambia to do what he did. To a common person, Mwanawasa was just a good lawyer who became president of a nation. But Mwanawasa was more than just a national leader; he was a mighty intercessor for the people and the well-being of his nation. Malupenga in his book, *Levy Patrick Mwanawasa: An Incentive for Posterity*, reveals the most religious side of late President Mwanawasa. Malupenga was summoned to State House by the president for lunch on June 14th, 2008. The president then prayed before the meal.⁹⁵⁰

§17.2 Christians in Government

Politics is neither clean nor dirty; it is people who are involved who may be clean or dirty. Politics is the noblest way of serving humanity. It is above religion because religion by definition is exclusive. Politics augments the diversity of a people into a nation. Its principles may suit all, its ideals may support all, and its practice aims at delivering the good of all. The author would have remained in Zambia and join politics. But he realized that the best way to change a nation in the long term, was to review its history and present cogent and tested ideas that those who may come after him would be able to embrace and apply. And the best way of doing that was to study how the West became rich, powerful and democratic and then channel these through a book. That is the reason why he embarked on writing *Zambia: Struggles of My People* in 2005 and completed in 2011.

This came to light when Nevers Mumba decided to vie for a political office in 2001. In 1984, Mumba founded, and is the president of, Victory Ministries International. “In 1990, he began a national television outreach that brought him thousands of members in Zambia and Namibia.”⁹⁵¹ Mumba supported the Declaration of Zambia as a Christian Nation. While Mumba connects good political leadership with belief in God,⁹⁵² he, however, does not claim that only

⁹⁴⁹ The book is titled, *Levy Patrick Mwanawasa: An Incentive for Posterity*, published in 2009. Malupenga explains that he derived the title of this book from the late Mwanawasa’s prayer

⁹⁵⁰ Malupenga, *supra*, p. xiv.

⁹⁵¹ Isabel Apawo Phiri, “President Frederick Chiluba of Zambia: the Christian Nation and Democracy,” (November 2003) *Journal of Religion in Africa*, Vol. 33, Fasc. 4, p. 413

⁹⁵² *Ibid.*, p. 414

Christians should hold political office. This he stated most movingly as follows: “[We] shall uphold the Declaration of Zambia as a Christian Nation, with the view of making it more practical. Love, tolerance and justice shall be the basis of the Declaration...[to] establish points of reference to undergird it. [We] shall respect our citizens’ freedom of association and assembly and will ensure the full rights of other religions to practice without intimidation.”⁹⁵³

Mumba’s thrust into politics was motivated by, among other things, his vision to see Zambia saved. His famous theme was “Zambia Shall be Saved.” His method, as promulgated above, was an inclusive one – unlike his religious ministry where he aimed at converting the unbelievers into believers, in politics, he envisioned a Zambia in which all were equal and had equal benefit to the nation’s resources.

This author had the rare privilege of belonging to the very core of the cream of Zambia’s religious establishments. And he did not like its attitude to Mumba’s decision. If the word *could* was only hovering around his head, then it became a living reality after the election results were announced. The Christian Body denied Mumba a vote.

The 1996 poll saw Mumba emerge without a single seat. Although Mumba argues that he founded the party too late to “have the resources or time to campaign,”⁹⁵⁴ critical analysis reviews that, with the national popularity of Mumba at the time, he deserved a seat or more. Some have argued that “The Pentecostals and Charismatics did not give him the support that he had anticipated because they felt disappointed that he used a Christian ticket to get into politics.”⁹⁵⁵ Others claim that he misrepresented Christians because in his sermons he asserted that a prophet’s calling was higher than that of a president of a country.

The reasons advanced, in all fairness, fail to justify why Mumba lost even in his own constituency. Mumba was ready; the Church was not, despite the fact that the Church in Zambia had a tradition of agitating for progressive regime changes.

The Christian body in Zambia was not ready to recognize that one of them could run for presidency. Mumba had done indirectly for many young Christians what no religious leader had ever done directly; he had broken the Christians-cannot-be-good-politicians syndrome. Although Mumba had lost at the poll, he, in fact, had won

⁹⁵³ *Ibid.*

⁹⁵⁴ *Ibid.*

⁹⁵⁵ *Ibid.*

at the psychological level. He had opened wide the door of political opportunity for all Zambian Christians. At his crusade in Namibia in August 1997, Mumba challenged Christians to “take up political leadership positions if that was what God was calling them to do.”⁹⁵⁶

Mumba also won in another and more familiar way to him, it was as the Prophet Zechariah had prophesized, “Not by might nor by power, but by [Jehovah’s] Spirit.”⁹⁵⁷ Mumba ascended to the level of Vice-president in Zambia through appointment by President Mwanawasa. This was even more liberating to many up-and-coming Zambian Christian politicians than they could ever imagine.

This author is a beneficiary of Christianity. However, Christianity in Africa has lamentably failed to equip its adherents to practically change the political spectrums of their nations with the exception of Jesuit Catholicism. The Jesuit Fathers have done a commendable job of raising awareness regarding issues of social justice and local politics.

The Evangelicals and Pentecostals have not yet landed on earth; they still seem to play to divine politics when their fellow human beings are still languishing on earthly terrains. As a young Pentecostal, the author had difficulties understanding the popular Pentecostal view with its assertion that Christianity and politics did not sync. In fact, the author had seen so much commonality between the two. The blunt truth is that “Christianity and constitutional government”⁹⁵⁸ went hand in hand, especially in the early stages of the introduction of Christianity to Zambia. Even in the Bible, God always intervened through politics.⁹⁵⁹ In the first instance, Christianity promotes justice, equity and the Golden Rule.⁹⁶⁰ God is the judge, lawmaker and law enforcer.⁹⁶¹

A parochial mind-set reminiscent of stunted idealism underpins the nominal approach to politics by many professed Christians. They believe that one’s chances of entering heaven are reduced if he or she becomes a politician or a lawyer. This is a misunderstanding of the Biblical truth. Christian salvation is not a consequence of one’s works or personal sacrifice. It is a gift given to mankind through the redemptive work of Jesus Christ by grace.⁹⁶²

⁹⁵⁶ Phiri, *supra*.

⁹⁵⁷ Zechariah 4:6

⁹⁵⁸ Poultney Bigelow, *White Man’s Africa*, p. i

⁹⁵⁹ See Isaiah 33:22

⁹⁶⁰ See Matthew (7:12

⁹⁶¹ *Ibid*.

⁹⁶² Ephesians 2:8

§17.3 Zambia Means God's

Zambia, and Zambians may not divorce God from the Zambian politics. Fascinating enough, the people of Northwestern Zambia call God as *Zambi*. In other parts of Zambia, he is called *Zambe*. Both *Zambi* and *Zambe* are the root words for Zambia. The Zambezi River from which Simon Mwansa Kapwepwe derived the name Zambia⁹⁶³ begins at the Kalene Hills in Northwestern Province.⁹⁶⁴ It is no coincidence that Zambia is a derivative of *Zambi*, literally “That which belongs to God.”

The idea of God and democracy is adequately articulated in the Bible: “For the LORD is our judge, the LORD is our lawgiver, the LORD is our king; he will save us.”⁹⁶⁵ Herein rests divine sovereignty. God is a Judiciary (judge), a Legislature (lawgiver), an Executive (king), and Commander-in-Chief of the Armed Forces (“He will save us.”). The Israelites rejected God’s political reign over them, saying, “Now make us a king to judge us like all the nations.”⁹⁶⁶

It is important to note God’s answer to Samuel when the latter complained that the people had rejected God. God advanced one of the fundamental tenets of democracy, and in essence defined the concept of democracy. God said to Samuel, “Listen to the voice of the people in all that they say unto you: for they have not rejected you, but they have rejected me, that I should not reign over them.”⁹⁶⁷

First, even God defines democracy, *vox populi*, as the *voice* of the people. In democracy, the people are supreme. Modern political philosophy adheres to this definition of democracy as the rule by the

⁹⁶³ According to the *Historical Dictionary of Zambia* on page 468, the word Zambia became prominent on October 24th, 1958, when Kaunda and his followers named their new party the *Zambia* African National Congress (ZANC) but the exact origin of the word is in doubt. It was obviously derived from the Zambezi River which flows through much of the country, and from the word Zambesia. In 1953, Arthur Wina, in a poem he wrote while attending Makerere College in Uganda, used the word to refer to his country. Stories differ as to who suggested the name at the first ZANC meeting. [Some legends assume it was Kapwepwe who suggested the name]. Regardless, the group preferred it to other suggestions. [Other suggestions at the meeting were Muchinga and Zambesia].

⁹⁶⁴ Ironically, Simon Kapwepwe was regarded as a man with no regard for God according to the unpublished manuscript of Fostino Lombe who served as Kapwepwe’s Secretary-General.

⁹⁶⁵ Isaiah 33:22, *supra*.

⁹⁶⁶ I Samuel 8:5b

⁹⁶⁷ I Samuel 8:7

people.⁹⁶⁸ God was, therefore, in order to instruct Samuel to listen to the *voice* of the people. When the people speak, that is, when they express their voice through a vote, they are simply demonstrating their democratic supremacy.

Second, God stepped down when the people rejected him. God set a precedent of a vital democratic character. He was willing to relinquish power when the people demanded change. Isn't it inimical that some politicians want to hold on to power indefinitely even when the people have rejected them? God set a political example for all nations to emulate.

§17.4 Righteousness Exalts Nations

The concept of a nation is at the very core of Biblical economics. It originally denotes a people (*ethnos*), a race (*genos*) and a tribe (*allophulos*).⁹⁶⁹ All these apply to Zambia which is a nation of people and tribes. The righteousness which exalts or lifts up a nation is defined *dikaioma* and is translated straightness or honesty or justice.⁹⁷⁰ Thus, justice and a sense of straightness (rightness, honesty, transparency and accountability) promote, and is necessary, to a nation's political development.⁹⁷¹ Zambia will do itself justice by adhering to the proven Christian principles that are central to liberating Zambia into a nation of accountable and responsible people.

Nations (*allophulos*) are deemed to be made up of tribes. As Temfwe argues, tribalism⁹⁷² is a danger to development. Accordingly, tribalism creates and perpetuates many of Africa's contemporary problems. "We tolerate corruption, political oppression, and discrimination to protect our own. We campaign for public office on tribal platforms."⁹⁷³ Sadly, Temfwe notes, even selection to church

⁹⁶⁸ See Mwewa, *The Burden of Zambia*, p. 10

⁹⁶⁹ See W.E Vine, *Vine's Expository Dictionary of New Testament Words*, unabridged edition, (Iowa Falls: Riverside Book and Bible House), p. 784

⁹⁷⁰ *Ibid.*, p. 981

⁹⁷¹ Proverbs 14:34 (Bible).

⁹⁷² For a comprehensive review of tribalism in Zambia, see a compilation by Munyonzwe Hamalengwa, *The Case against Tribalism in Zambia* (Toronto: Africa in Canada Press, 2016), see particularly Chapter 8, "Will Zambia Become a Mature Democracy," by Charles Mwewa on pp.30 – 34.

⁹⁷³ Lawrence Temfwe, "Left Unchecked, Tribalism will Consume Zambia," *Monday Issue*, January 17th, 2011

office is campaigned for on tribal grounds and not based on spiritual maturity or preparedness.”⁹⁷⁴

⁹⁷⁴ *Ibid.*

Chapter 18 Zambian Church History

*A tear of God lazily borne
And who for Zambia shall mourn?
Who, for a broken and forsaken garland?
Who, for a stricken and afflicted land?*

BRIEF INTRODUCTION

This chapter focuses on the history of the Church in Zambia. The impact of the Church in post-colonial Zambia is hugely significant to Zambia's political dynamics.

The Three-Mother-Body of the Church in Zambia is discussed with a view to linking its role in shaping governments to the incumbency. The idea of a *State Within a State* is canvassed in this chapter.

History ≈ Politics ≈
Religion

AT THE END OF THIS CHAPTER:

1. You will understand that the very genesis of politics in Zambia is based on a Church foundation;
2. You will appreciate the significance of the Three-Mother-Body in Zambia's political and religious experiments; and you will understand the reason why it is collectively referred to as a *State within a State*.

MAJOR THEMES:

Christianity and Colonialism;
The Three-Mother-Body;
State Within a State Concept.

§18.1 Christianity in Zambia

Zambia has more Christians than any other religious denomination. It also has more Protestants than Catholics: “Ninety-five-point-five percent of the country [Zambia] is Christian; of these 75.3 percent identify as Protestant and 20.2 percent as Roman Catholic. Protestant groups with the largest numbers of adherents include the Anglican Church, evangelical Christians, and Pentecostal groups. Approximately 2.7 percent of the population is Muslim, with smaller numbers of Hindus, Baha’is, Buddhists, Jews, and Sikhs. Approximately 1.8 percent of the population adheres to other belief systems, including indigenous religions and witchcraft, or belongs to small communities that hold no religious beliefs.⁹⁷⁵

To give an informed framework under which politics thrive in Zambia, vis-à-vis Christianity in Zambia, an overview of the history of Church in Zambia is presented below. More than any institution, even before Zambia formed the first Advisory Council, Church had been gathering followers in the region we now call Zambia. In other words, the very foundation of Zambia lies upon the activities of the first missionaries in Zambia, for better or for worse.

Before Europe colonized Zambia politically, Europe had penetrated the African nation with missionary quests in the mid-19th Century. At the time Dr. David Livingstone was traversing the central African region, Evangelical Churches from Britain already had vested interests in the region now known as Zambia. Two factors seemed to have facilitated missionary expansion in Zambia. The need to share the revival witnessed by various Evangelical Churches like the Anglican, Methodist and the Pietist, and to convert others to this newly found revival, was rife in their quest. And the rise in missionary zeal heightened by the expansion of European empires to open up unknown territories and bringing other cultures to the attention of the newly formed mission societies sealed the quest.

Livingstone operated under the dual thesis of Christianity and commerce.⁹⁷⁶ Thus, the main motivation for the Christianization of

⁹⁷⁵ “Zambia,” International Religious Freedom Report for 2018, United States Department of State Bureau of Democracy, Human Rights, and Labor (Retrieved: September 24th, 2021)

⁹⁷⁶ In 1859, Livingstone addressed the Senate House of Cambridge University at which he urged Britain to carry both Christianity and commerce to pagan nations including in Africa and India. To Livingstone, both Christianity and commerce were pioneers of civilization.

the region presently known as Zambia was to make an open path for commerce and Christianity. In fact, before Livingstone, the so-called expeditions to Africa were mostly motivated by greed and a *holier-than-thou* attitude: “They [Europeans] brought with them an administration directed exclusively to the accumulation of gold and indiscriminate conversion of natives.”⁹⁷⁷

Before his death,⁹⁷⁸ Livingstone had charged the British society to continue the spread of Christianity and commerce in Zambia. In honor of Livingstone, and by the same token so as to find a cure for malaria from which Livingstone succumbed, based on the latest discovery of quinine, the London Missionary Society (LMS) established the first missionary station in the region presently known as Zambia in 1885 at Nyamikolo near Lake Tanganyika.

The smaller tribes that existed at this time easily accepted the work of foreign mission stations in the northern region of present Zambia. As discussed in Chapter Five, at this time the Bembas were the most powerful tribe. Most tribes feared that they would be conquered by the Bembas. To ensure safety and protection, the smaller tribes desired the protection of these societies. Consequently, other missionary societies and organizations followed in the steps of the LMS.⁹⁷⁹

The Catholic missionaries were the first to establish their stations among the powerful Bemba tribes. Due to the reason cited above, the Bembas had resisted missionary influence because they believed that European missionary societies were shielding smaller tribes. However, by 1895, Roman Catholicism was strongly established in what is presently called the Copperbelt of Zambia and in southern Zambia.⁹⁸⁰

Evangelicals and Catholicism penetrated Zambia at much more rapid speed and intensity than, for example, the Anglicans who despite Livingstone’s challenge to set up missions in Zambia were still

⁹⁷⁷ Poultney Bigelow, *White Man’s Africa*, p. 1

⁹⁷⁸ Livingstone died of malaria and dysentery on May 1st, 1873, along the shores of Lake Bangweulu in Northern Zambia at a place called Ilala. His heart was later buried at Chitambo’s village in central Zambia. His body was wrapped and carried to Britain where it was buried in Westminster Abbey in April 1874.

⁹⁷⁹ The Paris Evangelical Missions (PEM) was established at Lealui in 1892; the Primitive Methodists (PM) worked among the Illa people in Western Zambia in 1892; the Presbyterians came to Mwenzo in 1894. In 1965, the LMS, PEM, PM and the Presbyterians came together and merged into what is now known as the United Church of Zambia (UCZ).

⁹⁸⁰ These included the Catholic White Fathers in the Copperbelt; and the Jesuit Fathers and Franciscans in Southern Zambia.

fragmented.⁹⁸¹ It is important to note that the influx and domination of European missionaries' activities in Zambia marked the end of indigenous traditional worship. It would be a misrepresentation to deny that the ancestors of the Zambians did not have a religion. Long before the coming of European missionaries, the people who would become known as Zambians after independence had worshipped local deities through shrines and had well established traditional religious beliefs.

There is both a positive side and a downside to Livingstone's missionary quest in what is presently known as Zambia. Positively, Livingstone and the European missionary societies have been applauded for their efforts in curbing slavery, both among the African tribes and the West-dominated Trans-Atlantic Slave Trade. Slavery had been abolished in England by 1834.⁹⁸²

Augmenting the works of the abolitionist society, the missionary societies simply took further the job already begun in England. This was necessary because despite the official abolishing of slavery in Europe, "The Portuguese continued to carry on the [slave] trade to a greater extent than ever; and some British subjects went undercover as partners in slave trade."⁹⁸³

However, the downside to the works of the European missionaries in the present-day Zambia was two-fold. First, Livingstone, though certainly at the vanguard of the colonizers, in that capacity, nevertheless, he spelled the end to traditional Zambian

⁹⁸¹ The first Anglican mission station in Zambia was established at Msoro by a Malawian Leonard Kamungu in 1911. Traditional Anglican involvement in Zambia was undertaken by the Universities' Mission to Central Africa (UMCA), which had been founded in Cambridge as a direct result of the fiftieth anniversary of Livingstone's call for African evangelism. Though unlike many of Livingstone's original audience the UMCA held to a less Evangelical and more Anglo-Catholic form of Christian theology. Consequently, although highly influential, despite its small numbers, modern day Anglicanism in Zambia does not have the Evangelical fervor that is evident elsewhere in modern-day African nations that were formally British colonial possessions <www.wikipedia.com>

⁹⁸² In order to make slavery illegal in England as early as 1823 an Anti-Slavery Society was founded. Members included, but not limited to, Thomas Clarkson, Henry Brougham, William Wilberforce, Thomas Fowell Buxton, Elizabeth Heyrick, Mary Lloyd, Jane Smeal, Elizabeth Pease and Anne Knight. It was mainly due to the effort of these noble men and women that ten years later, in 1833, through the Slavery Abolition Act, slavery was officially abolished in the British Empire on August 1st, 1834. Slaves who were older than six years were not freed but were designated as apprentices. They would continue to serve their former owners for a period of time after the abolition of slavery.

⁹⁸³ *Ibid.*

worship. As argued elsewhere in this book, the coming of missionaries to the area we presently call Zambia, was the overthrow of quintessential African value-system, displacement of traditional motifs and practices, renaming, and sometimes hijacking of ancient African phenomena as newly discovered versions of European imperialism. A good example is the Mosi-oa-Tunya Waterfall, which Livingstone laid claim to and renamed Victoria Falls in honor of Queen Victoria of England.

Second, Livingstone's works, understood less as of a colonizer and more as a promulgator of the Christian faith,⁹⁸⁴ had paved the way for the institutionalization of the European concept of *terra nullius*, and in that way advanced the colonization process.⁹⁸⁵ In fact, the possible motives were not as philanthropic as they first appeared to those under threat. Livingstone saw the oppressed communities as a basis for his potential village preaching centers for spreading the gospel. But in doing so, Livingstone was directly providing a stable base for European culture. Moreover, it would be imprudent to dismiss the fact that Livingstone himself relied on slave trade's logistical networks already in place at the time. Other records indicate that Livingstone himself could have traded in slaves.⁹⁸⁶

§18.2 Post-Colonial Christianity

Despite its initial motive in Zambia, the Church was well established and filled in the gap between the wealthy colonial elites and the impoverished Africans in Northern Rhodesia. Churches ministered to the needs of the local population without antagonizing the colonial administration. To the larger extent, the churches in Northern Rhodesia had brought the local population to a point of passive acceptance of colonial rule.⁹⁸⁷

By 1964, the churches in Zambia had been established as centers for social welfare distribution. During this period, churches were primarily involved in education and health-care provision, orphanage

⁹⁸⁴ Firstbrook contends that missionaries were quintessential colonialists. See Firstbrook, *The Obamas*, p. 90

⁹⁸⁵ The concept of *Terra Nullius* is discussed in Chapter Five

⁹⁸⁶ See Firstbrook, *ibid.*, p. 90

⁹⁸⁷ Ironically, the colonial administration tolerated church activities as a possible practical tool of indoctrination. Like today, government sometimes uses the church in the similar way.

building, agricultural skills training, and others.⁹⁸⁸ In other words, the bulk of Zambian social, and to some extent, legal development was undertaken by the churches.

More than the colonial administration itself, churches were instrumental in dismantling the traditional and cultural edifice of Zambia. The churches were against traditional medicine and poured scorn on traditional healers as evil or otherwise unscientific. The Church was driven by a perception that the only alternative medical care available to the local population involved traditional healers and their use of, in colonial eyes, unscientific and crude methods as well as possible appeals to animistic or ancestral powers. These latter elements were of particular concern in ecclesiastical circles as the Church has generally tried to change or discourage cultural practices that are contrary to Christian teaching.⁹⁸⁹

Although the colonial administration-built schools here and there, the bulk of education both in pre-independence and shortly after independence, in Zambia, was provided by the churches. This is not to presume that Zambians did not have access to education, albeit informal education. Understood formally, the colonial attitude was that Zambians were not educated until they passed through the four-corners of standardized learning.

Had the colonialists and the churches left education to be a matter solely determined by the locals, it would have taken longer for the Africans to gain independence. In the twist of fate, the same formal aspect of education recommended and introduced by the missionaries would prove to be slyly, strengthening the indoctrination process while at the same time empowering the Africans for self-determination. Education on the other hand, would prove to be a little more of a double-edged sword for the colonial administration. Paradoxically, as the state sought to control education policy by taking out of the hands of the churches so the clamor for the demise of colonial rule, from a mission educated local population, rose. Schools were often found associated with the mission stations.⁹⁹⁰

Whether the missionary schools omitted the provision of higher education for the stated reason or for other ulterior motives, by independence, Zambia was very well behind in this regard, making it

⁹⁸⁸ The churches could have also been involved in advocacy and the formulation of law and the penal code.

⁹⁸⁹http://en.wikipedia.org/wiki/History_of_Church_activities_in_Zambia#cite_note-18#cite_note-18 (Retrieved May 22nd, 2010)

⁹⁹⁰ *Ibid.*

difficult for the young government to meet developmental goals. Acquisition of problem-solving and higher education in Zambia has been a struggle.⁹⁹¹ For example, in 1967 Zambia had only one university catering for about five million people.⁹⁹² In 2011, Zambia had only about four universities catering to over twelve and half million people. However, by 2021, Zambia had more than 50 universities, including both public and private.⁹⁹³

The colonial government intervened in the provision of higher education in Zambia, partially following the revolt in Malawi in the early 1920s. “From the 1920’s onwards there was to be a gradual erosion of the Church’s primacy in education in Zambia. The

⁹⁹¹ Problem-solving mode of education will be dealt with in great details in Chapter 25

⁹⁹² University of Zambia; established in 1967.

⁹⁹³ These universities are: Africa Christian University (Lusaka); African Open University (Ndola); Africa Research University (Lusaka); Ambassador International University (Chongwe); Bethel University, Zambia (Mongu); Blessing University of Excellence (Lusaka); Brook Besor University (Lusaka); Cavendish University Zambia (Lusaka); Chalimbana University (Lusaka); Chreso University (Lusaka); City University of Science and Technology (Lusaka); Copperstone University (Kitwe); DMI-St. Eugene University (Lusaka); Eden University (Lusaka); Evangelical University (Ndola); Gideon Robert University (Lusaka); Harvest University (Lusaka); Information and Communication University (Lusaka); Justo Mwale University (Lusaka); Kenneth Kaunda Metropolitan University (Lusaka); Kwame Nkrumah University (Kabwe); Livingstone International University of Tourism Excellence and Business Management (Lusaka); Lusaka Apex Medical University (Lusaka); Mansfield University (Lusaka); Mosa University (Chibombo); Mukuba University (Kitwe); Mulungushi University (Kabwe); Northrise University (Ndola); OAK University (Lusaka); Paglory University (Kabwe); Rockview University (Lusaka); Rusangu University (Monze); South Valley University (Chikankata); St. Bonaventure University (Lusaka); Sunningdale University (Lusaka); Supershine University (Lusaka); Texila American University Zambia (Lusaka); The Copperbelt University (Kitwe); The United Church of Zambia University (Kitwe); The University of Barotseland (Mongu); The Zambia Catholic University (Kalulushi); Trans-Africa Christian University (Kitwe); Trinity University, Zambia (Lusaka); Twin Palm Leadership University (Chikankata); University of Edenberg (Kitwe); University of Lusaka (Lusaka); University of Zambia (Lusaka); Victoria Falls University of Technology (Livingstone); Zambian Christian University (Choma); Zambian Open University (Lusaka); Zambian Royal Medical University (Lusaka); Levy Mwanawasa (COSETCO) University; Livingstone International University for Tourism Excellence and Business Management (LIUTEBM); National Institute of Public Administration (Africa); West East University College; Zambia Center for Accountancy Studies (ZCAS) University (Lusaka); Sylvia University; Greenlight University; Management College of Southern Africa (MANCOSA) (Lusaka); Open Window Zambia; Twin Palm Leadership University; UNICAF University; University of Africa; University of the Foundation for Cross-cultural Education; Victoria Falls University of Technology (VFU); and Yesbud University.

Advisory Board devised the Native School Code by 1927 establishing the state as the arbiter of educational standards in Zambia.⁹⁹⁴ However, this move significantly reduced the number of registered missionary schools. The State now had the power to deregister schools that did not operate for the prescribed number of days in a year or did not cover adequately the curriculum developed by the Board. The number of registered mission schools declined significantly during this period. Of the 547 schools run by the White Fathers only 17 qualified as schools under the new conditions. Part of the reason that the Copperbelt schools were inter-denominational was the pressure from the Board not to allow contending schools to open up in the towns and repeat the rivalry that was prevalent elsewhere leading to small villages with two schools run by competing missions.⁹⁹⁵

By parity of argument only, the place of the mission schools in the struggle for Zambia's independence cannot be disputed. The schools had opened up vital avenues for Northern Rhodesians to look further than just acquiring an education. The Northern Rhodesians would use the power of learning to fight for their own independence. After 1951 only the Catholics and few other agents could boast of superior control over the education system in Northern Rhodesia.⁹⁹⁶ However, enough had been done already to sensitize the Africans to their fundamental demands.

Mission schools had become the place where the aspiration for independence was established and nurtured. It was the mission centers that became the birthplace of post-war African nationalism. In the wider context, the churches had also to become advocates for the people who congregated in their buildings for worship and populated their parishes. Although an outside agency, they were equipped and informed enough and had sufficient influence both in Northern Rhodesia and back in Britain to intercede for those who had little voice in the colonial political system.

Churches played a central role in awakening the political conscience of the locals. From the churches, leaders began to emerge,

⁹⁹⁴ http://en.wikipedia.org/wiki/History_of_Church_activities_in_Zambia#cite_note-18#cite_note-18 (Retrieved: May 22nd, 2010)

⁹⁹⁵ *Ibid.*

⁹⁹⁶ In that year, Local Education Authorities (L.E.A) were created in Northern Rhodesia to control government schools and some mission schools that were neglected by their agencies. By 1963, only Catholic schools could come distantly close to L.E.A operated schools in Zambia.

leaders like the father of Zambia’s first president, David Kaunda, a well-educated Malawian preacher and schoolteacher. Churches were zones of freedom or a *State Within a State*. Even today, churches retain massive *quasi*-political functionality ranging from the provision of education to the provision of health-care, to the representation of the vulnerable groups in society. The churches, for the most part, are the voices of the oppressed and repressed of the Zambian society.

The idea of a *State Within a State* became ubiquitous in 1995 shortly after the Declaration of Zambia as a Christian Nation.⁹⁹⁷ If the role of the Three-Mother-Body⁹⁹⁸ as a state force was only presumed before 1992, after the Declaration, the Church wanted to do more than just preach the Word of God. It wanted to be directly involved in the running of the affairs of the nation.

For example, “At a meeting of the churches and the politicians held in 1995, the group of Church representatives expressed their views by stating that they had expected that all political leaders were to be drawn from the Church.”⁹⁹⁹ This expectation raises two issues: first, was the Church simply expressing its presumed view that it saw its role in the nation as more than that of spiritual guide? The demand the Church put forward of being “partners in the running of the government,”¹⁰⁰⁰ seems to lead to that conclusion.

Second, did the Church mistakenly believe that late president Chiluba’s Declaration meant the creation of a Theocratic State where the clergy and the politicians were at *par*? If not implicitly, explicitly, most Zambians thought that the Declaration was only the first stage leading in that direction. The second stage could have been the sending of evangelists and priests into the communities to teach “what it meant to be a Christian and to intensify their prayers so that God would raise good leaders at the local level in their constituencies.”¹⁰⁰¹

Thus, the Church’s role as a regime changer in Zambia has been

⁹⁹⁷ See a sustained discussion on the Declaration from §19.1 to §19.7

⁹⁹⁸ The Three-Mother-Body have, historically, included the Evangelical Fellowship of Zambia (EFZ), and the Zambia Episcopal Conference (ZEC) and Zambia Conference of Catholic Bishops (ZCCB). However, the Council of Churches in Zambia (CCZ) is also a part of the Three-Mother-Body. CCZ is older than Zambia; it was founded in 1944 as the Christian Council of Northern Rhodesia and is a member of the World Council of Churches and the Fellowship of Christian Councils in Southern Africa.

⁹⁹⁹ Isabel Apawo Phiri, *supra*, p. 409

¹⁰⁰⁰ *Ibid.*

¹⁰⁰¹ *Ibid.*

imminent in all three Republics. Gilford¹⁰⁰² argues that it was the Church in Zambia which was responsible for the rising of Zambia's first president, Kaunda; and for his downfall when he diverted from the Christian faith and linked himself to the Maharishi Mahesh Yogi and Dr. Ranganathan; for Chiluba's rise to power with its blessings; and also responsible for the downfall of the Chiluba administration.

§18.3 Church and Oppression

From the beginning the churches in Northern Rhodesia during the Federation of Rhodesia and Nyasaland from 1953 to 1963 were at a disadvantage in terms of treatment in comparison with those in Southern Rhodesia (Zimbabwe) and Nyasaland (Malawi). Northern Rhodesia was viewed more as a supplier of raw materials and cheap labor than as a colonial settlement. Matter of factly, the colonial federal government attached very little importance to their plight, including their religious predicament. Ironically, it was during the decade-long Federation that indigenous African churches began to mushroom.¹⁰⁰³ In principle, the Christian Council of Northern Rhodesia (CCNR), and subsequently the Christian Council of Zambia (CCZ) after independence, supported the pronouncements of the government unless where government deviated grossly from divine ordinance.¹⁰⁰⁴

¹⁰⁰² Paul Gifford, *African Christianity: Its Public Role* (London: Hurst & Company, 1998), pp. 181-231

¹⁰⁰³ Indigenous African Churches or IACs were started by the native Africans thanks mainly to the change in policy by the Christian Council of Northern Rhodesia which had replaced the General Missionary Conference in 1944. Africans now could set up churches both as branches of the main missionary congregations and as break away independent establishments.

¹⁰⁰⁴ This was stated mostly sincerely by the CCNR, thus: 'Under normal circumstances the Church is bound to support the State and the forces aimed at preserving law and order, but this obligation is qualified by the Church's higher loyalty to the law of God. Where the State is misusing its Stewardship of power; where it is not adequately fulfilling its function of protecting the God-given freedom of all its citizens; where it is favoring one section of the community to the detriment of the others, then a Christian is called to protest ad to take whatever action is compatible with the Christian Gospel.'

§18.4 Three-Mother-Body

Following the Berlin Congress in 1885, Britain had a good accumulation of wealth through the acquisition of colonies in Africa. However, Britain's supremacy and imperial power began to dwindle after World War II (1939 – 1945). Prior to the war, the relationship between the colonial government and the churches was impeccable. This began to change after the war.

The imposition of the Federation was a last attempt at salvaging the imperial presence in Central Africa. Basically, Britain could no longer maintain its empire after the war. In its attempts to preserve its power, the colonial government alienated the churches as some of the most powerful civil society groups in the nation, prompting open opposition to its policies. This schism would quickly alienate the colonial government from the Zambian educated elites and would pave the way for the calls for Zambian independence.

According to Phiri, the Church in Zambia, not only did it play a crucial role in the independence process, but it was also instrumental in sanctioning a social resistance that gave impetus to the freedom fighter's struggle for independence. The Christian Church formed a crucial part of the associational landscape in many Sub-Saharan countries, consisting not only of a forum for spiritual communication but also a sanctuary for secular resistance. The mission centers provided a place where the contradictions between Christianity and the politics of racism and colonialism could be discussed in relative freedom. The effect of this was that the anti-colonial struggle in Zambia was clearly driven by Christian beliefs and packaged in Christian social action.¹⁰⁰⁵

In Zambia, the state of the Church at any particular time determines not only the state of the political osmosis, but the economic stamina as well. Kaunda who soared to power on the basis of his faith in God, whom he preached hated colonialism, soon began a repressive regime by denying political rights to the people who together with him fought and won independence. By 1972, political freedoms had declined markedly in Zambia. This was followed by economic volatility as well. During this period there was also a shift in the power and politics in Zambian ecclesiastical life. The churches began to assemble around three representative bodies: the Episcopal Conference of Zambia (ECZ), the Christian Council of Zambia

¹⁰⁰⁵ Isaac Phiri, "Why African Churches Preach Politics: The Case of Zambia," (1999) *Journal of Church and State*, Vol. 41/2, pp. 323–348

(CCZ) and the Evangelical Fellowship of Zambia (EFZ). The ECZ was a unified voice for the component elements of the Roman Catholic Church; the CCZ was largely the traditional Protestant mission churches, the UCZ, the Anglicans, and others; and the EFZ was started by the Baptists as a more Evangelical body, but as the years have passed has become increasingly Pentecostal.¹⁰⁰⁶

These three representative bodies, also known as the Three-Mother-Body, have been at the forefront of Zambian social and political reformations. From the fight against Kaunda's *Scientific Socialism* to agitating for the return to multiparty democracy, the three have marshaled enormous resilience in solidifying the Church's autonomy in the Zambian social echelon. Chiluba who became Zambia's second Republican president recognized the contribution of the three bodies to multiparty democracy in Zambia.

Religious groups and individual church leaders associated with the CCZ, EFZ and the ZEC played a prominent role in the Second Republic, as one autonomous part of the community that the state *could not control*. Their activities, for instance, successfully challenged the government's attempt to introduce the teaching of *Scientific Socialism* into the school curriculum from the late 1970s.¹⁰⁰⁷

This radical socialist *agenda* which became known as *Scientific Socialism* alarmed the wider Christian community of Zambia fearing that it could lead to Marxist Humanism in the nation. The ECZ, CCZ and EFZ took the unusual step of issuing a joint statement that condemned the government's scheme. This forced the UNIP government to reverse its policies because it feared a public backlash. The three bodies acting in concert have preserved Zambia's unique stature as a quintessential harbinger of Christian values and interests on the African continent.

¹⁰⁰⁶ Paul Gifford, *African Christianity: Its Public Role*, (Kampala: Fountain Publishers, 1999), p. 188.

¹⁰⁰⁷ Chiluba, *Democracy: The Challenge of Change*, p. 66

Chapter 19 Christian Nation Politics

*Of adherents and followers, it has over 2.2 billion;
Of churches and cathedrals multiply by a million;
Of the population of the whole world, about a third;
Of all religions, the largest and strongest in the world;
Of faith groups, it runs over thirty-five thousand;
Of Christians, about 33 percent of global numbers; and
Of half of Christians, are regular denominations;
Of over 100 years, its voice has filtered across nations*

BRIEF INTRODUCTION

This chapter focuses on the Declaration of Zambia as a Christian Nation (the “Declaration”). In Zambian political development after December 1991, this clause has attracted debate from within political ranks as well as among the different Church establishments. The author draws upon a cross section of views and proffers a balanced approach to discussing the Declaration.

≈ Politics ≈ Religion

AT THE END OF THIS CHAPTER:

1. You will understand the motivation and spirit behind President Frederick Chiluba’s Declaration of Zambia as a Christian Nation; and
2. You will appreciate the reason why many people, including the author, have argued for the sustainability of the Declaration of Zambia as a Christian Nation;

MAJOR THEMES:

A Christian Nation;
Democracy v. Theocracy

§19.1 Christian Nation Politics

What truly makes Zambia unique is the presence of a strong Christian tradition. This was strengthened when in 1991 then newly elected president, Chiluba, declared Zambia as a Christian Nation tolerant of other religions. This has since been entrenched into the national constitution.¹⁰⁰⁸ The politics surrounding the Declaration of Zambia as a Christian Nation (the “Declaration”) can be very interesting and boisterous at the same time.

While for the most the Declaration came as a surprise, to the more widely praying Christian body, it came like an answer to prayer. Arguments, both for and against, the Declaration of Zambia as a Christian Nation flare up in all directions. However, what is indisputable, bearing in mind the Christian historic dynamics of the nation as discussed in Chapter 18, is that this was not only expected but was also desirable.¹⁰⁰⁹

§19.2 David Universal Temple

If the Declaration has to be understood, and possibly appreciated, it must be placed in context. If the Declaration has to have any significance in Zambia, it must be interpreted in relation to the religious developments that enveloped Zambia in the decade before the MMD took over the power. If one of such developments deserves mention, it must be the erection of the David Universal Temple at the auspices of State House.

Zambia’s first president, Kenneth Kaunda, was also the son of one of Zambia’s earliest African missionaries, David Kaunda. As a son of a Christian pastor Kaunda had first-hand exposure to Christian principles and dogma. In arguing for independence, Kaunda cited the fact that God hated colonialism. This seemed to have been the primary motive that had driven Kaunda to suffer prison and

¹⁰⁰⁸ The preamble to the *Zambian 1996 Constitution*.

¹⁰⁰⁹ See this author’s trilogy of articles titled “In Defence of Christian Nation Declaration” published by the *Zambian Eye* in December 2015 < <https://zambianeye.com/in-defence-of-christian-nation-declaration-why-has-zambia-not-prospered-despite-it-part-3/>> and < <https://zambianeye.com/in-defence-of-christian-nation-declaration-24-years-after-the-fact-part-1/>>

humiliation at the hands of the colonial masters. Moreover, Zambia's early political socialization was the creation of the first African missionaries like Donald Siwale and David Kaunda.

However, as Kaunda became more and more powerful politically, he grew less and less devoted to the religion of his fathers. Kaunda decided to become a Buddhist. Not that Buddhism is obnoxious to the Zambian social and religious mosaic, but that in the context of Zambia's religious history, this was a drastic deviation. He opted for the introduction of *Scientific Socialism*, "An ideology considered by most Zambians atheistic."¹⁰¹⁰ The swift conversion to Buddhism was facilitated by two Indians, Aiyar M. Ranganathan and Hirji Bapuji Vyas. Nevertheless, only Ranganathan will be discussed in this book.

Ranganathan, originally an expatriate secondary school teacher in Western Province, was introduced to Kaunda on September 11th, 1976, by Ariel Phiri, who was chairman of the Public Service Commission. Ranganathan was reputed to have special healing powers. When Kaunda became ulcerous, he called for Ranganathan who treated him with magical exactitude. Ranganathan was immediately given a job as Health Advisor to the president at State House.

Ranganathan's first project as advisor to the president on health matters, was to establish the "David Universal Temple, a shrine, for the president at house number 40 on Ng'umbo Road about 300 meters from State House. The house was guarded twenty-four hours by paramilitary police."¹⁰¹¹ In addition, the president frequented the David University Temple "for spiritual advice and revitalization."¹⁰¹²

For the next 14 years, the Zambian Head of State would dedicate himself, and a few of his high-ranking officials in UNIP such as former Chief Justice Annel Silungwe, former Prime Minister Malimba Masheke, David Simonda, Leonard Subulwa, former Secretary-General of UNIP Grey Zulu, former Minister of Home Affairs Kingsley Chinkuli, and former Inspector-General of Police Fabian Chela, to mention but a few, to the worship of Buda and other gods. In earnest, and by extension, Zambia was in that period a nation under the influence of foreign gods. This was *foreign* in the sense that the Head of State had departed from the religion that established the foundation of Zambia and gave prodigious impetus to the struggle for independence.

¹⁰¹⁰ Chisala, *The Downfall of President Kaunda*, p. 48

¹⁰¹¹ *Ibid.*, p. 46

¹⁰¹² *Ibid.*

Arguments can be made that every person has the freedom and right to choose their own religion. The case of the David Universal Temple is different. This project was accomplished with tax-payers money. In addition, the religious guides, especially Ranganathan, were very powerful in Zambia. He could dictate to Kaunda how the nation should be governed. “Ranganathan became very powerful in Zambia. In private circles, he was regarded as an invisible president, and he boasted that he could recommend anyone to the president for dismissal.”¹⁰¹³ In short, Ranganathan was so powerful that he controlled the very soul of the nation of Zambia.

The hallmark of Ranganathan’s influence, who also wrote the book titled, *The Political Philosophy of Dr. Kenneth D. Kaunda of Zambia*, came in the 1980s when he advised Kaunda to introduce *Scientific Socialism* in Zambia. Christian leaders rejected it, and this was, in essence, the beginning of the fall from grace of Kaunda from the Christian Church in Zambia. The dagger in the side came in 1991 when Ranganathan prophesized that Kaunda would win the presidential elections that year. “Shortly before the defeat of former president Kaunda in the 1991 general elections, Ranganathan... fled the country.”¹⁰¹⁴

Kaunda could have realized, albeit too late, that the powers of the guru who had healed him from ulcers were not in his favor when shortly before making a monumental announcement to allow for multiparty elections in Zambia in 1990, he summoned Pastor Nevers Mumba to State House for prayers. Mumba then led Kaunda to receiving Jesus Christ as his personal Lord and Savior. This help might have come too late as Chiluba swept the 1991 elections with a landslide victory.

The Christian God was without doubt to be credited for having a part in Chiluba’s victory, directly or indirectly. Consequently, the new president declared Zambia a Christian Nation, both as an act of submission to God, and as a policy shift from stealthy religious idealization of the Second Republic to public assertion of the trust in the God whom the first missionaries to Zambia promulgated.

§19.3 Church and Politics

The Church in Zambia has always steered a political course,

¹⁰¹³ *Ibid.*, p. 47

¹⁰¹⁴ *Ibid.*, p. 48

without sacrificing its independence. It is common sense in Zambia that the Church has never supported any one political party at the expense of another. Individual pastors or priests have emerged from time to time who have vied for political office. When that has happened, the Church has distanced itself from such individuals and considered them on meritorious basis. This is the greatest strength of the pro-democratic pulse the Church has evoked on Zambia. Many commentators agree with this assertion.¹⁰¹⁵ The Church expected the new president to honor it in one form or the other. The Declaration could perhaps have been a normal reaction to its role in the democratic process. However, the question to be posited would be: in a land with a sizeable population of non-Christian entities, was the Declaration really feasible?¹⁰¹⁶ As will be explained later, some still maintain that while the Declaration itself is feasible, personal *agenda* and self-interest rather than general good motivated the proclamation.

§19.4 Protagonist in Review

Many will argue that to authenticate the Declaration a critical look at the protagonist of the Declaration is proper. However, this must be done in consideration of the context and the circumstances that existed at the time when the pronouncement was made. First, the timing is very detailing. Zambia was declared a Christian Nation on December 29th, 1991. The elections which brought late president Chiluba to power were held on October 31st, 1991. Late president Chiluba received 75.79 percent of the votes cast and the MMD won 125 of the 150 seats in the National Assembly in elections that international observers reported had been conducted freely and fairly. The inaugural took place on November 2nd, 1991. It took the president less than two months to declare Zambia a Christian Nation.

Timing indicates a genuine desire by the president to dedicate the nation to God. This is clearly understandable. Late president Chiluba was in more ways than one a creature of the Christian fraternity. He

¹⁰¹⁵ See Gifford & Phiri, as quoted on

< http://en.wikipedia.org/wiki/History_of_Church_activities_in_Zambia#cite_note-1999:_341-62#cite_note-1999:_341-62> (Retrieved on May 23rd, 2010)

¹⁰¹⁶ Less than five percent of the people in Zambia are Moslems or Hindus, with about one percent who may be categorized as indigenous beliefs. The majority is Christian.

was not only a Christian; he claimed to be a Born-Again Christian, a section of the Christian body which professes to walk the talk of the Christian religion. Moreover, while Kaunda was falling out of favor with the Christian Mother Body, Chiluba was rising as the new hero of the fraternity of the faithful.¹⁰¹⁷

By the inaugural time, late president Chiluba had unquestionable support from the Church's Three-Mother-Body. It was no wonder that during what was dubbed a *Celebration of Praise*, at State House, late president Chiluba declared on national television that Zambia was a Christian Nation. Taking timing and the situation at hand, late president Chiluba's declaring Zambia as a Christian Nation followed naturally from the requisite atmosphere.

Gathering together with a few friends, mostly from the Charismatic churches, Chiluba then stood between two pillars at State House and said:

The Bible, which is the Word of God, abounds with proof that a nation is blessed, whenever it enters into a covenant with God and obeys the Word of God. 2 Chronicles 7:14 says, "If my people who are called by my name will humble themselves and pray and seek my face and turn away from their wicked ways, then will I hear from heaven and forgive their sin and heal their land." On behalf of the people of Zambia, I repent of our wicked ways of idolatry, witchcraft, the occult, immorality, injustice and corruption. I pray for the healing, restoration, revival, blessing and prosperity for Zambia. On behalf of the nation, I have now entered into a covenant with the living God. I submit the government and the entire nation of Zambia to the Lordship of Jesus Christ. I further declare that Zambia is a Christian Nation that will seek to be governed by the religious principles of the Word of God. Righteousness and justice must prevail in all levels of authority, and then we shall see the righteousness of God exalting Zambia.¹⁰¹⁸

The script is almost similar to King Solomon's at the dedication of the temple when he "stood before the altar of the Lord in the presence of all the assembly of Israel, and spread out his hands

¹⁰¹⁷ See R.D. Smith, "Missionaries, Church Movements, and Shifting Religious Significance in the State of Zambia," (1999) *Journal of Church and State*, Vol. 41/3, p. 537

¹⁰¹⁸ See *Times of Zambia*, February 20th, 1994; Paul Gifford, *African Christianity: Its Public Role* (London: Hurst & Company, 1998), pp. 197-198; and Isabel Apawo Phiri, "President Frederick Chiluba of Zambia," p. 407

towards heaven,”¹⁰¹⁹ and “he...blessed all the assembly of Israel.”¹⁰²⁰ The detail of Chiluba’s prayer of dedication of Zambia to God and that of Solomon’s dedication of the temple are a carbon copy of each other.

In the first place, both of them allude to the Word of God as the authority of their actions.¹⁰²¹ In the Christian Bible, the Word of God is above everything else, even above the name of God Himself. For example, King David declares, “For you have magnified your Word above all your name.”¹⁰²²

In the second place, both of them allude to the confession of sin as prerequisite for forgiveness and national blessing. Solomon, thus, prays, “Hear from heaven and forgive the sin of your people Israel....”¹⁰²³ Similarly, Chiluba prays, thus, “On behalf of the people of Zambia, I repent of our wicked ways of idolatry, witchcraft, the occult, immorality, injustice and corruption. I pray for the healing, restoration, revival, blessing and prosperity for Zambia.”

In the third place, the verse Chiluba invokes in this prayer is actually God’s response to Solomon’s prayer: “Then the Lord appeared to Solomon at night, and said...If my people who called by my name will humble themselves, and pray, and seek my face and turn from their wicked ways, then I will hear from heaven and forgive their sin and will heal their land.”¹⁰²⁴ These similarities, therefore, confirm the view of some that the Declaration of Zambia as a Christian Nation was a political statement.¹⁰²⁵

They still argue that President Chiluba, in calling upon God to bless the nation during the *Celebration of Praise*, both stood in the place where great Bible kings had stood and reiterated the importance of religion in Zambia’s political history. In this way along, notwithstanding Chiluba’s personal ambition and interest, he had aligned his personal faith with government policy. For the Declaration alone, Chiluba has a place in heaven where the great and mighty have rested under God.

However, others have argued that “No one asked Chiluba to make the Declaration, but it was something that he believed he needed to

¹⁰¹⁹ I Kings 8:22

¹⁰²⁰ I Kings 8:55

¹⁰²¹ See Chiluba’s prayer above and I Kings 8:26 (Bible), respectively.

¹⁰²² Psalm 138:2b

¹⁰²³ 2 Chronicles 6: 25

¹⁰²⁴ 2 Chronicles 7: 12-14

¹⁰²⁵ Phiri, *supra.*, p. 408

do as long as he was president.”¹⁰²⁶ President Chiluba’s Declaration was, therefore, a personal commitment to God as president that he would lead Zambia and be guided by God’s principles based on his Christian faith. Late president Chiluba could have reasoned that the Declaration was something he believed he needed to do.¹⁰²⁷ There is unequivocal evidence that late president Chiluba drew the distinction between his personal religious faith and his public role as president.

Others argue that the Declaration was a chance by the Pentecostal and Evangelical churches to gain an upper hand in politics in Zambia. Strangely enough, the ECZ and the CCZ were not consulted before the Declaration but the EFZ was. This made some believe that there was general euphoria on the part of many Born-Againists who could have been reluctant to bringing in the other two members of the Three-Mother-Body because they saw this as their hour.

Second, not only did late president Chiluba declare Zambia as a Christian Nation, but he also demonstrated patronage to the Church by performing certain actions. Chiluba was opprobrious in lavishing generosity on the Church during his first tenure as president. He did seven things for the Church which were reminiscent of a Christian Republic: he distributed money to the churches; he offered building funds to churches with building projects; he issued diplomatic passports to clergy; he allocated building plots to churches; he appointed Born-Again Christians to ministerial positions in his government; he established a Religious Desk at State House;¹⁰²⁸ and during his tenure there was an increase in missionary activities in Zambia.

Some, however, find late president Chiluba’s motives for the Declaration somewhat ambiguous. On one hand, late president Chiluba was calling on God for divine blessing on Zambia because of his belief that a nation whose leader fears God prospers economically.¹⁰²⁹ On the other, he seemed to have read the Church temperature of the time. Most people in the Church, erroneously or otherwise, viewed his presidency as God appointed. One clergy is quoted as saying, “When he finally got into the presidency position

¹⁰²⁶ Phiri, *supra.*, p. 408

¹⁰²⁷ Phiri informs that, “The motivation for the Declaration came from Chiluba’s experience before he became president. In the 1980s, at a Christian meeting, a Swedish woman prophesied over him that he was going to be a leader of his nation” (p. 406).

¹⁰²⁸ With Rev. Peter Chitala as Deputy Minister for Religious Affairs

¹⁰²⁹ Isaac Phiri, “President Fredrick J.T. Chiluba of Zambia, The Christian Nation and Democracy,” (2003) *Journal of Religion in Africa*, Vol. 33/4, pp. 411

we were very happy. We felt it was a God ordained situation.”¹⁰³⁰ This could have given Chiluba leverage in pursuit of his ambitions through an open Church-window.

However, Chiluba’s audacity of faith would be tested. It would take only five years before his real motive for the Declaration would be revealed. Earlier in 1992, the EFZ, who hitherto had held some glimmer of hope for support of his presidency, had issued a communiqué to limit itself to such matters as were within its jurisdiction. It had also become apparent that the major beneficiaries of the Declaration were men who had accrued ministerial and diplomatic positions at the expense of the womenfolk. This infuriation meant that late president Chiluba was losing grasp on one of the most trusted constituencies in the nation, the women.

Before revealing that he wanted to stand for a third term of office, the president had resorted to changing the constitution. The new constitution in 1996 was also to incorporate the Christian Nation clause, which eventually was imbedded in the preamble.¹⁰³¹ Matter of factly, by 1996 the term *Christian Nation* had been written into the preamble to the proposed Zambian constitution. This took the debate from whether the Declaration in 1991 was a personal statement or policy to a new level.

From then on the populous began to doubt the genuineness of the Declaration and of the presidency of Chiluba. There were demands from opposition MPs and even a joint communiqué from the ECZ and CCZ, and the EFZ calling for a referendum. The MMD government ignored this and simply offered the proposed constitution to a sitting dark Parliament to approve. Parliament subsequently passed the wording. These actions infuriated Kaunda and UNIP causing the former to boycott the 1996 presidential elections which Chiluba easily won.¹⁰³²

Chiluba managed to dodge on the constitution and even to include the Declaration in the preamble. However, the nation caught up on him and denied him a third term of presidential office. For many, the Three Christian Mother Body and several individual prominent

¹⁰³⁰ Rev. Sky Banda. (Rev. Banda died on December 20th, 2015).

¹⁰³¹ The president accented to the constitution on May 28th, 1996, and the preamble reads in part, “Declare the Republic a Christian nation while upholding the right of every person to enjoy that person’s freedom of conscience or religion.”

¹⁰³² Chiluba was returned by 70 percent of the vote, but only 40 percent of the registered electorate turned out and only 60 percent of eligible electors had ever been registered. This showed a marked reduction in popularity and in the confidence the people of Zambia had in Chiluba’s second tenure.

Christians should have gone down with Chiluba. However, help for them came from a source unlikely, a face well-known then but not in the political context.

Nevers Mumba announced the formation of National Christian Coalition sometimes in 2000. This in fact, viewed in retrospect, has come to be the Church's most important arbiter. With the fall of Chiluba, would have followed naturally loss of credibility of the Christian Church in Zambia. The senior clergy had sung Chiluba's praises, supped in his presidential kitchen and benefited from his generosity. Of necessity, Chiluba's fall should have been the fall of the Church in Zambia.

Whether it was by divine intervention or simply good fortune, the Church, mostly the Pentecostals, distanced itself to such a degree that it was largely unaffected by late president Chiluba's fall. The instigation of the NCC by Mumba provided many with a safe method of switching allegiances without abandoning the concept of the Christian Nation.¹⁰³³ Zambian political affairs have not fallen into the pattern of one party that supports the Christian Nation contesting with another party which opposes it.¹⁰³⁴ The play in Zambian politics has been between supporters of the Christian Nation.

Despite other views to the contrary, Mumba's ascendance to politics has been a boost to Christian interests in Zambian politics. Without Mumba, the Church's grip on Zambian politics would have suffered irreparable damage in credibility. Realizing the importance of the Church in Zambian political matrix, President Mwanawasa called on Mumba to become Vice-president and in doing so conferred Pentecostal legitimacy on his government. Moreover, in so doing President Mwanawasa also distanced himself from late president Chiluba who handed the presidency to him and whom he had served as Vice-president until the latter resigned in 1994.

Chiluba will still remain, with the wings of history on his back, a major factor in the matters of Church verses state in Zambian politics. Ironically, his presidency has raised the Pentecostal's voice to the stature of the larger and more established ECC and ECZ churches. Indeed, the Church is *the* civil society,¹⁰³⁵ in Zambia. And to go by the Clovis Model, the Church is King in Zambia, and to

¹⁰³³ http://en.wikipedia.org/wiki/History_of_Church_activities_in_Zambia#cite_note-1999:_341-62#cite_note-1999:_341-62 (Retrieved on May 23rd, 2010)

¹⁰³⁴ See Phiri, *supra*, p. 401

¹⁰³⁵ See VonDoepp, "Political Transition and Civil Society: The Cases of Kenya and Zambia," p. 28

persuade it at any point in time, is to have the entire nation following.¹⁰³⁶

§19.5 The Controversy

The December 29th, 1991-Declaration of Zambia as a Christian Nation, and its 1996 embedment into the constitution forever solidified the God-factor into Zambian politics. The naïvety on the part of the leading Christian denominations respecting Christian active participation in Zambian politics is, therefore, unfounded.

The Church in Zambia is concerned about the way politics have been conducted in Zambia. The so-called “dirty game” can only become a “clean game” if the Christians took keen interest in Zambian politics. The late President Mwanawasa charged Christians to join and pursue politics: “Later, I decided to question myself after seeing that the situation in the nation was going from bad to worse. I decided that it was wrong for people that feared God, like me, to keep outside when things are going wrong in the nation.”¹⁰³⁷ Mwanawasa charges every Christian with something to offer to the political process to “keep inside” the political arena. Mwanawasa would live up to this promise when with all his might he is purported to have pursued corruption till he died.¹⁰³⁸

The Jesuit Center for Theological Reflections (JCTR) produced a report in which it reiterated the commonly conceived belief that politics is predominantly a dirty game left to politicians.¹⁰³⁹

The situation in Zambia becomes even childlike when one considers the Christianization of Zambia. No one has argued this better than Lawrence Temfwe who agonized over the ignorance of

¹⁰³⁶ It is said that Bishop Joseph Dupont (1850-1930), also known as the “White Chief” because he is believed to have become the protector of the Bemba people after the death of Mwamba Mubanga on October 23rd, 1898, operated by the Clovis Model which states thus, “Persuade the King and the population will follow suit” (See Marja Hinfelaar, “Remembering Bishop Joseph Dupont (1850-1930) in Present-Day Zambia,” (2003) *Journal of Religion in Africa*, Vol. 33, Fasc. 4, p. 367

¹⁰³⁷ Amos Malupenga, *Lery Patrick Mwanawasa: An Incentive for Posterity*, p. 21

¹⁰³⁸ A detailed analysis of Mwanawasa’s so-called Crusade on Corruption is discussed in Chapter 32.

¹⁰³⁹ See Barack Obama, *The Audacity of Hope* (New York: Three Rivers Press, 2006), p. 1

the Zambian politicians regarding the Declaration.¹⁰⁴⁰ Temfwe argues that in Moslem or Buddhist nations, the Head of State is presumed to be a Moslem or Buddhist, respectively. In Zambia, he argues, ruling politicians do not even have an idea of what the Christian Republic of Zambia stands for: Constitutionally, Temfwe argues, Zambia is a ‘Christian Republic of Zambia’ and therefore it shall be required for every sitting president to uphold and clearly explain the meaning of a Christian Nation. The president must not pass the buck. He must be the first to explain the core values that define us as a Christian Nation.¹⁰⁴¹

§19.6 Alternative View

Henry Kyambalesa has taken a realistic view of the Declaration.¹⁰⁴² Kyambalesa takes a swipe at Ronnie Shikapwasha,¹⁰⁴³ Former Vice-president George Kunda and President Banda for their insistence that Zambia should remain a Christian Nation as previously declared by President Chiluba at State House on December 29th, 1991, which was later incorporated into the preamble of the 1996 Republican *Constitution*.

Kyambalesa cites former President Banda who said that Zambia would remain a Christian Nation in a speech read on his behalf by Shikapwasha at the 18th Anniversary of the Declaration in Lusaka. In campaigns leading to the Solwezi Central Parliamentary by-election, Kyambalesa quotes Kunda who told his audience in Solwezi that the MMD government was committed to retaining the Declaration in the new Republican *Constitution* which was being crafted by the NCC.

Kyambalesa advises that it is important for leaders to guard against the imposition of any particular religion on the entire society. “The Republican *Constitution* should be a neutral document that does not discriminate against atheists or pagans, or those who believe in Islam, Judaism, Buddhism, Hinduism, or Jainism. In the long run, the

¹⁰⁴⁰ Lawrence Temfwe, “The Relevancy and Credibility of the Declaration of Zambia as Christian Nation” *Monday Issue* (January 4th, 2010, edition) Temfwe is Executive Director at Jubilee Center, Zambia.

¹⁰⁴¹ *Ibid.*

¹⁰⁴² Henry Kyambalesa is president of Agenda for Change Party

¹⁰⁴³ Ronnie Shikapwasha is Information and Broadcasting Services Minister in President Rupiah Banda’s government (2010)

Declaration is, therefore, likely to make non-Christian Zambians to feel that they are second-class citizens.”¹⁰⁴⁴

Kyambalesa sees the Declaration as something made by a president who could not understand the dangers of dragging religion into politics and public affairs: “We should not be blinded by our having experienced no serious religious conflicts so far, but as our country’s population and the membership of each religious denomination swells, we would be short-sighted not to anticipate and make an effort to forestall the occurrence of such conflicts.”¹⁰⁴⁵ Kyambalesa’s alternate view for a Christian Nation is a circular state which recognizes and safeguards people’s freedoms of worship. He proposes five steps that should be considered to effectuate the secular state. First, that the use of public funds by a local or national government to set up a church or mosque, and to provide any form of support to any given religious group, institution or activity be discouraged. Second, that the official participation by government leaders in the affairs of any given religious group or institution, or official participation by any given religious leader or group in political or governmental affairs be avoided. Third, that the use of a religious platform by any individual or group of individuals to form a political party be scrapped off. Fourth, that the use of a religious platform by any individual to seek a leadership position in any of the three branches of government—that is, the Legislature, the Judiciary and the Executive is undemocratic and should be made illegal. And fifth, that the inclusion of denominational religious subjects in the curricula of schools funded by the government should be stopped.

§19.7 Against the Declaration

Father Peter Henriot argues the theological basis for declaring a political entity such as a nation to be Christian.¹⁰⁴⁶ To him, a nation cannot be baptized, and let alone, be expected to profess the Apostle’s Creed. He further argues that a nation cannot be made to perform a liturgical act of Christian worship.

¹⁰⁴⁴ Henry Kyambalesa, “The Declaration of Zambia as a Christian Nation,” (Wednesday, December 30th, 2009)

¹⁰⁴⁵ *Ibid.*

¹⁰⁴⁶ Peter Henriot, “Being a Christian in a Christian Nation,” Jesuit Center for Theological Reflection (December 2nd, 1998)

Henriot claims that it is unconstitutional to declare a nation Christian because by so doing a nation is legally established as a formal religious state. He contends that the inclusion of the Declaration in law potentially precludes non-Christians from aspiring for the Republican presidential office. His reasoning is predicated on the premise that incumbents are required by the constitution to take an oath to uphold the constitution. He finds it a contradiction to require a non-Christian to swear by a Christian constitution, and even more to uphold it. He concludes by asking: “would we be asking non-Christian candidates to put their consciences to the test of Christian support?”¹⁰⁴⁷

Prof. Venkatesh Seshamani is of the view that the according of a religion a constitutional status creates a feeling of religious superiority that favors Christians in the country.¹⁰⁴⁸ He fears that a greater danger looms where this feeling of religious superiority degenerates into bigotry that prompts one to look at all non-Christians as lost souls who need to be saved. Seshamani posits that there is a danger that non-Christians may be branded as dangerous or as satanic. “Although no material change has occurred for the Hindu community so far since and as a result of the Declaration, what assurance is there that this will be the case in future as well, especially when the present leaders are no longer there?”¹⁰⁴⁹ In the burgeoning universe of religion, law and politics, and especially as regards the growth and expansion of the common law, to which Zambia subscribes, Christian beliefs have always shaped law. For example, “Christianity itself has historically shaped the common law in England.”¹⁰⁵⁰ Christian traditions have emphasized shaping this world into conformity with Biblical principles of social and moral conduct.¹⁰⁵¹

Notwithstanding, Christianity was seen as an instrument of imperial advancement and a weapon against the African disacquiescence to colonialism, Zambia cannot be sequestered from

¹⁰⁴⁷ *Ibid.*

¹⁰⁴⁸ Venkatesh Seshamani, “A Hindu View of the Declaration of Zambia as a Christian

Nation,” *JCTR*, Number 46 (4th Quarter, 2000)

¹⁰⁴⁹ There is, thus, a caveat that declaring a nation as Christian Nation may endanger the very peace and stability that it is intended to preserve. Religion is a thorny issue anywhere in the world. Many countries negotiate their relationships with politics by the doctrine of the Separation of Church and State.

¹⁰⁵⁰ M.H Ogilvie, *Religious Institutions and Law in Canada* (Toronto: Irwin Law Inc., 2003), p. 1

¹⁰⁵¹ *Ibid.*

its religious past. The early missionaries to Zambia, especially David Livingstone and Joseph Dupont (“Moto-Moto”),¹⁰⁵² mingled well with the Africans and became a part of its historic oddity. The remains of both missionaries, for example, are buried in Zambia.¹⁰⁵³ Livingstone depicted historic Protestantism in Zambia, while Dupont, Catholicism. In essence, it is the foundational escapades of these two “rivals” that fought slavery in Zambia and resuscitated cordial intercourse between the West and Africa.¹⁰⁵⁴ For example, Chief Mwamba Mubanga of the Bemba people is believed to have asked “Dupont to become the protector of his land and people, until such a time as a successor had been appointed.”¹⁰⁵⁵ Chief Mubanga was prescient to the imminent bloodshed and chaos that would have followed his death.

Perhaps the best justification for the Christianization of Zambia is in the concluding remarks made by Marja Hinfelaar: “In a highly Christianized nation [like Zambia], the founders of Christianity, Livingstone and Dupont, are celebrated for bringing the ‘good news.’”¹⁰⁵⁶ This good news is not merely ecclesiastical or spiritual; it is also inherent in the missionary activities of the first missionaries to Zambia. This *ecclesia* of faithful men brought medicines to the sick, education to the ignorant and silenced the evils of slave trade. Elsewhere it has been argued against the role of the Christian Missionaries in aiding colonialism in Africa. The author has bemoaned their militant crusade in the destruction of authentic African culture.¹⁰⁵⁷ Indeed, Djanje has indicted: “Africans...have

¹⁰⁵² Bishop Joseph Dupont is believed to be the founder of the Catholic Church in Zambia. He was the first Bishop to be consecrated on the Zambian soil. Before he died, he expressed a wish to be buried in Zambia. His immediate successor was the Bishop of Kasama Diocese, Clement Chabukasansha, who is believed to have inherited Dupont’s episcopal ring and crosier. In 1973, Bishop Elias Mutale succeeded Bishop Chabukasansha and inherited Dupont’s episcopal ring and crosier. However, when Archbishop Elias Mutale died in a car accident in Lusaka in 1990, Dupont’s ring disappeared and has since been replaced by Dupont’s skull cap.

¹⁰⁵³ Although Dr. David Livingstone’s bones are buried at Westminster in London, his heart was casketed in Chitambo’s village, Zambia. Bishop Dupont’s bones were exhumed from Thibar in Tunisia where he was buried in 1930 and were re-buried at Chilubula (“the place of redemption”) Mission in Zambia under the church’s pulpit on December 15th, 2000.

¹⁰⁵⁴ Marja Hinfelaar, “Remembering Bishop Joseph Dupont (1850-1930) in Present-Day Zambia,” (2003) *Journal of Religion in Africa*, Vol. 33, Fasc. 4, p. 369

¹⁰⁵⁵ *Ibid.*, p. 367

¹⁰⁵⁶ Hinfelaar, *supra.*, p. 374

¹⁰⁵⁷ See §32.2

been so brainwashed they do not even realize it.”¹⁰⁵⁸ However, without the works of the Christian Missionaries, the effects of colonialism upon Africa would have been insurmountable.

§19.8 National Day of Prayer

Two Zambian presidents went on record in the cementing of Zambia as a nation under law and God: President Chiluba and former President Lungu. While Chiluba set a principle-guide through the constitution’s preamble, Lungu actualized the implementation of the principle. Thus, the Lungu administration declared October 18th as a National Day of Prayer and Fasting in Zambia. This history, principle and philosophy of the program was most eloquently promulgated in a speech by then Minister of National Guidance and Religious Affairs, Godfridah Sumaili, who said that Zambia took steps to “actualize the declaration by making Christianity the cornerstone of our Republic.”¹⁰⁵⁹

One of those steps was the National Day of Prayer and Fasting (the “Program”). The Program cannot be discussed without reference to the Declaration of Zambia as a Christian Nation (the “Declaration”). The Declaration gave impetus to the Program, and this should be sustained by succeeding governments through magnanimity and frugality. Zambia is the first nation in the world to both sequester itself towards a specific Christian declaration as well as designing a program aimed at implementing the same. Indeed, Islamic nations have done so, including employing the Shariah Law into their national legal systems. Zambia is different in another respect; while lining up its ideals and vision on Christianity, it left open the activism, practices and professing of other religions to thrive in the spirit of freedom and tolerance.

¹⁰⁵⁸ Akua Djanje, “Globalization and Africa,” *New African*, June 2011, p. 71

¹⁰⁵⁹ “Ministerial Statement on the Preparations for this Year’s National Day of Prayer, Fasting, Repentance and Reconciliation by the Hon. Minister of National Guidance and Religious Affairs (Rev. Sumaili, MP),” October 18th, 2020, https://www.parliament.gov.zm/sites/default/files/images/publication_docs/Ministerial%20Statement%20on%20the%20the%20Preparations%20of%20this%20Year%20National%20Day%20of%20Prayer_0.pdf (Retrieved: September 24th, 2021)

Chapter 20 The Third Republic

It is possible that Democracy does not work in every situation or for everyone. And there is no such thing as a perfectly functioning government. Democracy is not the best form of government, and worse where people lack political knowledge.

<p>BRIEF INTRODUCTION</p> <p>This chapter discusses the Third Republic, and it highlights the grounds that led to the fall of the Chiluba administration. The administrations of presidents Mwanawasa and Rupiah Banda are briskly discussed.</p>	<p>AT THE END OF THIS CHAPTER:</p> <ol style="list-style-type: none">1. You will understand the rise and fall of the MMD administrations; and2. You will learn about the significance of the rise of President Chiluba to power in Zambia.
<hr/> <p>≈ Politics ≈</p>	<p>MAJOR THEMES: Democracy; External Interference</p>

§20.1 Fall of the Chiluba Government

John Mwanakatwe is not only a *pioneer extraordinaire* in Zambia’s historical review; he is also the catalyst of the downfall of the Chiluba dynasty. The beginning of the fall of late president Chiluba can be traced to the blatant refusal of the Chiluba government of the recommendations made by the Mwanakatwe Commission. In March 1996, members of the civil society groups organized a 10-day Citizens Convention, which produced a document known as the “Green Paper” in response to the government White Paper and representing the citizens’ contributions to the constitution debate. The government chose to ignore the Green Paper. In the ensuing controversy, the country became polarized. Some were in favor of the

constituent assembly being the best mode of adopting the constitution, while others contended that Parliament was the most appropriate body.

Chiluba argued that a democratic system, with its tendency to tolerate divergent views and opinions, was the most effective way of governing. He, however, postulated that, one indirect demerit of consensus solicitation, happened when the manifested intentions of a political party were hindered because the democratic process required a minor or major surgery to their implementation. Moreover, Chiluba saw democracy as the guarantor of people's human rights: "For Africa and for the whole world liberal democracy is the most suitable form of government which can ensure the observance of human rights. It may be the riskiest form of government for the politicians, because of its competitive character."¹⁰⁶⁰

It is important to pay close attention to what is not said and what is only implied in this quotation. First, it is proper to clarify that democracy is not the best form of government. The only exception is that all other forms of government which have been tried are worse: "Many forms of governments have been tried and will be tried in this world. On-one pretends that democracy is perfect or all-wise. Indeed, it has been said that democracy is the worse form of government except all those other forms that have been tried from time to time."¹⁰⁶¹ Politics conducted according to liberal democratic principles may lack drama, flavor or conflict, while strong autocratic politics and war may be sensational. Democracy is, however, the lesser of any two evils of any political system.

Second, the allusion to the *risky* nature of democracy, Chiluba understood that in a democratic arrangement, the programs of the incumbent might not always be realized, and neither did the fulfillment of the party's manifesto. The competitive nature of plural politics simply augments this argument. Ironically, this is actually the best environment in which a democratic process thrives. When people learn to debate issues, as opposed to be coerced to do something, usually made single-handedly by the head of government, they lose the power to participate. This state of affairs is detrimental to the development of the democratic process because it leaves out people as the real masters of the process. The experience of the Second Republic illustrates this fact.

¹⁰⁶⁰ Chiluba, *supra*, p. 15

¹⁰⁶¹ Winston Churchill

What is not said, however, in this quote is the fact that these words were written a year before the Mwanakatwe report was released. In essence, judged by the events of the 1995 and 1996, Chiluba did not live up to his principles postulated in *Democracy: The Challenge of Change*. This begs to question many political statements and promises made by politicians during elections. Politicians' tendency of not living up to campaign promises leads to the public's skepticism.¹⁰⁶²

Throughout most of the First and Second Republics, Kaunda was invincible. Christie asserts that two factors made Kaunda unmoved politically. First, there was no-one "with the charisma to challenge him."¹⁰⁶³ Credible opponents like Kapwepwe had fallen by the wayside. Elections were doctored to produce Kaunda as the winner, and almost single-handedly Kaunda controlled the military, the Intelligence and the police. To achieve this, Kaunda adopted the American model of administration where specialists, rather than politicians, were planted in key security posts.¹⁰⁶⁴ This made it impossible for Kaunda's opponents to exert their political muscles. Almost every movement was manic keyed.

Second, Kaunda continued to rule for a very long time because there was "very little political awareness among the great majority of the Black Zambians."¹⁰⁶⁵ Through the Choma Declaration, UNIP was cemented as the sole legal political party in Zambia. With this development, participation in the political process was only possible through UNIP. The people of Zambia were at the mercy of one omnipotent ruler.

Partly due to this lack of political awareness, government almost at will justified its behavior. Any action taken by the president could be vindicated through explainable legalities. In other words, an action could be fine-tuned to fit the constitution, and not the other way round. For example, in January 1966, John Brumer asked for £10 million to set up a Security Command Headquarters, and unknowing to President Kaunda, Brumer was an agent of the Rhodesian Intelligence.

Legally, this astounding amount was impossible to secure given that Kaunda had abolished the Secret Fund of the Presidential Vote. But Kaunda, through Milner, machined a way of getting the money.

¹⁰⁶² See Barack Obama, *The Audacity of Hope*, p. 2

¹⁰⁶³ Roy Christie, *For the President's Eyes Only* (Johannesburg: Hugh and Kearthland Publishers, 1091), p. 183

¹⁰⁶⁴ *Ibid.*, p. 150

¹⁰⁶⁵ *Ibid.*, p. 183

Kaunda's friend, Ghanaian President Nkrumah, lost power allegedly for misappropriating similar funds, Kaunda came out unscathed.

By 1991, the Zambians had awoken. Neither Kaunda nor UNIP could quake them anymore. And that awareness was demonstrated through the election results that made Chiluba second Republican president. This level of political awareness continued in the Third Republic. Chiluba himself came to learn about it when the Zambians refused a constitution crafted so as to grant him a second term in office. Another blow came when the Zambians rejected his bid for a third term after he had served his two-tenures.

§20.2 President Rupiah Banda

The rise of Zambia's first president Kenneth Kaunda has been discussed in Chapter Six and his downfall in Chapter Eight. Kaunda, however, as this author told a colleague of his, was the gold standard of the Zambian political currency. His long rule of over 27 years means that he is embroidered in most of the aspects of the political, economic and personal struggles of the Zambian people, even though he is dead.¹⁰⁶⁶ Both presidents Chiluba and Mwanawasa are discussed at length in Chapter 31. Suffice, however, to mention that Chiluba is allegedly to have been born Frederick Jacob Titus Chiluba on April 30th, 1943, in Kitwe to Chiluba Nkonde and Daina Kaimba. Chiluba's political opponents challenged his eligibility to contest the 1996 presidential elections claiming that he or his father was born in Congo DR.¹⁰⁶⁷

Levy Patrick Mwanawasa was born on September 3rd, 1948, in Mufulira to Patrick Chipokota Mayamba Mwanawasa and Myria Mokola. "Levy Mwanawasa could be said to [come] from three villages: Chipesha in Chief Chipepo's area in Ndola rural; Mukobola in Chief Chamuka's village in Chibombo; and Mantabe in Mokambo."¹⁰⁶⁸ Mokambo is plainly a "border post with the

¹⁰⁶⁶ Kenneth Kaunda died on June 17th, 2021; he was 97 years old.

¹⁰⁶⁷ Read more: "Frederick Chiluba Biography - Rose to Power Through the Labor Movement, Set About Fixing a Ravaged Economy"

<http://biography.jrank.org/pages/2954/Chiluba-Frederick.html#ixzz1En7B1mHE>

(Retrieved: February 23rd, 2011)

¹⁰⁶⁸ Malupenga, p.13

DRC...near Mufulira.”¹⁰⁶⁹ He passed away on August 19th, 2008, and he was succeeded by his then Vice-president, Rupiah Banda.

Rupiah Bwezani Banda was born on February 13th, 1937, in Gwanda, Zimbabwe. In June 1975, Elijah Mudenda, who had been Minister of Foreign Affairs, declined his position, choosing to remain as a member of the Central Committee, but President Kaunda decided to appoint him as Prime Minister in succession to Mainza Chona. At the same time, apparently because Kaunda had some misgivings about Zambia’s advocacy of coexistence with South Africa, he decided to remove Vernon Mwaanga from the Ministry of Foreign Affairs and made him a member of Central Committee.

This opened up doors for Rupiah Banda who was Zambia’s representative at the UN, and now promoted to Minister of Foreign Affairs. According to Shaw,¹⁰⁷⁰ this was, for Banda, a “somewhat meteoric rise for the first Zambian ambassador to Paris (appointed March 1974).”¹⁰⁷¹

After the defeat of Lupando Mwape, who was Vice-president from 2004, in parliamentary elections in 2006, President Mwanawasa decided to bring Banda from retirement by appointing him Vice-president on October 9th, 2006. Banda was Vice-president until August 19th, 2008, the date of the death of President Mwanawasa. The death of Mwanawasa plunged Zambian politics into a state of flux. In contrast to the vast majority of presidential systems, which allow for automatic internal succession within the ruling party, the *Zambian Constitution* stipulates that following the death of the president a ‘by-election’ must be held within 90 days.¹⁰⁷²

At the MMD convention held in 2008, “Banda was ultimately chosen to be the party’s presidential candidate by 47 votes to Magande’s 11.”¹⁰⁷³ Banda won the party presidency chiefly because of Mwaanga, and also because he presented “himself as a candidate who would not use the presidency to build his own dominant

¹⁰⁶⁹ Zambia -Advisor.com, “Zambian Border Posts,” available online at <http://www.zambia-advisor.com/Zambian-Border-Posts.html> (Retrieved: February 23rd, 2011)

¹⁰⁷⁰ Timothy M. Shaw, “The Foreign Policy System of Zambia,” (April 1976) *African Studies Review*, Vol. 19, No. 1, p. 37

¹⁰⁷¹ *Ibid.*

¹⁰⁷² Nic Cheeseman and Marja Hinfelaar, “Parties, Platforms, and Political Mobilization: The Zambian Presidential Election of 2008,” (2009) *African Affairs*, 109/434, p. 51

¹⁰⁷³ *Oxford Analytica*, “Zambia: Mwanawasa Illness Reveals Reform Fragility,” July 7th, 2008

exclusionary clique within MMD, and hence as a less threatening candidate to those with presidential aspirations in the near future.”¹⁰⁷⁴

According to the *Post*, “Banda simply found himself ‘in the right place at the right time.’”¹⁰⁷⁵ Presidential elections held on October 30th, 2008, following the death of the incumbent Mwanawasa gave Banda the victory with 40.09 percent of the vote against 38.13 percent for Sata. The election results were announced on November 2nd, 2008.

Zambia’s handling of the world economic crisis under Banda was described as “above average.”¹⁰⁷⁶ Shortly after succeeding Mwanawasa as president in 2008, Banda embarked on a campaign to slush the “Care and Maintenance” approach devised by the donors to “put thousands of miners on the streets.”¹⁰⁷⁷ Banda is credited to have salvaged the Luanshya Copper Mine (LCM), and generally steering the Zambian economy to prosperity during his tenure as president. The IMF admitted that Zambia weathered the economic meltdown unscathed under the leadership of President Banda, noting, “Zambia’s economy showed ‘considerable resilience in the face of the global economic crisis’ and predicted a growth above the projected five percent. Inflation was moderating, due to softening of food prices and a limited reversal of the earlier depreciation of its currency, the Kwacha.”¹⁰⁷⁸ Zambia registered a bumper harvest in the 2009-2011 farming seasons following Banda’s intervention in the early procurement and distribution of farming inputs.¹⁰⁷⁹

Transparency International’s CPI on Zambia was ahead of many African countries in the 2008 to 2011 survey. The Commonwealth Business Council at its meeting in Trinidad and Tobago rated Zambia’s ‘Cost of Doing Business’ as having significantly improved in 2009.¹⁰⁸⁰ At a prestigious *Times* CEO Summit held from March 21st – 22nd, 2011 at Savoy Hotel in London, “Zambia [was] highlighted as

¹⁰⁷⁴ Cheeseman and Hinfelaar, *supra*.

¹⁰⁷⁵ N. Simuntanyi, “MMD’s Choice of Successor to the Party,” *Post*, September 8th, 2008.

¹⁰⁷⁶ John Whitehead, “Zambia – From Doom to Boom,” Wgzambia.nl, (Monday, December 7th, 2009)

¹⁰⁷⁷ *Ibid.*

¹⁰⁷⁸ *Ibid.*

¹⁰⁷⁹ Farming inputs mainly include fertilizer and seed which must be distributed to all the 74 administrative districts of Zambia, usually, by August each year.

¹⁰⁸⁰ See *Lusaka Times* online of Saturday, December 5th, 2009

one of the top ten easiest African nations in which to do business and one of the best places to live in Africa.”¹⁰⁸¹

Banda was relatively very successful in running the Zambian economy. Improved fiscal discipline under Mwanawasa brought the end-year inflation down to single figures in 2006 and 2007 for the first time in Zambia’s history. The sharp appreciation of the Zambian Kwacha (ZMW) just prior in 2005-2006 – mainly a result of the copper boom – further dampened inflation, at the expense, however, of non-traditional exports such as cotton. With a growing trade surplus, increasing foreign-exchange reserves and an exceptionally low level of public debt, by mid-2008 macroeconomic performance was at its best in nearly 30 years.¹⁰⁸²

Rupiah Banda was credited with not only sustaining the economic policies of the late Mwanawasa, but he also exceeded them.¹⁰⁸³ To illustrate, official inflation for 2010 ended up at 7.9 percent (against a target of eight percent) while preliminary estimates by the CSO indicated that GDP grew by 7.1 percent (against a target of 6.6 percent). There were also economic growth signs in urban areas like new buildings, factories and economic zones.¹⁰⁸⁴ Moreover, Zambia’s Human Development Index (HDI) kept increasing, and had done so since 2000. According to the World Bank and IMF, Zambia was one of the world’s fastest economically reforming countries in 2010 and the fourth in Africa in 2011, respectively.

§20.3 True Legacy of President Chiluba

“The Movement for Multiparty Democracy (MMD) led by Frederick Chiluba, who came into power in November 1991, promised to liberate the economy and introduce a free-market system. Under Chiluba, Zambia embarked upon an aggressive scheme of privatization, largely in response to pressure from the IMF

¹⁰⁸¹ Dickson Jere, “Zambia Ranked in 10 Easiest African Countries to Do Business,” *PresidentBanda.Com*, March 23rd, 2011.

¹⁰⁸² African Economic Outlook, “Zambia,”

<<http://www.africaneconomicoutlook.org>> (Retrieved: January 22nd, 2011)

¹⁰⁸³ For example, on June 8th, 2011, the IMF rated Zambia among the top four high-performing African countries.

¹⁰⁸⁴ According to *PresidentBanda.com*, “Zambia’s economy is expected to continue to grow at around 7 percent this year [2011],” (June 8th, 2011)

and the World Bank.”¹⁰⁸⁵ Indeed, this pressure also led to the fall of President Chiluba, and after President Banda, the MMD had failed to win the presidency. Corruption has been cited as the main reason why the MMD collapsed.¹⁰⁸⁶ The MMD bequeathed to Zambia a rise in poverty: “When former President Chiluba took power from President Kaunda in 1991, the poverty rate was 56 percent. When he left the government in the hands of his protégé after ten years in office amid threats and suspicion of fraud, poverty had risen to upwards of 80 percent.”¹⁰⁸⁷

However, it would be a misrepresentation of history if the legacy of President Chiluba should rest on corruption and poverty. For one, Chiluba himself alluded to the difficulties Zambians would have to endure to secure prosperity. And for another, and mostly in terms of corruption, even the PF which won the 2011 elections premised on the fight against corruption, lost power because of corruption. Thus, “Mr. Lungu’s six-year rule was criticized for alleged human rights abuses, *corruption*, a failing economy and massive unemployment.”¹⁰⁸⁸ The greatest achievement and the true legacy of President Chiluba, and, indeed, of the MMD, was the returning of Zambia to plural politics and multiparty democracy.

¹⁰⁸⁵ Britannica.com, “Movement for Multiparty Democracy,” <<https://www.britannica.com/topic/Movement-for-Multiparty-Democracy>> (Retrieved: September 25th, 2021)

¹⁰⁸⁶ See The Chiluba Matrix discussed in Chapter 31.

¹⁰⁸⁷ Michelo Hansungule, “Grand Poverty and Corruption,” Social Watch <<https://www.socialwatch.org/node/10815>> (Retrieved: September 25th, 2021)

¹⁰⁸⁸ BBC, “Zambia election: Hakainde Hichilema beats President Edgar Lungu,” August 16th, 2021 (Emphasis added)

Chapter 21 Debt Politics

*We fall, fall, and keep falling on the cast
We rise and fall on West's tide very fast
Can sweet justly come from this bitter root?
Through grind we fail to find a better route
So trapped, we stay into debt polemics
With no choice, we spy in dirt politics*

BRIEF INTRODUCTION

This chapter is a critical look at Debt Politics and its implication on the democratic and economic proclivity of Zambia. It then delves into analysis of the pro-Western economic conditionalities and programs that have not borne economic fruit for the majority poor Zambians. The chapter ends with a critical review of the Chinese investments in Zambia.

Politics \approx International
Business \approx Economics

AT THE END OF THIS CHAPTER:

1. You will understand the mixed blessing of debt in Zambia; and
2. You will appreciate that although China may espouse an ideology that may not align with Zambia's economic democracy, for the sake of diversified dependency, the Chinese investments should be welcomed in Zambia under specific conditions.

MAJOR THEMES:

Politics and Debt;
Chinese Investments;
Diversifying Dependency

§21.1 Curse of Debt

To paint a clear picture of the struggles of his people, the author equivocates about the so-called “curse” of debt upon Zambia. Dambisa Moyo’s¹⁰⁸⁹ charge is appropriate at this juncture: “Africa is on the whole worse off today than it was [fifty and more] years ago. For example, in the 1970’s less than ten percent of Africa’s population lived in dire poverty – today over 70 percent of sub-Sahara Africa lives on less than US\$2 a day.”¹⁰⁹⁰ Indeed, by 2015, the poverty statistics of sub-Saharan Africa were worse than before, “Among the 736 million people who lived on less than \$1.90 a day in 2015, 413 million were in sub-Saharan Africa. This figure has been climbing in recent years and is higher than the number of poor people in the rest of the world combined.”¹⁰⁹¹ In fact, forecasts suggest that without significant shifts in policy, extreme poverty will still be in the double digits in sub-Saharan Africa by 2030.¹⁰⁹²

Aid does not make Zambia poor. It does not make Zambia rich, either. As Sachs and McArthur observed, aid plays a very limited role in Zambia. Moyo’s assertion that aid makes Zambia poor is only partly correct. Even the allegation that the theft of Zambia’s over US\$1.8 million Chiluba and his cronies amassed made Zambia poor was phony. To add to that list, the charge that Zambia was better off at independence in terms of the well-being of the people and the strength of the economy is only a smokescreen. David Cameron, the former Prime Minister of Britain, admitted that “The answer to poverty is not aid.”¹⁰⁹³ Mwansa added, “We don’t need aid, we need capital.”¹⁰⁹⁴

The truth about Zambia, just like many Sub-Saharan African nations, is that the poverty foundation was laid before independence, disguised by the titivations of post-independence and became fully germinated decades after independence. In fact, Sachs and McArthur,

¹⁰⁸⁹ Dambisa Moyo, *Dead Aid: Why Aid is Not Working and How There is a Better Way for Africa* (New York: Farrar, Straus and Giroux, 2010)

¹⁰⁹⁰ *Ibid.*

¹⁰⁹¹ UN Stats, “Sustainable Development Goals: End poverty in all its forms everywhere,” <https://unstats.un.org/sdgs/report/2019/goal-01/> (Retrieved: September 26th, 2021)

¹⁰⁹² *Ibid.*

¹⁰⁹³ David Cameron answering questions on *Al-Jazeera Television* on Saturday, February 26th, 2011

¹⁰⁹⁴ Mwansa “Gold” Palangwa to the author, in a telephone conversation of April 12th, 2011

in their holy quest to prove Moyo wrong, inadvertently stumbled upon what the truth is about Zambia's position. Quoting the findings of notable economists like Maddison, Summers and Heston, they unleashed the truth: "The majority of Africa's population started out impoverished at the time of national independence in the 1960s and 1970s, and a majority remains impoverished till today."¹⁰⁹⁵

The biggest problem, and Africa's own downfall, is that Africans depend almost entirely on Western findings and statistics to their own peril.¹⁰⁹⁶ Western media tends to control what Africans think they know and what they must know. Western media pundits and researchers seem to believe that their findings always constitute the truth.¹⁰⁹⁷ For example, the revelations about Chiluba's theft had the blessings of the donors. Jan Kees van Donge strongly argued that "Zambia's political struggles tend to be more complicated than generally presented, and international involvement meshes with local political struggles."¹⁰⁹⁸

In other words, in Zambia, it is not known who the *dramatis personae* and who the actual persons are. Lines are blindly recited that have been written for the Africans. Without seeming to undermine the significance of aid, conventional wisdom tells Africans that the debtor is a slave to the creditor. Unless Zambia stops to receive aid, it still remains a marionette of the donor agencies. *Aid-ism* necessitates Neo-Imperialism.¹⁰⁹⁹

That said, it is imperative that we know the genesis of the poverty situation and aid dependence in Zambia. Both were not architected by the Zambian leadership. Corruption, theft of public resources and the misappropriation of funds common in most African nations are

¹⁰⁹⁵ Jeffrey Sachs John W. McArthur, "Moyo's Confused Attack on Aid for Africa," *HuffPost*, May 25th, 2011.

¹⁰⁹⁶ Robert E. Kelly in *National Debt: From FDR (1941) to Clinton (1996)* has argued that, in the context of the source of the US' debt that the Treasury homepage report of February 19th, 1997, that the growth of public debt is caused by external factors, namely, war, economic recession and inflation, is misleading. He argues that "People, not external events, are responsible for the increase in public debt" (pp. 5-6).

¹⁰⁹⁷ Kelly, *ibid.*, p. 6

¹⁰⁹⁸ Jan Kees van-Donge, "the Plundering of Zambian Resources by Frederick Chiluba and His Friends," p. 69

¹⁰⁹⁹ Neo-Imperialism refers to the dominance of one nation over another (bilateral dominance) or one or more international institutions over a nation or nations (multilateral dominance) by means of unequal conditions of economic exchange. It exists when a weaker nation is dependent upon another because the weaker nation is unable to survive economically in the modern world without the aid of the stronger nation or institution.

not the disease but symptoms of a deadly disease whose origin is not African. Wrong¹¹⁰⁰ does not equivocate, “Perhaps my views are warped by the fact that when I first started writing about Africa, determined optimists would cite a quintet of nations - Botswana, Cote d’Ivoire, Ghana, Kenya, Uganda - as proof that Africa was on the mend.”¹¹⁰¹ Then she ended, “Now, with Cote d’Ivoire cut in two, Ghana stagnating, Kenya mired in sleaze and Uganda’s Yoweri Museveni seemingly bent on becoming president for life, that list has shrunk to a pitiful one. Heaven help us if anything goes wrong in Botswana.”¹¹⁰²

There seems to be a *prima facie* assumption that the European colonial masters left the Africans functional systems which the Africans have corrupted because of incompetence and lack of leadership qualities. There is a belief that, unless foreigners take charge, local Zambians cannot register notable economic or political milestones. That is a dangerous hypothesis.

Zambians were barely two years into the so-called independence when the young leaders of Zambia recognized that they had been hoodwinked into a semblance of freedom. They discovered quite early that they had inherited insurmountable problems, problems not of their making. They were simply maintenance managers, and not architects as we believe they were. As early as 1966, Kaunda had lamented: “It would take us another *twenty years to be really independent*. Unfortunately, now...we, the so-called emerging countries...are saddled with so many problems that to organize ourselves *locally as well as internationally* presents a Himalayan challenge. We are left with no choice but to fall on either the *cast or West*, or indeed, on both of them.”¹¹⁰³

If we have had a chance to question Kaunda’s motive, we would not have anticipated him to utter these words two years into independence. We would have expected a newly independent country to be busy enjoying its honeymoon rather than tabling its “Himalayan challenge” only two years into independence. To those who advance a thesis that Zambia was better off at independence than it is currently, they are invited to walk critically into the sidewalks of this

¹¹⁰⁰ Michela Wrong, “A Crisis of Leadership: G8: Africa - Where Exactly is the Acclaimed ‘New Breed’ of Progressive African Politician? Without it, Aid is like Petrol on a Fire,” *New Statesman*, July 4th, 2005

¹¹⁰¹ *Ibid.*

¹¹⁰² *Ibid.*

¹¹⁰³ Kenneth Kaunda, “African Development and Foreign Aid Speech,” *Modern History Sourcebook*, March 18th, 1966 (Emphasis added)

chapter and explore its salience. Zambia was as struggling and poor at independence as it is today. It was just a matter of time.

The author is reminded of the movie (film) called *Bopha*, starring Danny Glover and Malcolm McDowell.¹¹⁰⁴ Micah Mangena (Danny Glover) is a police sergeant in the racist South African apartheid regime. He is a happy man, and busily promoting the so-called peace and order. He is happily married, and his wife, ironically, works as a housemaid for the captain-boss at his constabulary.

Trouble begins when his boss asks him to arrest his own son. The charge comes from his boss' second in-command who operates under a principle that, "If they allow the defiance today, tomorrow it becomes violence." Mangena is torn in between love for his family and loyalty to a regime that does not care whether he lives today or dies tomorrow. Besides, Mangena and his fellow Black police officers are only standing on landmines, waiting to erode all their sense of peace and order.

Mangena saves his son from a gun shot, but he is too late to save his house from an infernal. He now comes to his senses; he decides to quit the police force and join his son in the defiance campaign. But unfortunately for him, he loses his own life when a dagger is pierced into his side at a funeral to honor the slain students.

Movies like *Bopha* and the experience of Zambia teach us that blind loyalty to a regime imbued in self-interest and clad in a dogma of racism, kills. If there is any lesson we must never forget from the struggle for independence, it is this: First, change happens, but at a price. Second, if Africans do not try to develop their economies, no-one will, however sympathetic the outsiders seem to be. Third, the history of struggle is the story of a common destiny; Zambians must begin to have more faith in their own people, and less in external magnets.

§21.2 West or the Cast

In 1966, Kaunda was talking about Zambia needing another "twenty years to be really independent." Of course, we know, even after over 57 years, that independence has not yet come. Zambia was not only grappling with internal challenges of financial stability and educated manpower, but it was also struggling to compete at the international level. As Kaunda put it, Zambians had no choice but to

¹¹⁰⁴ *Bopha* was released in 1993 and it captures the theme of apartheid in South Africa.

fall on “either the east or the West.” Falling on the east, or on Zambia’s own limited resources, meant delaying development and even never to attain one at all. Falling on the West meant relinquishing sovereignty, the very premise upon which independence was predicated.

Unfortunately for Zambia, it had to fall on both. The rest are details, statistics and figures. Here is the genesis of aid dependence and the incursion of the Bretton Woods Institutions into the internal affairs of Zambia. Falling on the east was not only imprudent; it would seriously disgruntle the masses that they would rise in riots and even violence. Falling on the West seemed to have been the only plausible route to take. For years to come, this unavoidable option, sadly, would continue to haunt Zambia. If falling on the West was a theme ringing loud-and-clear in Kaunda’s era, that theory, if not a reality now, still rings true in post-Third Republic Zambia.

§21.3 Debt Crisis

All nations of the world, including the US, have debts. Debt is inevitable; in fact, it is part of business economics. For example, as of March 21st, 2011, the US had a debt of US\$14.2¹¹⁰⁵ trillion, and this was projected to rise to US\$19.6 trillion or higher by 2015.¹¹⁰⁶ As of March 21st, 2011, each US citizen owed US\$45,827 and each tax-payer owed US\$128,341.¹¹⁰⁷ As of September 2010, UK public sector net debt was £952.8 billion (or 64.6 percent of national GDP).¹¹⁰⁸ Canada’s debt was CAN\$559 billion as of March 25th, 2011.¹¹⁰⁹ And incredibly, “In August 2021, the public debt of the United States was around 28.43 trillion U.S. dollars, around 1.7 trillion more than a year earlier, when it was around 26.73 trillion U.S. dollars.”¹¹¹⁰

The above, notwithstanding, debt must be properly managed otherwise it might plunge a powerful nation into oblivion. For

¹¹⁰⁵ Compare this to US\$55 trillion on page 548!

¹¹⁰⁶ See, < <http://www.federalbudget.com/>> (Retrieved: March 25th, 2011)

¹¹⁰⁷ See < <http://www.usdebtclock.org/>> (Retrieved: March 25th, 2011)

¹¹⁰⁸ UK’s public sector net debt (excluding financial interventions) was £875.8 billion (equivalent to 58.0 percent of GDP) at the end of February 2011. See, Office for National Statistics, “Public Sector Finances.”

¹¹⁰⁹ Taxpayer.Com, “Canada’s Federal Debt,” < <http://www.debtclock.ca/>>

¹¹¹⁰ Statista.com, “Public Debt of the U.S. by Month, 2020-2021,”

<https://www.statista.com> around 28.43 trillion U.S. dollars (Retrieved: September 26th, 2021)

Mallaby, “Power built on debt is no power at all.”¹¹¹¹ If this allegation is anything to go by, it means just one thing according to Standard and Poor’s (S&P): “Within twelve years, [US] federal debt could reach 100 percent of GDP, putting the US deeper in a hole than bankrupt Ireland or Portugal.”¹¹¹²

After World War II, the US was the largest lender on the globe. Through its economic leverage, the US rose as the world’s greatest superpower. Historically, nations that controlled economic fortunes controlled the world. If that truism is to be efficacious, it follows that sooner rather than later, China will be calling the shots. This is because China by November 2010 topped Japan as US’ biggest lender by some US\$30 billion a year, at US\$789 billion. However, this trend was reversed in Japanese favor in 2020: “China takes the second spot among foreign holders of U.S. debt with \$1.07 trillion in Treasury holdings in April 2020, just behind Japan.”¹¹¹³ The US owed Great Britain only US\$277 billion in 2011. That amount became US\$431.8 billion in 2021. According to the *New York Post*, “42 cents of every dollar the [US] federal government spends will have to be borrowed.”¹¹¹⁴ Besides, China is also the world’s largest holder of foreign-currency reserves; more than US\$3 trillion of its assets in a foreign currency by September 2020.¹¹¹⁵ *CBC News Now* reported that by January 2011, China had US\$2.85 trillion in foreign currency reserves, adding about US\$2 billion to the reserves daily.¹¹¹⁶ Indeed, without most Americans realizing it, China had become the largest foreign holder of US dollars in the world.¹¹¹⁷

Isn’t it ironic that the only standing Communist country is also becoming the biggest lender and holder of the largest foreign-currency reserves? Under *Diversifying Dependency* in the passages that follow, China is further discussed. The rationale is not to pontificate the viability of the communist or socialist concept, it is, rather, to

¹¹¹¹ Sebastian Mallaby, “You are What You Owe,” *Time*, May 9th, 2011, p. 34

¹¹¹² *Ibid.* Subsequently, S&P downgraded the US from AAA to AA+ credit rating, resulting in the firing of its president, Deven Sharma, between August and September 2011, see *RT*, “S&P President to Resign after Downgrading the US,” (August 23rd, 2011)

¹¹¹³ Investopedia, “5 Countries that Own the Most U.S. Debt,” <<https://www.investopedia.com/articles/markets-economy/090616/5-countries-own-most-us-debt.asp>> (Retrieved: September 26th, 2021)

¹¹¹⁴ Arthur Herman, “China’s Debt Bomb,” *New York Post*, (February 8th, 2010)

¹¹¹⁵ Investopedia, “Foreign Exchange Reserves,” by Marshall Hargrave and reviewed by Charles Potters, September 29th, 2020.

¹¹¹⁶ *CBC News Now*, “The Market Report,” (Tuesday, January 11th, 2011)

¹¹¹⁷ Arthur Herman, *supra*.

show that diversifying economic partnership is necessary if Zambia is to move from the crisis of debt to successful debt management.

In Zambia, the economic misfortunes of the 1970s and 1980s have contributed to its debt crisis. By the 1970s, Zambia was borrowing heavily in order to “support public expenditure, including large scale development projects.”¹¹¹⁸ The challenge of a mono-economy, discussed at length in Chapter 22, necessitated borrowing due to the falling copper prices. Other factors that led to debt accumulations include the dismal performance of the parastatals,¹¹¹⁹ the liberation struggles in the southern African region, and subsidies on consumption. During the 1970s and 1980s, there was very little done to invest in the productive sectors of the economy. This is a big lesson Emerged Zambian Leaders should learn.

In the light of the aforementioned, it is vital to make pause and ponder. Whereas Zambia borrowed exorbitantly to meet its developmental obligations, it did little to reinvest the borrowed money into the productive sectors of the economy. In fact, most of the borrowed money was spent on emoluments and administrative costs. This left only a tiny percentage to be spent on the core activities of the economy. In fact, Zambia was the first African country in 2020 to default on a portion of its debt.¹¹²⁰ President Hakainde Hichilema vowed to fix the problem: “[Hichilema] outlined an economic recovery plan to fix the impacts of unsustainable borrowing and mismanagement that caused copper-rich Zambia to default on its debt [in 2020] - the first country in Africa to do so in the coronavirus era.”¹¹²¹

Former Minister of Finance Ng’andu Magande doubted the viability of borrowing higher interest loans from the World Bank to finance infrastructural projects to service the mines when Zambia was not reaping sufficient tax revenues from the sector. The former minister brought out the seeming principal blunder of the Zambian financial managers since the First Republic: “If we are going to

¹¹¹⁸ Government of the Republic of Zambia, *Interim Report of the Constitution Review Commission*, (June 29th, 2005), p. 20

¹¹¹⁹ For the most part, the parastatals were profitable. However, they were so imbued with political interference that loyalty to the political establishment was more palatable than business economics.

¹¹²⁰ Kaunain Rahman, “Zambia: Overview of corruption and anti-corruption,” 4U Anti-Corruption Resource Center, November 12th, 2020

¹¹²¹ *African News*, “Zambia’s new leader vows ‘zero tolerance’ on corruption,” <<https://www.africanews.com/2021/09/10/zambia-s-new-leader-vows-zero-tolerance-on-corruption/>> (Retrieved: October 1st, 2021)

borrow to repair the road damaged by mining companies when we are not getting any benefit through property taxes...20 years from now...we will be in heavy indebtedness.”¹¹²²

Magande was not only concerned about the lack of adequate tax revenue from the new owners of the Zambian copper mines, but also of the fact that the mistakes of not investing in the productive sectors of the Zambian economy would plunge the nation into debt, again.¹¹²³ Although Zambia had its debt forgiven in 2006, Magande warned that the donor community would not take Zambia seriously if the country fell into another debt trap due to weak loan contraction mechanisms: “You must be stupid for you to go to the same people and say ‘after that debt forgiveness you gave us, we are back again to ask for another because we have again fallen back into indebtedness,’

¹¹²² Chiwoyu Sinyangwe, “Magande Advises on World Bank Loans,” *Post*, (February 9th, 2010)

¹¹²³ Again? Yes. In 1996, the IMF initiated HIPC. In 1999, it was agreed to enhance the HIPC initiative by providing faster, deeper and broader debt relief to eligible countries. Zambia qualified under the initiative’s export criterion and the debt relief was calculated to bring the net present value (NPV) of external public debt to export ratio down to the HIPC threshold of 150 percent at the decision point. In December 2000, Zambia qualified for HIPC debt relief by reaching the decision point. By April 8th, 2005, the World Bank’s International Development Association (IDA) and the IMF confirmed Zambia for meeting the requirements for the completion of HIPC Initiative. Upon the accumulation of debt, Zambia, for example, in 1990 spent 23.5 percent of its GDP on debt repayments while in 2000 the figure had dropped to 7.8 percent representing a decrease of 15.7 percent. The decrease in debt service payments in 2000 can be attributed mainly to the Paris Club partial debt cancellations and rescheduling offered to Zambia after a track record of macroeconomic “performance” as interpreted by the IMF and the World Bank. Zambia resorted to a few options to finance its public sector deficit. It printed more money, exported earnings at the central bank, borrowed domestically, domesticated tax revenues, and borrowed externally. The first option of printing money exerts pressure on the growth of money supply in the economy. It pushes up real interest and inflation rates in the money market. High interest rates tend to discourage investments as businesspeople find it expensive to borrow or source for capital. The second option depletes foreign reserves at the central bank, rendering the nation impotent to meeting its import requirements. The third option relates to government’s engagement in the buying and selling of securities – a practice known as Open Market Operations (OMOs). It crowds out the private sector from the domestic financial market and thereby depriving it of loanable funds needed for investments. This also tends to increase government domestic debt. The fourth option is hampered by a small formal sector on which it is based and a blossoming informal sector that does not pay taxes as currently there are no devised mechanisms to tap it. The last option if not checked, leads to an external debt crisis. (Source: *Times of Zambia* (Ndola), “HIPC Completion: Facts on Zambia,” (April 10th, 2005)

said Magande.”¹¹²⁴ Could the solution to this problem be in subjecting the loan contractual procedure to public scrutiny so that Zambians have an input in what their economic managers are committing posterity to? As the author has maintained in this book, the mistakes of the present may seriously come to haunt future generations.

The former President of Haiti, Michel Martelly, had the solution to most of aid dependent countries like Zambia: “We cannot continue with this humiliation of having to extend our hand for help all of the time.”¹¹²⁵ Former Canadian Governor-General, Michaëlle Jean, agreed, and added: “Time has come for a major shift from the logic of assistance that prevailed for decades in [developing countries], but created a situation of dependency.”¹¹²⁶

Rather than decreasing, the debt stock has continued to grow over the years.¹¹²⁷ Zambia could not manage its debt services and this affected development in such sectors as the health, education, transport and communication. Before debt forgiveness in 2006, the Zambian debt stock had vacillated between US\$6 billion and US\$7 billion, the majority of it owed to the IMF and the World Bank.¹¹²⁸ As of 2018, that debt stock stood at more than US\$19 billion: “The latest value for external debt stocks, total (DOD, current US\$) in Zambia was \$19,116,040,000 as of 2018. Over the past 48 years, the value for this indicator has fluctuated between \$19,116,040,000 in 2018 and \$813,521,900 in 1970.”¹¹²⁹ Until the national mindset or CPC is changed, redemption for Zambia would only be a pipedream.

§21.4 Debt Cycles

Why does debt seem not to end? One explanation is due to the cyclical nature of debt management. There is constant need to borrow

¹¹²⁴ Sinyangwe, *supra*.

¹¹²⁵ Sonia Verma, “Forging a New Haitian Strategy: Trade, Not Aid,” *The Globe and Mail*, (Thursday, May 26th, 2011), p. A16

¹¹²⁶ *Ibid*.

¹¹²⁷ This has been compounded mainly by interest, debt-servicing lapses, and more borrowing to service the debt and mitigate the impact of the growing balance of payment deficits.

¹¹²⁸ Before 2006, over 50 percent of Zambia’s debt was owed to the IMF and World Bank; about 35 percent was owed to the bilateral cooperating partners, and only over eight percent was owed to the private sector and parastatal firms.

¹¹²⁹ Index Mundi, “Zambia - External Debt Stocks,” <

<https://www.indexmundi.com/facts/zambia/external-debt-stocks>> (Retrieved: September 26th, 2021)

in order to service debt. At the same time, there is the constant need to service debt in order to borrow. There is, thus, a vicious circle. The cost of servicing debt is enormous on the national treasury. Debt is a major factor contributing to slow growth and persistent poverty in Zambia. The unsustainable external debt burdens, which significantly reduce the resources that can be used to improve social conditions for the poor, have contributed to the poverty scenario in Zambia.

The debt forgiveness in 2006 of a staggering foreign debt of about US\$7.2 billion which almost choked the country heralded a turnaround of the Zambian small economy especially that the government could no longer borrow huge amounts to service the foreign debts. The move pushed down interest rates and the rate of inflation went down in tandem resulting in local commercial banks availing finances to the private sector and individuals.

The successes achieved between 2005 and 2008 should be sustained. However, by 2010, Zambia's debt cancellation under the HIPC Initiative had not shown any long-term advantages. For example, President Banda was considering borrowing from the International Bank for Reconstruction and Development (IBRD) window for financing crucial infrastructural projects. Borrowing from the IBRD naturally allows for low interest rates at a non-concessionary window. The caveat is that IDA, IBRD and the International Finance Corporation (IFC), are all extensions of the World Bank. The fact is, Zambia was again slipping into indebtedness with the same former lender. There was every indication that Zambia was risking falling into heavy indebtedness analogous to the pre-HIPC levels. Moreover, there was a real likelihood that Zambia's foreign debt figure of US\$500 million in 2006 might accumulate to over US\$2 billion after the year 2011. Zambia needed a mechanism that curbed on government borrowings. There was need to subject any borrowing of a certain index of approval through a vote in the National Assembly. In this way, government would not subject the future generations to debts it incurred while trying to placate the electorate on misspending. The other way, was by creating partnerships with new lenders.

§21.5 New Economic Partnerships¹¹³⁰

In 1991, Zambia returned to multiparty politics and with it to a market-driven economic system.¹¹³¹ Specifically, government has a dual role to play: To legislate for an enabling environment, and to provide incentives for investments.¹¹³² In the Second Republic, government controlled economic activities. This resulted in balance of payment deficits. With growing debt and failure to pay for free public goods and services, government resorted to borrowing from multilateral institutions. The condition for borrowing was the acceptance of SAPs in the mid-1980s.

The multilateral institutions, especially the IMF and the World Bank, proposed economic liberalism in order to create macro-economic stability in the economy.¹¹³³ These, so-called austere measures, included trade liberalism, removal of subsidies, privatization, reduction in public expenditure, and together with public sector reform, liberalization of the marketing and pricing of agricultural produce.

¹¹³⁰ This section should not be confused with NEPAD, the initiative initially conceived by presidents Thabo Mbeki of South Africa, Abdelaziz Bouteflika of Algeria, Oluşegun Mathew Okikiola Arẹmu Obasanjo of Nigeria, Abdoulaye Wade of Senegal and Mohammed Hosni Mubarak of Egypt and which was launched in Abuja, Nigeria in 2001. The Steering Committee of NEPAD defined it as a holistic, comprehensive and integrated strategic framework for the socio-economic development of Africa. Its objective was, “To eradicate poverty in Africa and to place African countries, both individually and collectively, on a path of sustainable growth and development, to thus halt the marginalization of Africa in the globalization process” (Peter Metcalfe, “Who or What is NEPAD?” The Foundation for the Development of Africa, February 2002. Moreover, this section does not advocate for ditching Western multilateral and bilateral investors in preference over the BRICS; Zambia should continue to foster strong economic ties with its Western partners. This was demonstrated through the 10th Africa Growth Opportunity Act (AGOA) hosted in Lusaka on June 9th, 2011. The event highlighted the significance of women in development through the AGOA African Women Entrepreneurship Program (AWEP). Then American Secretary of State, Hillary Clinton, was AGOA Zambia’s special guest of honor.

¹¹³¹ In this system, the private sector is generally seen as the engine of economic growth. Government’s role has changed to only promoting economic activities rather than to controlling them.

¹¹³² Government, is, thus, now, a partner in economic promotion, and no longer plays the parental role.

¹¹³³ The bulk of the Zambian debt was owed to the duo lender. This partly explains why the lenders insist on restructuring without paying due attention to socio-cultural dynamics of the developing formations. The reason is simple: they have vested interest in the economies of these countries.

The blunt reality is that “Zambia’s economy has changed little in spite of implementing the above measures.”¹¹³⁴ The austere measures, especially the reduction in public sector expenditure and the public sector reform, inflicted damaging blows to the Zambian middle class which largely depended on government for jobs. Liberalization of the economy negatively impacted on those who worked in the parastatals.¹¹³⁵

To sustain a large public sector and to satiate the diverse multi-tribal society, the Kaunda administration relied mainly on the public sector and the parastatals to provide employment to its communocracy. This strategy had worked well for over twenty-five years: “The Fund and the World Bank’s suggestions to streamline the bureaucracy and cut recurrent expenditures hit at this political tactic [the balancing of Zambia’s ethnic mixture by reshuffling regional key posts and generating enough employment through the civil service and parastatals] (which had worked very well for over twenty-five years) and also undermined the middle class elements in the urban areas.”¹¹³⁶

An oft-cited weakness of the Second Republic is that the public sector was too big. However, critical review proves that the Kaunda administration attached a human face to its political policing. Whereas the International Financial Institutions (IFIs) resorted to “experiments of structural adjustment in Zambia,”¹¹³⁷ the Kaunda administration was concerned with the social impact of the said programs on the people. Realizing that the SAP conditions would destabilize the middle class, Kaunda broke away from the IMF’s programs in mid-1987.

Kaunda initiated the National Economic and Recovery Program (NERP) to offset the effects of growing debt and poverty. It is important to note that NERP, the Interim National Development Plan (INDP) of 1987-88 and the Fourth National Development Plan (FNDP) of January 1989 were attempts by the Kaunda administration to put a human face to the economic struggles of the Zambian people.¹¹³⁸

¹¹³⁴ *Interim Report, supra.*, p. 18

¹¹³⁵ The term parastatal refers to agencies that under Zambia’s former system of State-Controlled Capitalism effectively operated as government subsidiaries.

¹¹³⁶ Roger Young and John Loxley, *Zambia: An Assessment of the Zambia’s Structural Adjustment Experience* (Ottawa: Desktop Publishing, 1990), p. vi

¹¹³⁷ Young and Loxley, *ibid.*

¹¹³⁸ *Ibid.*

Increased pressure from the donor community, and the additional political, rather than economic, condition by the IFIs to move towards a multiparty system, forced Kaunda to announce a referendum. Lack of human face by the Western IFIs in the implementation of their conditions on Zambia had fallen “unevenly in Zambian society – more heavily upon the poor and within that category, most heavily upon the women and children.”¹¹³⁹ In fact, some agencies realized that the IFIs were, for the most part, to blame for the precarious economic and poverty scenario in the developing countries: “UNICEF and other agencies have acknowledged this tendency in most countries undergoing adjustment and have countered with calls for structural adjustments ‘with a human face.’ In the Zambian context, UNICEF, OXFARM (U.K) and others have pointed to the alarming increase in nutrition-related child mortality as well as the long-term effects of cutbacks in health and education.”¹¹⁴⁰

This charge was made over thirty years ago before 2021. By 2021, poverty not only defiled human imagination, but it also coiled virally like a malignant cancer leaving children and women in Zambia to live in less than human conditions. Indeed, as was demonstrated at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance in Durban, South Africa, from August 31st to September 7th, 2001, it is unfruitful to demand reparations for causes that lack a quantitative dimension. However, this awareness is in order if Zambia is to serve its population vigilantly and thereby exerting its place in the community of nations. Notwithstanding his domineering tendencies, the caveat given by Vladimir Putin, Russian president, is very instructing: “The country needs a decade of strong, calm development without different kinds of swings; poorly thought-out experiments based on...unjustified liberalism. In the modern world if you are weak, there is always someone who will come in and unequivocally recommend which way to go, what policy to conduct. One must be independent... and must conduct policy in the interests of one’s own people.”¹¹⁴¹ However, Putin is not a good example for Zambia in political terms; it is clear that he manipulated the Russian constitution to remain in power till 2036, and probably beyond.

¹¹³⁹ *Ibid.*

¹¹⁴⁰ *Ibid.*

¹¹⁴¹ Katya Golubkova; Vladimir Soldatkin; Melissa Akin; and Steve Gutterman, “Remarks by Russian PM Putin in Annual Report,” *Reuters*, (Wednesday, April 20th, 2011)

The insistence on liberalizing without affording adequate time to implement and redeem programs in the absence of “calm development”; the infusion of “poorly thought out experiments” based on “unjustified liberalism”; and the inherent weakness of most African governments whereby anyone could come in and “unequivocally recommend” policies and programs that have done nothing but made the rich and powerful even richer while the poor masses continued to perish; have worsened conditions in the developing world. Indeed, the wise words of Ronald Reagan suffice here: “Government’s purpose is to protect the people and not to run their lives.”

Emerged Zambian Leaders should never overlook historical factors in their quest to revamp the Zambian economy in future. First, it is important to reiterate that Western-based financial institutions cannot redeem the Zambian economy however altruistic they may desire to be. Admittedly, Western-backed financial institutions have both the thrust and the political will to help the developing countries. But they differ colossally in philosophical and cultural norms.

Zambia’s informal norms subscribe in principle to the social psyche while Western ideology is deeply imbued in capital. Hence philosophically, the West follows on the path of Capitalism. Capitalism is profit-motivated. Despite the fundamental motivation for all businesses towards profit, for Capitalism, profit is the *sine qua non*, the ultimate condition of business economics. Typically, especially in their earliest encounters, Westerners have erroneously construed this communal approach to political organization by the Africans as, “Inferior in political capacity.”¹¹⁴²

This background is necessary in understanding why despite fulfilling the prescriptions of the IMF and the World Bank, Zambia’s consistent high economic growth has been elusive. For example, between 1980 and 1990, Zambia’s economic growth was the second lowest in SADC after Mozambique. Between 1990 and 1999, Zambia had the lowest average annual growth at one percent below the SADC rate of 1.4 percent. In 2001, Zambia’s GDP grew to 4.9 percent before declining to three percent in 2002.¹¹⁴³ All this happened under the watch of the IMF-World Bank-backed policies.

Second, it is required that Emerged Zambian Leaders learn from history in order to avoid the re-invention of the wheel. Africa in

¹¹⁴² See Poultney Bigelow, *White Man’s Africa*, p. viii

¹¹⁴³ Ministry of Finance, Zambia Poverty Reduction Strategy Paper, 2002-2004.

general, and Zambia in particular, has been made to suffer economically because of the historical rivalry between the West and the East. The impact of the Cold War on Zambia continued to be felt until relatively in the first decade of the 21st Century.

After the blowing off of John Brumer's espionage activities in 1965, Kaunda naturally blamed the West and turned for help towards China. Brumer had been Kaunda's right-hand man and confidante, all along without Kaunda knowing that Brumer was planted in State House to spy for the British. This incident did not only make Kaunda "overtly anti-White,"¹¹⁴⁴ it also opened, "An influence route to the Chinese."¹¹⁴⁵

Kaunda immediately placed the ball into the West's court. He advanced the project to build the TAZARA railways before the West. The Americans rejected the project "on the grounds that it was economically impractical."¹¹⁴⁶ There and then Kaunda saw an opportunity to turn to the East. And the Chinese ingenuity was put into action. The TAZARA was the result. Contrary to Western caveats, the Chinese meant well for Zambia.

§21.6 Chinese Investments

Zambia needs new economic partnerships. In economic terms, loyalty should not only be fickle, but strategic as well. China has naturally come in handy as a reliable partner in development. China is fast becoming the investment hope of the world. As of September 2011, China held "US\$3,200 billion foreign exchange reserves."¹¹⁴⁷ This was when many European countries were forced to make significant sellouts of their bonds and investments in strategic companies.¹¹⁴⁸ By 2021, foreign exchange reserves fell to US\$3.232 trillion in August of 2021 from US\$3.236 trillion in July, slightly higher than forecasts of US\$3.227 trillion. Meanwhile, the value of gold reserves decreased to US\$113.69 billion from US\$114.37

¹¹⁴⁴ Roy Christie, *For the President's Eyes Only* (Johannesburg: Hugh Keartland Publishers, 1971), p. 181

¹¹⁴⁵ *Ibid.*, p. 182

¹¹⁴⁶ *Ibid.*

¹¹⁴⁷ Guy Dinmore, "Italy Turns to China for Help in Debt Crisis," *Financial Times*, September 12th, 2011

¹¹⁴⁸ *Ibid.*

billion.¹¹⁴⁹ And China's Belt and Road Initiative (BRI), sometimes referred to as the New Silk Road, is one of the most ambitious infrastructure projects ever conceived. Launched in 2013 by President Xi Jinping, the vast collection of development and investment initiatives would stretch from East Asia to Europe, significantly expanding China's economic and political influence.¹¹⁵⁰

Zambia's relations with China dates as far back as Zambia's post political independence days. Zambia was the first country in Africa to sign diplomatic relations with China in 1964, and since then Chinese investors have become increasingly prominent players in Zambia's key economic sectors. Economic cooperation between China and Zambia has continued to grow. For example, "about five percent of Zambia's copper output (estimated at 570,000 cubic meters in 2008) is produced by Chinese mining companies, and almost all the products from the Chinese mining companies are sold on the London Metal Exchange, where China buys at least 20 percent of Zambia's annual copper production."¹¹⁵¹

Chinese investment in Zambia exceeded US\$1 billion in 2009 and created about 15,000 job opportunities. In 2019, China stepped in as Zambia ran out of loan options.¹¹⁵² China had provided billions of dollars of loans for infrastructure projects to a host of Sub-Saharan African nations as part of BRI in recent years, with Zambia being one of its most prominent debtors.¹¹⁵³ Some notable Chinese investment in Zambia includes NFC Africa Mining, the Zambia China Cooperation for Economic Development Company, and the Jinchaun Mining Group. Chinese investments in infrastructure projects have also played an important part in Zambia's economic development, with projects such as TAZARA, the Chambishi Multifacility Economic Zone, rehabilitation of the hydroelectric power plant at Kafue Gorge, establishment of the Lumwana Power Project at Lumwana Mine in Solwezi, the expansion of the Lafarge

¹¹⁴⁹ Tradingeconomics.com, "China Foreign Exchange Reserves," <
<https://tradingeconomics.com/china/foreign-exchange-reserves>> (Retrieved:
September 26th, 2021)

¹¹⁵⁰ Andrew Chatzky and James McBride, "China's Massive Belt and Road Initiative," Council on Foreign Relations, January 28th, 2020

¹¹⁵¹ Zambia Development Agency, "Chinese Investments in Zambia," <
<http://www.zda.org.zm/246-chinese-investments-zambia>> (Retrieved: November
7th, 2010)

¹¹⁵² Jean-Christophe Servant, "China steps in as Zambia runs out of loan options,"
The Guardian, December 11th, 2019

¹¹⁵³ Elliot Smith, "Zambia's spiraling debt offers glimpse into the future of Chinese loan financing in Africa," CNBC, January 14th, 2020

Cement Plant, construction of the Government Complex building, and a number of road construction and rehabilitation works.¹¹⁵⁴

Chinese investment in Zambia was expected to grow further with the signing of an Investment Promotion and Protection Agreement (IPPA) with Zhougui Mining Group, a Chinese private mining company, with about US\$5 billion of investment and projected employment to over 1,000 Zambians.

Zhougui Mining Group acquired 51 percent majority shares in Zambia's only nickel mine, Albidon Mining Company after the original owners pulled out of the mining due to low metal prices on the international market. China Non-ferrous Metals Mining Company (CNMC)¹¹⁵⁵ acquired Luanshya Copper Mine (LCM) for US\$50 million after the original owners, Enya Holdings BV, pulled out of the mine in January 2009 citing low copper prices on the international market. CNMC operates the Chambishi Copper Mines, "The first and largest Chinese-owned nonferrous metal mine overseas."¹¹⁵⁶

The Chinese also invested or pledged to invest in the manufacturing sector, the construction industry and the tourism sector. In the service sector, Chinese investment comprises companies in retail trading, wholesale, supplies and general dealing. "Chinese Investments in Zambia have had a positive spin off effect on the Zambia-China bi-lateral relations. For example, in 2010, Zambia and China implemented the Beijing Plan of Action entailing among other measures, debt relief to the Zambian government, the

¹¹⁵⁴ Zambia Development Agency, *supra*.

¹¹⁵⁵ Zambia is number seventh in the world in terms of copper production, averaging about 3.3 percent of the world's copper production. Other than CNFC, other major investors in Zambia's copper mines are: First Quantum Minerals is listed in Toronto and London (UK) and operates Kansanshi Mine in Solwezi, Fishtie Copper Project in Mkushi and the closed Bwana Mkubwa in Solwezi; Vedanta Resources of India is listed in London (UK) and operates Konkola Copper Mines based in Chingola at Nchanga, Nampundwe in Mumbwa and Nkana in Kitwe. It also operates Konkola Deep Mining Project in Chililabombwe; Equinox Minerals Limited is listed in Toronto and Sydney and operates Lumwana Copper Mines in Solwezi, which is the largest copper mine in Africa; Glencore International AG of Switzerland operates Mopani Copper Mines and Smelter in Mufulira, Nkana Mine in Kitwe and Mufulira Mine in Mufulira; Africa Rainbow Minerals is listed in South Africa and Brazil and operates Konkola North Copper (Konnoco) Mine in Chililabombwe; Metorex Limited of South Africa operates Chibuluma Mines in Kalulushi; and Albidon Limited of Australia operates the Munali Nickel Project in Mazabuka.

¹¹⁵⁶ *Zambia Weekly*, "Who's Who in Copper Mining?" Week 18, Vol. 2, Issue 17, May 6th, 2011

establishment of Chinese Economic and Trade Zones in Zambia,¹¹⁵⁷ the construction of sports stadia, and the provision of Chinese grants for partnership projects between Zambian and Chinese companies.”¹¹⁵⁸

China’s over 14 percent contribution to the growth of the world economy since 1978 was the chief attraction of more Chinese investments in Zambia. China’s investments continued to rise globally especially in the UK and US. A report published by the *Financial Times* of the first ten of the top 500 global companies, two were from China.¹¹⁵⁹ China came to symbolize the profound economic transformation witnessed in the past half-century.¹¹⁶⁰

The Zambian government’s policy should be to continue attracting more FDI into the country from India, China and the Middle-East. Brazil, Russia, India, China and South Africa, commonly referred to as BRICS are becoming the most viable investment destinations acknowledged even by the US. However, China alone gives hope to the developing economies like Zambia’s.

Poverty is no longer an eternal plague with which a people should learn to live. The story of *China Rising*,¹¹⁶¹ which in the last 30 years has shifted over 300 million of its people from abject poverty and wretched indigence to economic standards that rival the West’s,¹¹⁶² is remarkably inspiring.

China is a viable partner, but China must also be contained, especially where it concerns human rights record. At first, Sata was particularly inimical against Chinese investments in Zambia. Thus, “Sata’s attacks on foreign investors (particularly from China) for their abuse of the workforce and their supposedly corrupt relationship

¹¹⁵⁷ Such as the Multi-Facility Economic Zones (MFEZs), which is expected to create a New Airport City and to turn Chongwe District into a modern sub-city. The project will cost US\$350 million. See Kasuba Mulenga, “Lusaka Economic Zone takes off next year,” *Zambia Daily Mail*, 2011; and Dickson Jere, “President Banda Reveals Seven-point Plan to Tackle Poverty,” *PresidentBanda.com*, June 15th, 2011

¹¹⁵⁸ Zambia Development Agency, *supra*.

¹¹⁵⁹ See the *Financial Times* of June 24th, 2008; also Dambisa Moyo, *supra.*, p. 21

¹¹⁶⁰ Moyo, *ibid.*, p. 16

¹¹⁶¹ A *CBC Television* program by that same name, depicting China not only as the oldest civilization on earth, but also as an awe-inspiring story of a dynamic rebirth of an economic empire.

¹¹⁶² *Ibid.*, p. 20

with the MMD resonated with urban Zambians, already angered by the negative impact of economic liberalization.”¹¹⁶³

However, even Sata came to recognize that Zambia needed the Chinese, albeit, with a caveat: “We will ask the Chinese...is what they are doing in Zambia, the same as what they are doing in China? Whatever they are doing should be able to benefit the Zambians. We will welcome [the Chinese] and when we welcome them, we will deal with them on our terms and not on their terms. We are going to have a smart partnership between the Chinese and ourselves.”¹¹⁶⁴ Sata’s injunction, should be taken under advisement by all successive administrations.

The best approach to dealing with Chinese investments in Zambia is proposed by Africa’s first female president, (President of Liberia from 2006 to 2018): China brings something to Africa, it brings additional resources, it brings *diversity in our partnerships*, and Africa needs that. Each country has to manage the process well so that there is no disadvantage, in for example job competition – you know that when Chinese firms come to Africa, they often do not hire local employees. Also, you have to be sure that if you are giving up a natural resource, you get something in return. But let us not forget that even though China is making heavy investment in Africa, it is also doing the same in Europe and the US as well.¹¹⁶⁵

In Zambia, as in economies all over the world, government policy affects more the common person on the ground than the socially elites. Any policy that involves “The identification of particular unmet demands of distinct social groups,”¹¹⁶⁶ is welcome, and must form the basis for foreign investment. For this reason, government should not localize its people’s future on one investment partner; a diversified approach, in the context of *China Rising*, is, therefore, appropriate for Zambia.

§21.7 Diversifying Dependency

The road to economic independence is convoluted. It demands that Zambia thinks outside the box, learning not to put its eggs in one

¹¹⁶³ Miles Larmer and Alastair Fraser, “Of Cabbages and King Cobra: The Populist Politics and Zambia’s 2006 Elections,” *African Affairs*, 106/425, p. 611

¹¹⁶⁴ George Chellah, “Stand Up and Be Counted, Sata Urges Zambians in the Diaspora,” *Post*, (Monday, May 2nd, 2011)

¹¹⁶⁵ *The Africa Report*, “Interview: Ellen Johnson-Sirleaf,” No. 7, July – September 2007, p. 31

¹¹⁶⁶ Larmer and Frazer, *supra.*, p. 613

basket. In the meantime, Zambia needs to do what Anglin calls *diversifying dependency*. The concept of *diversifying dependency* is not the same as diversification in general. On one hand, in a paper dubbed *Five Questions on Zambia's Diversification*, Mukanga defines diversification as consisting of four basic ideas:¹¹⁶⁷ Expansion and diversity of existing products that are consumed at home and exported abroad; expansion in the range of markets into which existing products or services are sold; taking advantage of opportunities to expand exports of services; and movement from copper dependence to low value manufacturing products.

Diversifying dependency, on the other hand, means diversifying away from sole dependence on the Bretton Woods institutions to other equally viable partners, like the BRICS. It is a bilateral approach to investment. In fact, Zambia has history backing it. During UDI in December 1965, Zambia broke away from its international straitjacket of perpetual dependence on Britain by siding instead with the US and Moscow.

When Ian Smith made the UDI over Zimbabwe, Zambia found itself in an economic dilemma. For one, its major trade routes through Zimbabwe were closed. For another, the UDI intensified Zambia's dependence on Britain. UNIP and Kaunda turned to the US and USSR: "This surprise initiative represented a dramatic break with tradition which had accorded pre-eminence to Zambia's bilateral relations with Britain."¹¹⁶⁸ This was a bold move by the Kaunda administration. It did not only represent a shift in bilateral relations with Britain, but also in the solidification of Zambia's sovereignty.

The situation in Zambia then as it is now fits into the character of what Anglin refers to as "the actors with the means lacked the will, and those with the will lacked the means."¹¹⁶⁹ Indeed, Zambia has the will to break through into an upper middle-income nation,¹¹⁷⁰ but for the most part, lacks the means. In part, those means seem to be coming from China. There are three reasons why Zambia needs to diversify dependence away from the Western multilateral institutions.

¹¹⁶⁷ Chola Mukanga, "Five Questions on Zambia's Diversification," *Zambian Economist*, 2011

¹¹⁶⁸ Douglas G. Anglin, *Zambian Crisis Behavior* (Montreal & Kingston: McGill-Queen's University Press, 1994), p. 147

¹¹⁶⁹ *Ibid.*, p. 140

¹¹⁷⁰ See Chapter 24

First, China and Asian partners have enabled Zambia to promote economic growth at a concessionary cost.¹¹⁷¹ President Banda told the IMF that “Zambia had decided to turn to China for support because of the pressing need for infrastructure development at concessionary cost.”¹¹⁷² Second, partly through *diversifying dependency*, “the Zambian economy grew by more than six percent.”¹¹⁷³ And third, through *diversifying dependency*, “economic indicators such as inflation, interest rates, exchange rates, debt sustainability ratios and others equally improved.”¹¹⁷⁴

All this happened at the auspices of China in combination with the Western-based multilateral and bilateral financiers. Needless to say, the relationship between China and Africa is congruent. It seems to be based on mutual gain, for example, “African governments...secured some US\$20 billion in credit from China’s Eximbank to finance more badly-needed roads, railways and power stations; China had negotiated more oil and mineral supply contracts to fuel its locomotive economy.”¹¹⁷⁵

Although China and other Asian partners come much closer in terms of ideology to Zambian social and political mosaic, they may not, in the long run, satisfy Zambia’s employment targets.¹¹⁷⁶ This is because everywhere the Chinese, for example, have gone, they have employed only their nationals or only a few of the locals. Moreover, non-Western investors may not be as liberal as their Western counterparts in remunerating Zambians reasonably.

Recession affects more negatively the resource dependent states than it does to non-resource dependent states. Galund defines a resource dependent state as one where “the state relies on one or more key commodities for the majority of its foreign exchange earnings.”¹¹⁷⁷ Zambia’s sole reliance on copper qualifies it as a resource dependent state. One major disadvantage of resource dependent states is that they rely almost entirely on private capital to

¹¹⁷¹ See Linda Olurakinse, “China Targets Africa,” *Planet Africa*, Special Issue, June 2008, p. 56

¹¹⁷² *Times of Zambia*, “Country’s Done Well – IMF,” (March 12th, 2010)

¹¹⁷³ *Ibid.*

¹¹⁷⁴ *Ibid.*

¹¹⁷⁵ Patrick Smith, “New Trade Winds,” (July 2007), *The African Report*, No. 7, p. 3

¹¹⁷⁶ One of the reasons of Chinese investments in Zambia is because China is seeking for where to settle its excessive population. See Olurakinse, *supra*.

¹¹⁷⁷ Dan Galund, *Policy Evolution and Organizational Learning in Zambia’s Mining Sector*, Ph.D. Thesis, University of Bath, November 2010, p. 21

source for high capital intensive and urbane equipment which are vital to their mining sector, for example.

Because Zambia needs to attract the high capital machinery into the country, it has naturally tended to offer investment incentives and stability periods to investors. The result has been two things: It has weakened its regulatory regimes in order not to offend investors; and it has stuck with the same old contractual vagaries regardless of changes in circumstances.¹¹⁷⁸

Diversifying dependency is the answer to sole reliance on one set of investors. China and the Asian contingent have come in handy for that switch. As of April 2011, it was evident that the old East-West rivalry is endemic in Africa, again. The price this time is not the alignment with America or USSR, it is who wins the oil and mine fields of Africa. The rate at which Chinese investments are “raping” Africa is very tantalizing to the West. Western investors, especially those backed by the IMF and World Bank, have raised concern against Chinese investments in Africa.¹¹⁷⁹

In the first place, the West is wondering: “Africans are asking whether China is making their lunch or eating it.”¹¹⁸⁰ For one, no-one can answer that question effulgently. What is true, nevertheless, is that Western investors both made and ate the African lunch. Is it a clue to the naïve African governments to wake up from an economic slumber that has relegated their people to living less than human lives?

For another, is it the same old Chinese aphorism honking, “One cannot step into the same river twice”? Is the West warning Africa that the Chinese claim to love Africa, but “you can hear disappointment in [their] voice”?¹¹⁸¹ Pun this the other way: Isn’t it a

¹¹⁷⁸ For example, the *Zambian Mining Act* and *Investment Act* are loop-holed with concessions. Royalty was reduced to 0.6 percent instead of the established three percent; stability periods of 20 years were included and this exempted the Transnational Corporations from regulatory requirements; rights to carry over losses throughout the stability periods were granted to the Transnational Corporations such as Glencore International AG; foreign currency retention, remittance and provision for capital investment was reduced by 100 percent; tax was withheld at zero; and workforce consisting of about 45 percent casual workers! See Khadija Sharife, “Copper in Zambia: Charity for Multinationals,” *Features*, Issue 532, June 2nd, 2011

¹¹⁷⁹ For example, “Some African nations and NGOs claim that China has damaged western efforts to encourage human rights,” Olurakinse, *supra*.

¹¹⁸⁰ *The Economist*, “Trying to Pull Together: The Chinese in Africa,” April 23rd, 2011, U.S. Edition

¹¹⁸¹ *Ibid*.

self-revelation of what the West have done all along, making the African lunch and eating it all by themselves and then gleaning that they love Africa, when all that they have been interested in is capital – and that at all costs, even on the fragile skeletons of the poor African women and children? *The Economist*¹¹⁸² tabulates twelve things that are ugly about Chinese investments.¹¹⁸³

The 12-strong list looks like a litany of evidence against a self-confessed convict. Could it be that the West is aware, and therefore, guilty of its own atrocious, imperial-backed, poverty-causing policies in Africa?¹¹⁸⁴ The West, especially Europe, has taken issue with *China Rising*, fearing for what Giulio Tremonti, the former Italian Finance Minister, calls “reverse colonization” of Europe.¹¹⁸⁵

Arising from the list above, it will be wise for Zambia, while opening doors to *South-South* economic and political linkages, to take a critical look at trade and investment within the global-south vis-à-vis their impact on the low-to-medium income countries. According to Kaplinsky,¹¹⁸⁶ Chinese consumption of various base metals accounted for between 76 percent and 100 percent of global increase

¹¹⁸² *Ibid.*

¹¹⁸³ (1) Chinese goods are held up as examples of shoddy work; (2) Politics has crept into encounters; (3) The word “colonial” is banded about; (4) Children jeer and their parents whisper about street dogs disappearing into cooking pots; (5) Poor business practices imported alongside goods and services; (6) Chinese construction work can be slapdash and buildings erected by mainland firms have on occasion fallen apart; (7) A hospital in Luanda, the Capital of Angola, was opened with great fanfare but cracks appeared in the walls within a few months and it soon closed; (8) The Chinese-built road from Lusaka, Zambia’s Capital, to Chirundu, 130 kilometers (81 miles) to the south-east, was quickly swept away by rains; (9) Chinese business culture cares little about rules and regulations; (10) Chinese mines pollute rivers and the environment, raise safety concerns, have their managers bribing union bosses, and their workers are condemned to poor conditions of service; (11) When miners in Sinazongwe, a town in southern Zambia, protested against poor conditions, two Chinese managers fired shotguns at a crowd, injuring at least a dozen. Some still have pellets under healed skin; and (12) In the South African town of Newcastle, Chinese-run textile factories pay salaries of about US\$200 per month, much more than they would pay in China but less than the local minimum wage.

¹¹⁸⁴ On Wednesday, June 1st, 2011, on page B7 under “Barrick Probes Assault Allegations,” Lisa Wright of the *Toronto Star* reported that Barrick Gold Corp., the world’s largest Canadian gold miner, was being probed of sexual assault against local women in Tanzania just weeks after seven people were killed at the same “troubled site.” The Barrick story makes the Sinazongwe incident look like a picnic.

¹¹⁸⁵ Dinmore, *supra*.

¹¹⁸⁶ R. Kaplinsky, “What Does the Rise of China Do for Industrialization in Sub-Saharan Africa?” (2008) *Review of African Political Economy*, 35, 7-12

in demand between 2000 and 2003.¹¹⁸⁷ By 2006, UNCTAD estimated that a quarter of FDI of Transnational Corporations originated in developing and transition countries.¹¹⁸⁸

Zambia’s appetite for Chinese investments has increased. Arising out of the 2006 Forum on China-Africa Corporation (FOCAC), China has intensified increased economic cooperation with Zambia. Notwithstanding investment incentives in the form of concessionary loans, tax and investment guarantees, China’s “State-centered Orthodoxy” policy whereby “no political conditions are attached to international cooperation, be it trade, investment, development assistance or other forms of cooperation,”¹¹⁸⁹ is a breather.

Moreover, there are notable developments to show for under the Chinese partnership in Africa. Indeed, China boosted employment in Africa and made basic goods like shoes and radios more affordable. Trade surpassed US\$120 billion in 2010. Between 2009 and 2010, China gave more loans to poor countries, mainly in Africa, than the World Bank. The Heritage Foundation, an American think-tank, estimated that in 2005-10 about 14 percent of China’s investment abroad found its way to Sub-Saharan Africa.¹¹⁹⁰ And bilateral trade volume between China and Zambia increased dramatically from US\$2.36 billion in 2017 to US\$5.07 billion in 2018.¹¹⁹¹

In the second place, China and the Asian nations subscribe to informal norms reminiscent of African social structure. Gelb¹¹⁹² has confirmed that southern Transnational Corporations tend to organize themselves along such informal lines and that this makes them better suited to developing-country conditions.¹¹⁹³ However, subscription to informal norms does not entail informality in business management as Galund seems to suggest.¹¹⁹⁴ It does not also mean that emerging market investors may also be “better able to manage

¹¹⁸⁷ *Ibid.*; also see Galund, *supra.*, p. 21

¹¹⁸⁸ UNCTAD, “World Investment Report,” United Nations, 2006, p. 122

¹¹⁸⁹ D.M Tull, “China’s Engagement in Africa: Scope, Significance and Consequences,” (2006) *The Journal of Modern African Studies*, 44, 459-79

¹¹⁹⁰ *The Economist*, “Trying to Pull Together: The Chinese in Africa,” *supra.*

¹¹⁹¹ *Lausaka Times*, “Zambia’s export to China jumps from \$2.36 billion in 2017 to \$5.07 billion in 2018,” March 9th, 2019.

¹¹⁹² S. Gelb, *South-South Investment: The Case of Africa – Africa in the World Economy* (The Hague: FONDAD, 2005)

¹¹⁹³ *Ibid.*, p. 204; also see Galund, *supra.*, p. 25

¹¹⁹⁴ Galund, *ibid.*, p. 25

operational and political risks in developing countries due to experience of similar situations at home,¹¹⁹⁵ either.

That sort of conclusion lacks prescience. The truth is, Western-based Transnational Corporations have always suspected *South-South* corporations. This is all a matter of who controls the turf. The rise of China, for example, and as the 12-list points enumerated in footnote #1175 suggest, have smashed Western-dominated Transnational Corporations with a competitive trajectory of Biblical force.

Western scholars and researchers almost, without any challenge, have advanced a money-making strategy of both accessing corporate capital and research capacity through the same Transnational Corporations. The result has been a one-sided conclusion, a conclusion that reports on the symptoms of the disease and undermines the causes.

For example, current literature on the Chinese investments in Africa focuses on China's human rights record and environmental pollution. What such literature tends to forget is that, for Africa, what China does for its people is not worse than what the West had done to Africa in terms of slavery and colonialism and had continued to do through SAP conditionalities that have spread shanty compounds like nimbus clouds ready to rain short spans of miserably-infested lives.

In Western countries, carbon credits are now traded on the world market.¹¹⁹⁶ Over 75 percent of the global polluters of the environment are, in fact, the industrialized countries.¹¹⁹⁷ These, now more than ever, can even buy credits to inflict environmental chagrin of global consequences. Indeed, China tops the list of world air polluters, but China is only one nation, and by extension, easier to contain than the combining force of the industrialized giants. Moreover, some even argue that Chinese corporations practice less Corporate Social Responsibility (CSR) than the Western Transnational Corporations.

¹¹⁹⁵ World Bank, "Zambia Diagnostic Integrated Trade Study: Trade Component of Private Sector Development Program for Zambia, 2005, p. 99; Tull, *supra.*, p. 468

¹¹⁹⁶ According to *Collins English Dictionary - Complete & Unabridged 10th Edition* (William Collins Sons & Co. Ltd/Harper Collins Publishers, 2009), a carbon credit is "a generic term for any tradable certificate or permit representing the right to emit one tonne of carbon or carbon dioxide equivalent (tCO₂e)."

¹¹⁹⁷ According to Answers.Com, dubbed, "What are the Top Ten Polluting Countries in the World?" a recent study conducted in England shows that the top ten air polluting countries in the world are: (1) China (2) United States (3) Mexico (4) Russia (5) India (6) Japan (7) Germany (8) Canada (9) United Kingdom (10) Italy. Available online at <<http://wiki.answers.com>> (Retrieved: April 30th, 2011)

CSR is a move towards ethical investing rather than only smart investing. In the liberal regulatory ideology, emphasis has always been on the “promotion of an enabling environment for businesses at its core, the source of thinking underpinning the discourse of FDI as a driver of economic development.”¹¹⁹⁸ However, this approach has emphasized attracting investments into the so-called weak commodity-dependent states at the expense of the impact of such investments on the local community. The point at issue has always been the structural adjustment conditionalities imposed on the weak states by the multinational institutions. For the most part, the political leaders of Zambia have been blamed for poor policies whenever the mining industry has not performed.

However, critical analysis shows that bad luck, and not deficient leadership or ill-timing of nationalization, were the factors. Shortly, after nationalization of ZCCM in the 1970s, the gulf wars led to the falling in the price of copper. Moreover, at the same time, there were increments in the price of oil, leading to inflationary pressures on imported goods. In a nation at the time where over 90 percent of foreign exchange came from copper, “This led to a sharp fall in terms of trade between copper and imported goods.”¹¹⁹⁹

Basically, between 1975 and 1980, the Kaunda administration did what every sane government does,¹²⁰⁰ in the hopes that the price of copper would pick up, it borrowed in order to keep government functioning and life to continue as usual. All the governments of the world do so. For Zambia, however, in the 1980s, the price of copper stagnated for a considerable length of time, forcing government to continue borrowing and racking up, by 1984, some of the world’s highest external debt.¹²⁰¹

In the 1980s, Zambia’s economic troubles were mainly precipitated by factors beyond the government’s control, such as a sharp decrease in the price of copper. Then, severe droughts negated all the efforts made and bowed the nation at the mercies of the World Bank.

¹¹⁹⁸ Galund, *supra.*, p. 29

¹¹⁹⁹ See V. Jamal and J. Weeks, *Africa Misunderstood or Whatever Happened to the Rural-Urban Gap?* (London: Macmillan, 1993), p. 84

¹²⁰⁰ For example on May 31st, 2011, the US government attempted to raise the US\$14,300 billion US borrowing limit to debt ceiling of US\$2,400 billion, see James Politi, “US House Votes against Raising Debt Ceiling,” *Financial Times*, (May 31st, 2011)

¹²⁰¹ See A. Frazer and J. Lungu, “For Whom the Wind Falls: Winners and Losers in the Privatization of Zambia’s Copper Mines,” 2007, p. 60

In order to put a human face to the SAP-engineered struggles, the Kaunda administration decided to declare NERP in July 1987. This was meant to limit loan repayment to the IFIs to ten percent of export earnings. But this did not go well with the donors who responded harshly by freezing aid disbursements. At this time, the people of Zambia were feeling the biting teeth of poverty, caused, artificially, by the tight conditions from the IFIs which demanded a short span of repayment without taking into consideration the continued reduction in the price of copper and other factors.

In the absence of *diversifying dependency*, Kaunda was forced again to fall on “the West.” He conceded a second dose of SAPs in 1989, this time with vicious human and economic consequences to Zambia. Food subsidies were now completely cut, prices were de-controlled, and the Kwacha currency was devalued. The IFIs made development assistance directly contingent on the privatization of state-owned enterprises.¹²⁰² The political consequence of this situation was that people demanded for multiparty change. Although politically feasible, economically, multiparty democracy was not the solution to Zambia’s economic quagmire.

There was nothing Chiluba could do which Kaunda did not attempt. What happened was that the IFIs just found a new and inexperienced manager whom they could manipulate. Rakner¹²⁰³ “provides evidence that these reforms were associated with reduced living standards and a failure to promote economic growth.”¹²⁰⁴ Some have, in fact, argued that what Zambia should have undertaken were fiscal stabilization and not financial liberalization.

Diversifying dependency must be pursued at all costs in Zambia. Although Zambia has benefited substantially from the 2006 debt relief and currently operates an open trade regime with imports subject to zero percent to 25 percent tariffs, the nation has mostly struggled to diversify away from “the ‘traditional’ copper sector and develop its manufacturing base.”¹²⁰⁵

Zambia remained apron-tied to the IFIs through what is known as Poverty Reduction Strategy Papers (PRSPs), which was aimed at reducing poverty in Zambia. However, PRSPs was also a form of loan-and-control mechanism, which could be subtle and might

¹²⁰² Galund, *supra.*, p. 86

¹²⁰³ L. Rakner, “Political and Economic Liberalization in Zambia, 1991-2001,” Nordiska Afrikaninstitutet, 2003

¹²⁰⁴ Galund, *supra.*, p. 85

¹²⁰⁵ *Ibid.*, p. 88

jeopardize intrusion into the affairs of a sovereign nation, if the situation was not so already. PRSP is also known as National Development Plan (NDP). For example, between 2006 and 2010, Zambia was under the Fifth National Development Plan (FNDP). As of February 4th, 2011, the government launched its Sixth National Development Plan (SNDP) covering the years 2011 to 2015. In essence, the NDP is a form of a quarter-by-percentage contribution by the donors to the Zambian budget. For example, the FNDP invited a 28 percent funding of the national budget.

However, even the 28 percent that the donors promised was not paid in full: “Government undertook a review of the FNDP which indicated that many programs were only partially funded and could not, therefore, be completed due to limited resources.”¹²⁰⁶ Despite that, government went ahead and launched another NDP, constituting the SNDP. Thus, “The projected resource envelope for the [SNDP] is K132 trillion, to be met by K103 trillion of domestic resources, and K29 trillion, or 22 percent, from external assistance and a prudent amount of external borrowing.”¹²⁰⁷

PRSPs entrench internal controls because they “emphasize reform within the bureaucracy and in coordination across government institutions, but without any consideration of regulatory enforcement.”¹²⁰⁸ For the FNDP, Zambia failed this test. President Banda admitted that the “Weak linkages among various government units...implementing similar programs adversely affected performance of the plan.”¹²⁰⁹

The Seventh National Development Plan (also known as 7NDP) was born out of Zambia’s aspiration to be a prosperous middle-income country by 2030.¹²¹⁰ Part V of 7NDP presented the plan’s strategic areas, which were *economic diversification* and job creation; poverty and vulnerability reduction; developmental inequality reduction; human development enhancement; and the creation of a conducive governance environment for a diversified and inclusive economy.¹²¹¹

¹²⁰⁶ Speech by His Excellency Mr. Rupiah Bwezani Banda, *supra*.

¹²⁰⁷ *Ibid.* (Emphasis added).

¹²⁰⁸ Galund, *supra*, p. 89

¹²⁰⁹ Speech by His Excellency Mr. Rupiah Bwezani Banda, *supra*.

¹²¹⁰ PreventionWeb.com, “Zambia: Seventh National Development Plan 2017-2021,” < <https://www.preventionweb.net/publication/zambia-seventh-national-development-plan-2017-2021> > (Retrieved: September 26th, 2021)

¹²¹¹ *Ibid.*

In order to put vigilance on their dollar, the donors, pursuant to the 2005 Paris Declaration, decided to harmonize their activities in Zambia through a Joint Assistance Strategy for Zambia (JASZ).¹²¹² Under JASZ, “The private sector is led by the World Bank and the Netherlands with a sub-sector created for mining.”¹²¹³ JASZ aims at making the budget more *locally owned*, but the problem is: How can that happen when aid is given as a direct budget support?¹²¹⁴ If the good intentions of the donors are to be efficacious, it would be prudent for them to control only the portion of the donation they make.

¹²¹² JASZ was completed in April 2006 and was signed by 12 bilateral donors, the EC, the IFIs and the UN.

¹²¹³ Galund, *supra*, p. 89

¹²¹⁴ See JASZ, 2007, p. 3

Chapter 22 Humanistic Economy

*Learn thee to appreciate money
And change thee thy money attitudes
For thy confusions regardeth money
Breedeth twisted wealth facts*

BRIEF INTRODUCTION

This chapter lays the foundation of the Zambian economy by linking it to pre-colonial impromptu economic arrangements. The Kaunda socio-humanistic economic system is explored with a view to discovering the historical link to the contemporary economic struggles.

Economics \approx Politics \approx
History

AT THE END OF THIS CHAPTER:

1. You will understand the genesis of post-independence economic arrangement in Zambia;
2. You will appreciate the reason why UNIP, and Kaunda experimented with the socialist economic system; and
3. You will gain insights into future economic actions to be taken or avoided.

MAJOR THEMES:

Pre-Colonial Economic
Foundation;
Socio-humanistic Economy

§22.1 Conveyor Economy

Many nations begin with an economic plan. Zambia's economy was an impromptu, arranged in order to provide Southern Rhodesia, South Africa and the global world with

the ready mineral resources of copper, cobalt, lead and zinc. Economic development in Zambia happened unplanned, even by chance, since most of the economic activities in colonial Zambia were simply appendages of either John Cecil Rhodes' ambitious project of connecting the Cape and Cairo through a network of roads and railways or quick investments in the mining industry aimed at extracting large quantities of minerals.

From 1889 to 1924, the territory known as Zambia was a Company State controlled by the BSAC. In 1924, the British government assumed control of the territory as a protectorate. Thus, "Throughout the colonial period, large mining corporations and their allied subsidiary companies controlled the economy."¹²¹⁵ One such large corporation was the Anglo American, a giant South African based mining conglomerate.

It is important to note from the outset that the colonial economy operated under a liberalized principle. The Anglo America Corporation which controlled much of the economy was part of the private sector. As could be expected, all the major economic activities in the territory, and then in Northern Rhodesia, were controlled by foreign companies.

African economies in general have bloomed along lines of rail. This is because of the ease of transporting goods and services. Northern Rhodesia benefited from Rhodes' vision of a rail network linking the north and south of Africa. The result was a booming commercial agriculture along the line of rail in areas like Chipata, Livingstone, Mbala or Mkushi. Commercial agriculture specialized in maize production, dairy produce, poultry, animal husbandry and tobacco growing. This was supplemented by African small-scale agriculture in maize production, small stocks of cattle, goats and sheep, small grains of sorghum and millet, groundnuts, cassava, cotton and fishes.

As discussed in Chapter Four, the development of the urban areas along the line of rail affected the rural areas. The rural areas were used as sources of cheap labor in the mining and subsidiary industries. Young, energetic and able-bodied men were recruited as migrant labor contracted mostly for an eighteen-month period. However, the migrant labor system neither led to the growth in urban areas nor urban working class.

¹²¹⁵ Government of the Republic of Zambia, *Interim Report of the Constitution Review Commission*, June 29th, 2005, p. 15

This did not happen because after the end of the contract the migrant workers either returned to their villages to be united with their families or were exported to Southern Rhodesia and South Africa. During the Federation, demand for skilled labor increased. Thus, the migratory system of labor was halted to give way to labor stabilization. In essence, this meant that workers had to settle in permanent areas, and this is what “contributed to the growth of an urban working class.”¹²¹⁶

The growth of towns around the mining areas happened spontaneously. The mines were usually remotely located. To facilitate mobility, punctuality and reduce transport costs, new settlements developed around the mining plants. Commercial agriculture and other industries developed as a result since people needed food and other amenities.

Many industries that developed later were mostly subsidiaries of the mining industry. They included the equipment supply, the banking, the insurance, and the repair industries. Service industries developed as well. They included health, education, retail and wholesale industries.

§22.2 Mono-Economy

From independence, Zambia’s economic potential has revolved around mining and agriculture. At independence, Zambia inherited over one billion pounds from the colonial administration. “With this money, development was very brisk during the first ten years. In its economic planning, the government adopted the socialist policy. It directed and controlled the means of production and provided free social services to the people.”¹²¹⁷

From 1965,¹²¹⁸ with the growing nationalism, Kaunda’s UNIP government began a process of national planning based on a mono-economic system depending mostly on copper. It immediately embarked on several projects aimed at improving the national infrastructure. Local industrialization intensified. In the first ten years the UNIP government achieved the following: it built UNZA, UTH, the Lusaka International Airport, and Tazara Railways with the help

¹²¹⁶ *Ibid.*

¹²¹⁷ Chisala, *The Downfall of President Kaunda*, p. 97

¹²¹⁸ This was mostly augmented by Zimbabwe’s Unilateral Declaration of Independence (UDI) and the declaration of hostilities with apartheid South Africa.

of the Chinese government. It also built the Ndola Refinery with Italy's expertise. The National Assembly and the Mulungushi International Conference Center were built in these early stages as well. Moreover, the UNIP government built a secondary school in every district, and a teachers training college in every province. Every district was electrified during this same period.

§22.3 Cooperative Societies

In 1965, government launched cooperative societies. Israeli trainers were recruited to train Zambians in animal, poultry and plant husbandry. The running of the Zambian economy depended on expatriates and as Chisala has observed Zambians only preferred to work as laborers because "Zambians are not enterprising. They prefer to be employed by somebody else in a white-collar job."¹²¹⁹

To run the cooperatives, government introduced lending facilities such as the Credit Organization of Zambia (COZ) to provide loans to peasant farmers and employees for cooperatives. When the COZ failed, it was replaced by the Agriculture Financial Corporation (AFC) which also failed. Lima Bank was then created to continue the work of AFC. Lima Bank lent money for fishing and agricultural farming.

In 1975, government introduced what it called Rural Reconstruction Centers under the slogan of *Go Back to the Land*. The aim was to make Zambia the granary of Africa. 25,000 Grade 12 graduates were recruited with a grant of K31 million received from the Chinese government. The program was supervised by the Zambia National Service (ZNS) under the Ministry of Defence. The state invested in large scale farming projects such as the establishment of the Nakambala Sugar Estates in Mazabuka.¹²²⁰ This move was meant to motivate African farmers to participate in commercial farming.

On January 28th, 1976, Kaunda made a speech in which he expounded, in a layman's language, the philosophy of his socialistic establishment, what he called a Humanistic State. In fact, this same day Kaunda invoked the full powers of the State of Emergency which he said had already been in existence "throughout the Republic."¹²²¹ As simplistic as the speech could have been, it brought out the most striking features of the humanistic approach to work and agriculture.

¹²¹⁹ Chisala, *supra*, p. 99

¹²²⁰ *Interim Report, supra.*, p. 16

¹²²¹ Hamalengwa, *Thoughts are Free*, p. 76

Kaunda reiterated that for eleven years his government had preached discipline, patience and consideration and everything that Humanism meant to a people like the Zambians. Now, he said, that would no longer be the case. Time for teaching was over. He had given every opportunity to everybody to reform. Now it was time for action. He continued: “ We must also weed out the *loafers and beggars in towns roaming the streets*. Everyone has a home. I am not saying loafers and beggars should go to their homes of origin within Zambia. I am saying if they are Zambians, the whole of Zambia is your home. However, every able-bodied person in Zambia whether man or woman must work and produce....”¹²²²

In *Humanism in Zambia*,¹²²³ Kaunda provides the essence of his economic philosophy. It was “to re-organize [the] economy from a basically capitalist one to an essentially humanist one.”¹²²⁴ In doing so, the aim was to change the social order to favor the common person. A socio-humanistic economy was espoused to be organized on revolutionary lines – in essence, providing both a historic and futuristic basis of what that order implored. Thus, the nationalization, and especially of the industrial and agricultural sectors, were framed from this socio-humanistic perspective.

However, earlier efforts to improve agriculture and boost employment in this field did not bear much fruit because of the following reasons: the cooperative societies faced enormous challenges in operation. The cost of fertilizer, seeds, machinery and fuel made it difficult to run the cooperatives. Moreover, poor marketing, lack of storage facilities, and low prices of maize hampered the success in maize growing. Apathy and future uncertainties hindered the success of the ZNS programs.

The other reason was that manpower to sustain the programs was visibly absent: “Graduates from the Natural Resources Development

¹²²² Hamalengwa, *Thoughts are Free, supra.*, pp.79-81

¹²²³ Initially, when Kaunda articulated *Humanism in Zambia (1968)*, his focus was on a consensual interpretation of Humanism. However, in *Humanism in Zambia: And a Guide to Its Implementation (1974 and 1987)*, the first Zambian president moved to an advocative interpretation of Humanism. This shift had also seen a shift from a traditionalist philosophy as interpreted by Henry S. Meebelo in *Main Currents of Zambian Humanism Thought*, pp. 92-95 to a socialist definition of Humanism as interpreted by Robert Molteno and Sefelino Mulenga. The launch of *Humanism in Zambia: And a Guide to Its Implementation* in 1974 coincided with Zambia’s tenth anniversary of independence. The major thrust was tilted towards redistribution and decentralization and a mixed economy became an intermediate stage.

¹²²⁴ Kenneth D. Kaunda, *Humanism in Zambia* (Lusaka: Kenneth Kaunda Foundation, 1987), p. 1

College (NRDC) in Lusaka and similar agricultural institutions were not deployed on farms. The majority worked in offices instead of enhancing agricultural production in the country.”¹²²⁵

Due to the reasons above, by 1980, the programs were failing. The UNIP government, which was so brilliant at designing good projects, seemed to have lacked in the implementation. Silos along the line of rail were basically empty. This forced government to import yellow maize from the Brazil, Canada and US.

§22.4 Industrial Development

Kaunda and UNIP experimented with every form of developmental models. This was not just limited to agriculture; it was extended to industrial development as well. Next to the cooperative societies was the Small-Scale Industries (SSIs). The SSIs were centered around villages or rural areas. First in this category was the Rucon Industries Ltd. which specialized in industrial production and bakeries. The Village Industry Services (VIS) was introduced in 1976. The VIS was a semi-NGO established in rural areas and promoted agro-industries such as hammer mills, and so on. The Small Industry Development Organization (SIDO) was created to provide loans to Zambian entrepreneurs.

To support growth and success of the industrial development initiatives like VIS, SIDO, and so on, government set up a Credit Guarantee Scheme (CGS) at Bank of Zambia (BOZ). The objective was well-intentioned; to create employment around the country and to prevent Zambia from being a dumping ground for foreign-produced products. Through the eyes of history, these schemes provided a pro-active way of reducing dependence on foreign agricultural, commercial and industrial products. In so doing Kaunda was reversing the policy of *Primitive Accumulation* that drove the Africans from their lands as migrant labor into the mines.¹²²⁶

¹²²⁵ Chisala, *supra*, p. 100

¹²²⁶ For a sustained discussion on *Primitive Accumulation*, see Hamalengwa, *Class Struggles in Zambia 1889-1989 & The Fall of Kenneth Kaunda 1991-1991*, especially p. 26

§22.5 Coupon System

UNIP's socialistic policies were hugely dependent on a mono-economy of copper. In essence, everything depended on the good performance of the mining industry. By 1988, global economic conditions and the fluctuations in the price of copper on the world market had begun to inflict serious convulsions on the Zambian economy. Due, partly, to lack of implementation of the serendipitously designed cooperatives and industrial projects, the country faced massive shortages of maize, the nation's staple crop.

In 1988, the Party and its Government introduced a coupon system to help the poor and those who had low pay. The coupon was a subsidy on mealie meal and was manned by UNIP's ward and branch chairpersons. The coupon system supplemented people's own lack by providing mealie meal almost at no cost to them. This fitted in very well with socialistic ideals.

The coupon system was, however, poorly managed by UNIP cadres. In essence, only people who showed great support for Kaunda were given coupons. It was a political rather than an economically-driven tool to boost the support of the ruling party. Moreover, it is hugely believed that the coupon system "encouraged laziness"¹²²⁷ to the people who became increasingly depended on it. The direct negative impact on the Zambian economy was the heightened inflation as government kept printing more and more money.

There were serious ramifications for an ambitious socialistic economy mostly dependent on a single commodity. From the outset, the economy was doomed to fail. First, and bearing in mind the example of the 1930's recession which was exacerbated by the attempt of the colonial administration to control the price of copper leading to economic disasters, the Kaunda regime did not learn a lesson from history. Instead, government opted for the same economic tactics that had failed early in the colonial days. Lungu¹²²⁸ advises, "We should have taken cognizant of the lessons of history, that in what we improve we are never wholly new and in what we retain we are never wholly obsolete."¹²²⁹

¹²²⁷ *Ibid.*, p. 102

¹²²⁸ Muhabi Lungu, "A Plea to My Countrymen and Women," A Speech Delivered at Mulungushi International Conference Center, June 4th, 2011

¹²²⁹ *Ibid.*, p. 2

Socialism has worked with little success anywhere it has been attempted. China is an exception. However, China's economy has mainly performed because despite being a communist country, it has adopted free-market economic model. For Kaunda's Zambia, the attempt to obliterate all forms of free enterprise doomed the economy to fail. All the schools of political and economic thought agree that the economy is one of the most important instruments of transforming a nation into a habitat of freedom, democracy, and human rights. Although China is under a communist regime, it, however, embraces a free-market economic model which seems to be the hallmark of liberal democracy. Unlike China, Zambia did not strike a compromise between an economic regime and political philosophy. It opted for total elimination of all free enterprises in the country.

§22.6 Nationalization

Nationalization involved, in the *Commanding Heights*¹²³⁰ concept,¹²³¹ the public ownership of the major national economic activities. In Zambia, the policy came to be known as *Zambianization*.¹²³² According to Lukuku,¹²³³ immediately after independence, the policy, euphemistically called *Zambianization*, was instituted. Not only were companies nationalized and new ones in the form of parastatals created, but they were staffed by *Zambian* managing directors at lightning speed. The civil service was also steadily being *Zambianized*. *Zambianization per se* was not a bad

¹²³⁰ Daniel Yergin and Joseph Stanislaw, *The Commanding Heights: The Battle for the World Economy* (New York: Simon & Schuster, 1998)

¹²³¹ The *Commanding Heights* concept was formulated by Vladimir Ilyich Lenin in 1922. The concept referred to the control of perceived key segments of a national economy. The phrase came to encompass government policy of promoting home-grown "national champions" (see Daniel Yergin and Joseph Stanislaw's *The Commanding Heights, supra*) while granting the rest of the economy a measure of freedom. Lenin was born on April 22nd, 1870; he died on January 21st, 1924. Lenin, a Russian Marxist revolutionary leader, was also an author, lawyer, economic theorist, political philosopher and the creator of the Soviet Communist Party. He led the October 1917 Revolution which founded the USSR. Between 1917 and 1924, while acting as head of the Bolsheviks, he led the Red Army to victory in the Russian Civil War, before establishing the world's first officially socialist state. He produced Leninism by using the political philosophies of Marxism.

¹²³² *Zambianization* "was a policy by which Europeans, Asians and African expatriates were replaced by *Zambian* citizens in employment of all kinds" (Grotperter *et. al.*, *Historical Dictionary of Zambia*, p. 480).

¹²³³ Whitney Lukuku, "A Culture of Entitlement," (Saturday, March 26th, 2011)

thing. Actually, it was very empowering to the nation. It was the *Culture of Entitlement* that inadvertently accompanied Zambianization which played a major role in the failure of that policy.¹²³⁴

Parastatals, or government-owned companies, took over the assets of previously privately-owned companies. The government of the Republic of Zambia became the single largest employer in the nation, the provider of free educational and health services and the maintenance of public infrastructure.

Government subsidized the price of mealie meal, excluded the informal sector from paying income tax and made the production of maize compulsory across the board. Initially, government managed to pay for all these goods and services for three reasons. It had inherited, relative to the population, good copper reserves; copper was faring well at the world market; and the population size was small.

By the 1980s, the fortunes of nationalization began to be reversed. Demand for free public goods and services increased due to increase in population; revenues from copper dropped due to fluctuations in the copper sales at the London Metal Exchange; arising from these two scenarios, Zambia's balance of payment deficits¹²³⁵ became a crisis.

The big question which has, historically, been asked is: was the nationalization of the Zambian economy warranted? I join the views of those who argue that it was not warranted, despite the rise in nationalism at the time. There are four reasons why economic nationalization was unwarranted in Zambia. First, in 1968, expropriation of the privately-owned companies was a case of throwing away the baby with the water. This was not the case of, "he who pays the piper always calls the tune." It was a question of

¹²³⁴ *Ibid.*

¹²³⁵ *The Canadian Encyclopaedia* defines Balance of Payments, or Balance of International Payments, as "an accounting statement of the economic transactions that have taken place between the residents of one country (including its government) and the residents of other countries during a specified time, usually a year or a quarter. The term also refers to the difference between receipts and payments in some categories of international transactions, often merchandise trade or the current account. The Balance-of-Payments statement is based on double-entry bookkeeping in which each economic transaction gives rise to a credit and a debit. Any transaction which results in a receipt from foreigners is entered as a credit and is given a positive sign. Any transaction which results in a payment to foreigners is entered as a debit and is given a negative sign." *Wikipedia* adds, "Sources of funds for a nation, such as exports or the receipts of loans and investments, are recorded as positive or surplus items. Uses of funds, such as for imports or to invest in foreign countries, are recorded as negative or deficit items."

economic strategy and the continuation of competition in the marketplace. Nationalization of the economy was not only ill-timed, but it was superfluous. It is argued convincingly by economists that this action was taken too early. There was a strong feeling that government should not have pursued this policy so early in the day much as Zambia wanted to control its economic development and more equitable distribution of wealth.¹²³⁶

Second, the economic system inherited from the colonial administration in Zambia was rigged with numerous problems. A familiar précis one reads often is that Zambia was economically better off at independence than now. The implied conclusion is always that what has become of Zambia is due to poor leadership. Thus, “When Zambia (formerly Northern Rhodesia) got independence from Britain in 1964; it was one of Africa’s richest and most developed countries. It has vast copper-ore deposits and some of the best land and most copious water in the continent. Yet now, largely due to [*sic*] *poor leadership*, it is one of the poorest.”¹²³⁷

This is a misrepresentation of the African leadership. For one, there is a tendency by the former colonial nations to blame the Africans for the economic predicaments of Africa. For another, when the Africans perform, it is somehow interpreted either as luck or the success was due to Western help. The challenges Africa faces are historic in nature, and until Africans revisit and condemn their ugly past, hope for a handsome future will be illusive.

As argued in this book, despite all good intentions and purposes, both the BSAC and the British government had amassed great wealth from Northern Rhodesia. In time, posterity will know how much was taken away from the copper mines of Northern Rhodesia. Record keeping, especially where it concerned the wealth of Africa, was rare then as it is. In this book, efforts have been made to unearth some vital clues to what and how much could have been amassed from Africa.

However, it is common knowledge that the new Zambian government at independence had inherited a time-bomb. The prosperity of the first ten years should not be construed as the *modus* of what the colonial administration had left. It was too early to know exactly what lay under the guise of the flagellating economic books, so to speak.

¹²³⁶ Chisala, *supra*, p. 103

¹²³⁷ *The Economist*, “Less Poor, Less Free; Hope and Worry in Zambia,” November 21st, 2009

It is frequently argued that the South Korea's *per capita* income same as Zambia's at independence is now thirty-two times greater.¹²³⁸ In fact, when Zambia became independent in 1964, it had a head start on many African countries, enabling it to create institutions and revamp its economy earlier than most of these others.¹²³⁹ And although the contexts of Zambia and South Korea differ significantly, the above remarks carry some weight.

That weight leans heavily against Kaunda's policy choice. Kaunda's supposedly poor policy choice is cited as a big mistake in the development of Zambia's economy. For a long time, former colonial powers have advanced an Afrophobic *agenda*. The *agenda* posits that the Black person is poor because he is naturally corrupt, irresponsible, and, therefore, incapable of managing state affairs, without a White person's tutelage.¹²⁴⁰ This view may seem to support the allegation made against Kaunda's poor choice of the economic policies after independence.

Such a view, however, will be a serious misrepresentation of the African *agenda*. For one reason, Kaunda was a product of nationalism, a freedom fighter and someone who had harshly suffered at the mercies of a repressive colonial regime. It is just human that after acquiring independence the policies espoused would be designed in such a way as to avoid a new form of Neo-Colonialism. For another reason, Kaunda was motivated by a clear conscience. In other words, the Kaunda government acted in good faith although the result did not materialize as envisaged. Zambia was not alone in this. Powerful and rich nations sometimes fail to predict in economic terms what might befall their economies, as was the case during the 2008 economic crunch in the US., and most recently, during the Covid-19 pandemic era.¹²⁴¹

Third, in the case of Kaunda, bad luck cannot be ruled out as a possible cause of the failure of the economy to perform. In fact, credit should be given to the UNIP government for registering massive progress with the introduction of the parastatal regime. By the 1980s, the Kaunda administration had created a parastatal regime under the umbrella of the Zambia Industrial and Mining Corporation (ZIMCO), considered by many to be the "biggest business

¹²³⁸ Grant, *Zambia: Then and Now*, p. 288

¹²³⁹ See Grotpeter *et. al.*, *Historical Dictionary of Zambia, Second Edition*, p. xi

¹²⁴⁰ Sakala, *A Mockery of Justice*, p. 92

¹²⁴¹ See Robin Levinson-King, "Covid economy: What economists got right (and wrong)," BBC, May 16th, 2021

conglomerate in Africa.”¹²⁴²

ZIMCO, under the chairmanship of Kenneth Kaunda himself and directed by Evans Willima as Director General, controlled over 80 percent of the Zambian economy. ZIMCO operated under two subsidiary organizations, *wiz*, the Industrial Development Corporation (INDECO) which managed Zambia’s industries and commerce, and the Mining Development Corporation (MINDECO) in charge of the mining sector. Between the two corporations, over one hundred companies employing thousands of people were formed.

§22.7 Why ZIMCO Failed

Contrary to reports, ZIMCO was very profitable, and if the Africans are capable of dreaming, the creation of this conglomerate proffers evidence to that effect. ZIMCO was a brainchild of the Zambians and of Kaunda in particular. It worked very well and made enormous profits. There are three factors which led to ZIMCO failure. The conglomerate was too big to be managed properly; it was mainly managed by political appointees who lacked the necessary professional skills of competent management; and the profits from the proceeds were not properly ploughed back into vital investment.

Generally, and regimes that have attempted Socialism may attest to this fact, governments that have monopolized business have landed into serious economic problems. Governments are not equipped to run the economy. The economy is best left to professionals who have both the know-how and the expertise to manage economic affairs effulgently. The role of government in the economic marketplace is best served by the regulation of contracts. In fact, one commentator has taken a radical view, suggesting that, “The only way the war on poverty can be won in Zambia is by cutting off the arm of government.”¹²⁴³

The example of ZIMCO informs on the impracticality of government control of the economy. When government is in complete charge of the economy, productivity suffers. To illustrate the point, the example of Zambia Telecommunications Corporation (ZAMTEL) will suffice. Before ZAMTEL was sold to Lap Green

¹²⁴² Chisala, *supra*.

¹²⁴³ Mukanga, “Zambian Media as Agents of Poverty,” *Zambian Economist*, February 1st, 2011

Networks of Libya, it had a customer base of about 400 thousand people. It had employed about 2,340 workers. In its financial year ending March 31st, 2010, ZAMTEL made an operating loss of K104.8 billion.¹²⁴⁴ In contrast, in the space of about five years, the privately-owned¹²⁴⁵ Zain and MTN contributed combined revenue of more than K1.4 trillion. In the same period ZAMTEL owed the government over K500 billion in unremitted taxes.¹²⁴⁶ Clearly, these figures speak for themselves.

Moreover, it is a matter of common sense that government-owned parastatals become ready sources of government irresponsibility. This usually occurs when government borrows from itself in order to reward its inefficiencies elsewhere. ZAMTEL, for example, was owed by government about K36 billion in unpaid bills when it was sold.

Fourth, the last reason why economic nationalization was unwarranted in Zambia is owed to what is called the *Culture of Entitlement*.¹²⁴⁷ In Zambia, this culture led to the *Kapitao Syndrome*,¹²⁴⁸ a practice whereby the Africans who served as clerks or messengers or “Captains” for the White masters inflicted chagrin on their fellow Africans, worse than the White boss did. Thus, “The corollary to the *Kapitao Syndrome* is hero-worship. In Zambia, once a person is in a position of power, the people revere, venerate and treat him like a

¹²⁴⁴ These figures were released by the Minister of Commerce, Trade and Industry, Felix Mutati, according to the *Times of Zambia* of July 23rd, 2010.

¹²⁴⁵ Zambian telecom sector is dominated by three operators - Airtel, MTN and Zamtel; Zambia suspended all taxes imposed on the importation of communication equipment, see Michael Malakata, “Zambia Suspends Tax on ICT Equipment,” *Computerworld Zambia*, August 23rd, 2011.

¹²⁴⁶ *Zambia Weekly*, “ZAMTEL,” Week 30, Vol. 1, Issue 16 (July 30th, 2010)

¹²⁴⁷ Lukuku argues that this culture must not be construed in the usual way defined by *Wikipedia* as, “whereby a society comes to expect government entitlement programs to provide employment opportunities, health care, or general access to things that have come to be perceived by many...as basic human rights” (see Lukuku, *supra*.)

¹²⁴⁸ According to Lukuku, *ibid.*, “In colonial Northern Rhodesia, Africans were subjected to repression and subjugation. It was rare for Africans to get into supervisory positions. Those who were promoted to be supervisors even at the lowest levels assumed unprecedented powers, more powers than had been conferred on them by their job description. There was a song about *Kapitao*s which went like this: *Umusungu tapata bantu, ba Kapitao mulomo*. This can be roughly translated as follows: ‘The White boss does not hate Africans; it is the *Kapitao* who makes him treat us badly due the *Kapitao*’s unfavorable reports about us.’ Two things characterized the *Kapitao*s: (1) they abused their positions by profiting from such positions; and (2) they perpetuated the repression and subjugation of the Africans.”

demigod.”¹²⁴⁹ When applied to Zambianization, this attitude, in part, explains why the policy eventually failed.

§22.8 Economic Disparities

There is no middle-class in Zambia. There is lack of a definitive measure of what make up a middle class.¹²⁵⁰ There are only the rich and the poor.¹²⁵¹ There is a two-pronged phenomenon in Zambia. In the first place, there are people who have so much in terms of wealth that they could live on it for hundreds of years. Then, second, there are those who barely survive, and these make up the majority.¹²⁵²

In the Second as in the Third Republics, those who are rich live in areas designated for the rich,¹²⁵³ drive and own more than one expensive cars,¹²⁵⁴ and have one or more servants and house maids working for them. The majority of those who live in high affluent areas commonly called in vernacular as the *upper-mvambas* may either be the few remaining White folks or people of foreign origin.¹²⁵⁵ In most rich Western nations like Canada or Sweden, there is clearly a middle-class divide between the upper and the lower classes.¹²⁵⁶

¹²⁴⁹ Lukuku, *ibid*.

¹²⁵⁰ ZIPAR (2013), Who are the middle class in Zambia? Policy Brief 12. Lusaka, Zambia.

¹²⁵¹ On average, annual income is US\$300 for the poor Zambians; this is about the same as what an average Canadian earns per week, and what those on welfare earn per month.

¹²⁵² In the Second Republic, most of the rich folks did not make their wealth through hard work; they were either parastatal executives or had previously held high posts in government or government departments.

¹²⁵³ For example, in Lusaka, they may reside in areas like Kabulonga, Kalundu, Woodlands, Ibex Hill, Lusaka West, and so on.

¹²⁵⁴ Cars like Mercedes Benz, Pajero, Hammer, BMW, and similar other prestigious models!

¹²⁵⁵ *Upper-mvambas* literally means the upper-class.

¹²⁵⁶ The middle-class, especially in the US, Canada, Britain and most European nations, is the largest category comprising relatively educated people with a stable income and contributing a relatively large portion of that to the national taxation system.

Chapter 23 Economic Future

We may never know what or how the economy of Zambia would have turned out to be had we have not inherited a mono-economy. However, we do know that hope for Zambia lies in something else other than mining.

BRIEF INTRODUCTION

This chapter gives a snippet of the Second Republican economic planning and from it deduces vital principles that made it work or fail. The chapter then discusses the sectors Zambia will need to prioritize if meaningful and sustainable economic growth must be achieved. Last, the chapter introduces a benevolent provocateur by comparing Zambia to Ontario and Switzerland.

Economics \approx Economic
History

AT THE END OF THIS CHAPTER:

1. You will learn about the lessons that Zambia should take from failed economic models;
2. You will appreciate the reason why manufacturing should be harnessed and revamped; and
3. You will discover how small the Zambian economy is when compared to the potential the nation has, and the capacity it possesses.

MAJOR THEMES:

Imported Economic Models;
State-Controlled Capitalism

§23.1 State-Controlled Capitalism

We cannot talk about Zambia's economic future without analyzing its economic past and present. It is not naïvety to conclude that in Kaunda's mind, Humanism and Socialism meant one and the same thing. However, a closer look at how the UNIP government designed the affairs of the State shows that Zambia did not become a socio-humanistic state, but rather, that Zambia had embraced State-Controlled Capitalism. In the initial stages with the introduction of cooperative societies and under the *Go Back to the Land* campaign, the Zambian ideology was patterned upon that of Socialism. However, when these efforts failed and a more magnanimous system of industrial control, mainly achieved through ZIMCO, came into being, Zambia had unofficially been transformed into a capitalistic state, albeit a state-controlled one.

The central theme in Socialism hinges on the common ownership of property. Probably the first reference to common ownership of property was in the idea of a *polis* in Plato's *Republic* around 380 B.C. Thomas More philosophized on extending the ownership of property to the entire State as a solution to the all-powerful grab of land by the royal English family in his book called *Utopia* written around 1516.

The real modern propagation of Socialism began in the French Revolution when Francois-Noel Babeuf organized a communist uprising.¹²⁵⁷ The uprising was put off in 1796. Babeuf dreamed of creating a Grand National Economy to replace the capital-market system. Babeuf had wanted to introduce a complete equal-based system where all were rich, all were poor, all were free, and all were brothers.

From what Babeuf began in practice, Karl Marx and Friedrich Engels garbed in ideology.¹²⁵⁸ The duo saw Socialism as the abolition of class structure into a mono-class of the industrial working class they called the *proletariat*. To them, the proletariat embodied a universal class and portended the hope of all humanity. To them, Capitalism alienated the wealthy from the majority poor and gave the *bourgeoisie* tremendous power over the rights of the poor.¹²⁵⁹

¹²⁵⁷ Francois-Noel Babeuf was French journalist who was tried and sentenced to death for his revolutionary thesis. Arising from his trial, he inspired people like Karl Marx and Lenin leading to Socialism as we know it today.

¹²⁵⁸ Karl Marx was born in 1818 and died in 1883. He is the most famous philosopher of Socialism.

¹²⁵⁹ The bourgeoisie were the owners of the means of production such as land and capital.

Marx approached Socialism from an historic perspective. From his analysis of Capitalism, he concluded that Capitalism would eventually destroy itself through its internal contradictions. To both Marx and Engel, Socialism was not just a moral approach to the ordering of the affairs of a society, it could be empirically studied and, in fact, offered a scientific alternative to Capitalism. They called it *Scientific Socialism*. They believed that they could predict the future through a thorough analysis of Socialism.

Marx feared Capitalism would create an unnecessarily large working class whose only role would be to dig graves for the bourgeoisie. He postulated that this would impoverish the proletariat. Marx believed – and this is what rhymes with Kaunda’s initial approach to Socialism in his One-Party Participatory Democracy – that workers in constitutional states with a parliamentary system would struggle for the universal franchise. Once they achieved the right to vote for the population, then Capitalism would be permanently defeated.

It is commonly believed that Socialism is antagonistic to freedom. However, Marx and Engel’s conception was that Socialism allowed humans to ascend from the kingdom of necessity to one of freedom. Ironically, when the *Communist Manifesto*¹²⁶⁰ was published in 1848, both capitalistic liberals and conservatives found relevant features of their respective ideologies in Socialism. For that reason, Socialism is considered an on-going refinement of the socialistic concept and has not attained to its true maturity anywhere.

Some Western democracies have adopted several features of *Scientific Socialism*. These include a heavy graduated income tax; centralization of credit in the hands of a State’s national bank; centralization of communication and transport means in the hands of the State; extension of factories, lands, and so on, into State’s ownership; provision of free education to children; eradication of child labor and the combination of education with industrial production.

Marx and Engel’s economic philosophy centered hugely on specific social dictum such as, “Equal work for equal pay,” “From each according to his ability to each according to his needs,” “Kingdom of freedom,” and eventually achieving the “Higher phase of communist society.” Their overall aim was to create a social person, unlimited by a system of specialization epitomized by Capitalism: “For as soon as the distribution of labor comes into

¹²⁶⁰ Also known as the *Manifesto of the Communist Party*.

being, each man has a particular, conclusive sphere of activity, which is forced upon him and from which he cannot escape. He is a hunter, a fisherman, a shepherd, or a critical critic, and must remain so if he does not want to lose his means of livelihood; while in communist society, where nobody has one exclusive sphere of activity but each can become accomplished in any branch he wishes, society regulates the general production and thus makes it possible for me to do one thing today and another tomorrow, to hunt in the morning, fish in the afternoon, rear cattle in the evening, criticize after dinner, just as I have a mind, without ever becoming hunter, fisherman, shepherd or critic.¹²⁶¹

At the height of their philosophy was the creation of a Communist State in which all means of production would be held in common. What they promulgated is, in the interest of Zambia which was declared a Christian Nation, what can be called Christian socio-political ideology or *Christian Socialism*. In the Bible it is written that, “And all those who had believed were together and had all things in common.”¹²⁶² Paradoxically, most societies which have rejected Socialism and embraced Capitalism have a predominantly Christian heritage.¹²⁶³

Marx and Engel’s faith in the rise of the proletariat, nevertheless, did not happen in their time or as they hoped. Events of the October Revolution in 1917 of the Bolshevik Party in Russia saw the rise to power of Lenin who took control of the new government that had replaced the Czarist regime months earlier. Many thought Lenin would translate the Marxist philosophy into full-fledged Communism.

However, the faithful followers of Marx were soon to be disgruntled by Marxist-Leninism. Initially, Marx had hinted that the role of the revolutionary party would only be to control the State until such a time as the masses or the proletariat would be ready to embrace Communism, a society where every means of production would be held in common. Lenin became a dictator.

Those who opposed Lenin began to call themselves Social Democrats, “often merging with Christian and other moderate socialists who had been outside the Marxist consensus. These social-democratic parties exist as the Labor Party of Great Britain, the Social

¹²⁶¹ Mark O. Dickerson & Thomas Flanagan, *An Introduction to Government and Politics* (Toronto: Nelson, 2006), p. 167

¹²⁶² Acts 2:44

¹²⁶³ Such as the US, Britain, Italy and most European nations

Democratic Party of Germany, New Democratic Party or Nouveau Parti démocratique (NDP) in Canada, and so on. “They have kept to the course of constitutionalism...they form government when they win elections and resign from office when they lose.”¹²⁶⁴

§23.2 Economic Lessons

In analyzing the system that established Zambia’s economic foundation, it is imperative to take into consideration the often conflicting-in-terms and the frequently-ignored apparatus which ended up producing a system which was neither socialistic nor capitalistic but an in-between and totally new system.¹²⁶⁵ While the lack of performance of the Zambian economy beginning from the 1980s cannot be solely attributed to this discrepancy, it, nonetheless, imposed immense pressure on a new government that was trying to experiment with an *ideology* it barely understood.¹²⁶⁶

In nationalizing the economy, the UNIP administration aimed at replacing the capitalist system it inherited from Britain with a social order, and by choosing the Humanism philosophy, Kaunda was indirectly asserting that Capitalism was inherently unjust and inhuman. The UNIP government wished to plan the economy by obliterating unregulated private enterprise and discouraging competition in the economic marketplace. Kaunda’s emphasis from the outset was democratic self-governance and economic equality. The state would not only plan the economy but dictate how natural resources and means of production were owned and distributed.

In this book arguments have been made for the inherent socialist heritage of Africa. In essence, what Kaunda and the UNIP administration were designing was not new in the sense that the African social mosaic had historically subscribed to socialist collectivism and communal institutionalism. Grant has described how Europeans, “Undermined the intricate web of village and tribal relationships, something that happened everywhere on the

¹²⁶⁴ Mark O. Dickerson & Thomas Flanagan, *supra.*, pp. 169-70

¹²⁶⁵ The new system created came to resemble a State-Controlled Capitalism.

¹²⁶⁶ In a report drafted by Greg Mills, Jeffrey Herbst and Stuart Duran dubbed, “Mobilizing Zambia,” and sponsored by the Brenthurst Foundation, the authors conclude that Zambia’s economic structure under UNIP was a “half-baked socio-economic experiment.”

continent.”¹²⁶⁷ It was this intricacy in tribal unionism that truly set Africa apart as a community-based society.

In tying Humanism to Socialism, Kaunda did not error as the two were intricately woven and formed the very core of the African soul. On October 21st, 2007, Kaunda was honored by the National Heritage Council (NHC) of South Africa for demonstrating the values of *Ubuntu* through the Humanism philosophy.

Through Humanism, Kaunda had remained true to the African spirit. However, as Chisala accurately observed, considered together and placed in economic context, Kaunda’s articulation of Socialism lacked an empirical ion because “economics is a science and as such it has its own laws.”¹²⁶⁸

On June 13th, 2010, the Discovery Channel showed a documentary of the challenges the secret services encounter in protecting the Heads of States. One CEO of the company that manufactured special guns used by the C.I.A in the US or the MI16 in Britain cautioned: “Don’t touch a system which has not been proven for years.” In short, he was warning against trying a system that lacks a substantial body of evidence to back it, especially where the security or safety of very important persons or a nation is concerned.

That caveat applies to the Zambian context. In the quest to experiment with socio-humanistic philosophies, the UNIP government ended up creating a system akin to Capitalism, albeit a State-Controlled Capitalism. The UNIP regime produced a system which concentrated on making profit as opposed to supplying human needs, contrary to the very premise on which Socialism is based. However, as the regime was slowly realizing, in Capitalism or the market economy, profit is not antithetical to need. It is, rather, the means by which needs are met.

Zambia was learning by trial and error what the Soviet Union had learned with painful consequences, that pure Communism or Socialism, though in principle attractive, is highly unattainable. The result was a system of State planning machinery that was a hybrid of the planning principle and the market principle. The State endorsed a series of National Plans. The industries supplied one another as part of this plan rather than by market auction.¹²⁶⁹ The markets then

¹²⁶⁷ Grant, *Zambia: Then and Now*, p. 77

¹²⁶⁸ Chisala, *supra.*, p. 112

¹²⁶⁹ Under the Zambia Industrial and Mining Company (ZIMCO) were numerous companies and industries including: Auto Care Ltd, Anros Industries Ltd, BP

connected the industrial complex to the Zambian population which purchased the output at retail stores owned by the State. In turn, retail stores sold their labor to the State as employer.¹²⁷⁰

The Zambian economic system was imbued with political interference to the extent that to maintain his hold on power, Kaunda had to appease his cronies with positions in government-owned parastatals. The wealth of Zambia did not reach the majority poor at the bottom. Rather, the Zambian wealth only benefited the people at the top of the political quadrant, especially those who supported UNIP and Kaunda.

§23.3 Economic Troubles

There seems to be a dialectical economic tension that tantalizes many of those who analyze the Zambian economy. This is especially true in view of the first decade after independence. The relative prosperity of the 1960s is construed by many as evidence that Zambia was reaping favorably from the economic genius of its former colonial masters. The implication is that the Zambians lacked economic prowess to manage their own affairs as evidenced by the economic struggles of the 1970s and 1980s.

(Zambia) Ltd, Contract Haulage Ltd, Chilanga Cement Ltd, Indeni Petroleum Refinery Ltd, Ghirardi Milling Company, Indeco Estate Development Company Ltd, Kagem Mining Ltd, Mansa Batteries Ltd, Metal Fabricators Zambia Ltd, Maamba Collieries Ltd, Mwinilunga Cannery Ltd, Memaco Trading Ltd, National Breweries Ltd, Nkwazi Manufacturing Company Ltd, National Airports Corporation Ltd, National Hotels Development Corporation Ltd, National Imports and Export Corporation Ltd, Nitrogen Chemicals of Zambia, National Drug Company Ltd, Posts and Telecommunications Corporation Ltd, Premium Oil Industries Ltd, Poultry Processing Company Ltd, Supa Baking Company Ltd, Tazama Pipelines Ltd, United Bus Company of Zambia Ltd, Zambia Engineering and Contracting Company Ltd, Zambia Forestry and Forest Industries Corporation Ltd, Zambia National Commercial Bank Ltd, Zambia State Insurance Corporation Ltd, Zambia Railways Ltd, Zambia Electricity Supply Corporation Ltd, Zambia Consolidated Copper Mines Ltd, Zambia Airways Corporation Ltd, Zambia Agricultural Development Ltd, Zambia Coffee Company Ltd, Zambia Oxygen Ltd, Zambia Steel and Building Supplies Ltd, Zambia Sugar Company. Others associated with the state were AGIP (Zambia) Ltd, Indo-Zambia Bank, Livingstone Motor Assemblers Ltd, Zambia Seed Company Ltd, Dunlop Zambia Ltd, and so on. It is established that there were only over 700 such companies, relatively smaller in numbers compared to the size of the country. See Mills, *supra*.

¹²⁷⁰ Retail stores included Mwaiseni Stores, Zambia Consumer Buying Corporation Ltd (ZCBC), etc.

However, what is overlooked is the fact that in the 1960s two factors necessitated economic boom in Zambia. First, it was the small size of the Zambian population vis-à-vis the economic abundance of the time. Second, “In the decade following independence in 1964, prices [of copper] were at an historic high.”¹²⁷¹ These two factors, viewed in hindsight, have come to portend bittersweet for Zambia.

Positively, they enriched Zambia, and thereby contributing to Zambia’s economic boom of the time. However, negatively, they led to “dependence on copper...copper mining accounted for a third of GDP, 80 percent of foreign exchange earnings and a third of fiscal revenue.”¹²⁷² With this revenue, government centralized the economy, developed a welfare system¹²⁷³ and launched parastatals.

This direct and indirect dependence on copper hit a blow to the economy when the price of copper crashed in the mid-1970s. Having no prior precedence, government honestly believed that the price of copper would rebound. Therefore, it borrowed heavily. For some, government should have restructured at that juncture, rather than borrow.¹²⁷⁴

This, nevertheless, is a baseless assumption as the examples of the Western economies have shown. Rather than restructure, the US bailed out its economy in 2008 (during the credit crunch) and 2020 (during the Covid-19 pandemic) and continues to borrow heavily from China.¹²⁷⁵ On May 4th, 2011, Portugal borrowed €1.1 billion from the EU at higher rates;¹²⁷⁶ the Republic of Ireland borrowed €80 billion of the rescue package from the EU and IMF, and Greece, €110 billion bailout in May 2010.¹²⁷⁷ There was also looming possibility that Spain would be next.¹²⁷⁸ The IMF will always lend money: “The IMF

¹²⁷¹ Greg Mills, Jeffrey Herbst and Stuart Duran, “Mobilizing Zambia: A Strategy Report on Accelerating Economic Growth,” The Brenthurst Foundation, Discussion Paper 2010/02, p. 2

¹²⁷² *Ibid.*

¹²⁷³ See §28.1 and §28.2 for the distinction between Welfare State and a welfare system.

¹²⁷⁴ *Ibid.*

¹²⁷⁵ See §21.3

¹²⁷⁶ See *RTE News*, “Portugal Borrows €1.1 Billion at Higher Rates,” www.rte.ie (Wednesday, May 4th, 2011); *UK-Finance*, “Portugal Pays Heavily to Borrow,” *Reuters*, (Friday, April 1st, 2011); and Steve Goldstein and William L. Watts, “Portugal Finally Asks EU for Help,” *MarketWatch*, (April 6th, 2011)

¹²⁷⁷ *Belfast Telegraph*, “Republic of Ireland Finally Asks for €80bn EU Bailout,” (Monday, November 22nd, 2010)

¹²⁷⁸ See Typically Spanish, “Concern in Spain as Portugal Asks for EU Bailout,” www.typicallyspanish.com, (April 7th, 2011)

assists countries hit by crises by providing them financial support to create breathing room as they implement adjustment policies to restore economic stability and growth. It also provides precautionary financing to help prevent and insure against crises.”¹²⁷⁹ And so would the World Bank, the EU and so on.

The economic failure of the capitalistic giants (especially during 2008-9 and 2020-21) is not because their “revenue was invested in wrong areas and in wrong ways,” as Mills and others postulated; the reason is simple: Developing as well-developed countries are not immune to economic tsunamis. The view adopted in this book is that it is not largely due to incompetence or lack of leadership savvy that most African states are poor. Historic factors, conditionalities imposed by the IFIs, and human and natural disasters, including pandemics, have brushed with human flaws leading to the current economic picture.

Backing up to place the narrative into perspectives, by 1980s, the Party and its Government (UNIP) had begun to realize that the socialist policies were not working as expected. There were both human and unexpected economic factors that exacerbated the situation. The parastatals had, indeed, brought in profits and made certain UNIP quarters rich, but the pace of productivity did not match with that of spending.

Government spent more than it produced. There were about six areas in which government spent excessively thereby draining the national treasury leading to both inflation and the doubling of the budget deficits. The areas of overspending included: subsidies on consumer goods like mealie meal; spending on free medical and education; awarding of large salaries to UNIP stooges; a large armed force that sulked the national coffers infinitely; and lavishing of large grants to district councils which did not stand on their own.

In the light of the aforementioned, beginning from the introduction of subsidies through a coupon on mealie meal, to overspending on the aggrandizement of the UNIP cadres through grants, to the bailing out of defunct district councils, government had deviated from its initial program of empowerment aiming at making people self-sufficient. The nation became heavily dependent upon government hand-outs. The result was inimical; the people became lethargic. They came to depend solely on government. A disproportionate number of people benefited from the national

¹²⁷⁹ IMF, “IMF Lending,” February 22nd, 2021

coffers at the expense of the majority, and productivity suffered a lethal blow.

The economy of Zambia was in limbo. Government had no recourse but to seek help from elsewhere. It turned to the IMF and the World Bank in 1983. The World Bank approved Structural Adjustment Programs (SAPs). The measures prescribed by the two lending institutions were austere, such as devaluation of the Kwacha, cessation of currency auctions, freezing of workers' wages and travel allowances, and price decontrols.¹²⁸⁰ With controls on pricing lifted, prices of essential goods and services went ballistic. This was followed by massive shortages of mealie meal in the nation.

Between 1986 and 1990, inflation was at about 100 percent. The Kwacha was devalued. The unexpected result was an expansion in shanty compounds (Zambian ghettos or Brazilian Favelas) as people lost jobs and could not go back to the rural areas. Due to shortages of essential commodities and massive unemployment, riots broke out on the Copperbelt in 1986. There were more riots in Lusaka in 1990. Government responded by unleashing a group calling itself *vigilantes*. Vigilantes were mostly UNIP stalwarts who inflicted sporadic rancor with chagrin on the people. Six people were feared dead at the hands of the security forces.¹²⁸¹

In September 1991, the World Bank suspended disbursement of funds when Zambia defaulted on a US\$20.8 million debt. Moreover, Zambia lost US\$78 million in assistance from the lending institution. This money was meant for various projects prior-approved by the World Bank. Because Zambia could not service its debts, by October 1991, it had become one of the highly indebted poor countries in the world.

§23.4 Turner Report

In the 1980s, the Turner Report¹²⁸² on prices and incomes found that the “public sector [was] too big, expensive and inefficient.”¹²⁸³ The Turner Report was consistent with the assumptions of the US

¹²⁸⁰ See also Chapter 22.

¹²⁸¹ In 1935, six people perished at the brutal hands of the colonial armed forces because they wanted good working conditions.

¹²⁸² K. Turner, *Technical Report: Legal Constraints on Small-Scale Industrial Development and Proposals for Reform* (Vienna: Government of Zambia and UNIDO, 1987)

¹²⁸³ Chisala, *supra.*, p. 108

economic management. More importantly, it adhered to the notion that governments are not better placed to run the economy; the professionals are. Government's role in the economy is the identification and recognition of the professionals who have the know-how and skills to manage the economy. Moreover, government should create a level-playing field for economic competition through the regulation of contract.

§23.5 Second Republican Economy

If Zambia was an agricultural industry, it could be likened to a farmer who had just inherited a farm. The farmer had been a servant of the former farmer who had grabbed the land on which the land is situated from the new farmer's ancestors. The new farmer had inherited good but inadequate seeds. Nevertheless, he was now in charge, although when he worked for the former master, he was not given sufficient training in farm management.

Between 1964 and 1975, the farmer was doing two things: He was taking a crisis course so as to acclimatize himself with the intricacies of farm management. He was also looking for better ways of managing the farm, choosing the best seeds and selecting the best soil structure, and so on. Meanwhile, he was helping himself from the seeds. The seeds provided nutritious food and kept the farmer and his household well-fed and in good health.

Between 1976 and 1986, the farmer realized that he had consumed a good chunk of his seeds. He was using his limited resources to acquire the necessary skills to manage the farm, fending for his household, and paying farm levies. Meanwhile, he planted the little remaining seeds, and he had a sizeable harvest. But he had spent a lot on training and taking care of his household. He was almost broke.

Between 1986 and 1990, he ran into serious problems. He had gapping deficits, could not service all his machinery, and lacked enough quality seeds to plant the following seasons. His household could not take it any more due to poverty and hunger. Riots ensued. There was panic, and the farmer resorted to borrowing in order to invest in some projects. The banks placed austere conditions on his loans and stopped paying for disbursements. Because he was still unable to meet the minimum requirements, the farmer defaulted, and the banks acted against him.

Just when the farmer was about to file for bankruptcy, the

household demanded for his removal from farm management. It opted for a young and promising but inexperienced member of the household to take over.¹²⁸⁴ After enormous pressure from the household, the farmer finally gave-in and chose a day of elections. The farmer was defeated in the election. However, the new boss inherited a huge debt burden and there were complications ahead.¹²⁸⁵ Indeed, no-one knew what lied beneath the new liberal mantra of multipartism forcing those who have penchant for money politics to ask, “What was in the fridge?”¹²⁸⁶

§23.6 Imported Models

For any government that has the privilege of running Zambia’s economic affairs, there can never be a short cut to economic progress. Arguably, in 2010 things in Zambia were looking good from an economics perspective. However, there was need to emphasize investment and discipline if real progress was to be a norm. Neither quick fixes nor the elopement of Western developmental models could fix Zambia’s economic malaise. The 1951 charge by the United Nations, Department of Social and Economic Affairs (UN-DSEA), is as germane today, however with misgivings: “There is a sense in which rapid economic progress is impossible without *painful adjustments*. Ancient philosophies have to be scrapped; old social institutions have to be disintegrated; bonds of caste, creed and race have to burst; and large numbers of persons who cannot keep up with progress have to have their expectations of a comfortable life frustrated. Very few communities are willing to pay the full price of economic progress.¹²⁸⁷

In the first place, “painful adjustments” ought to be instigated by

¹²⁸⁴ The new boss was inexperienced only in as far as handling of the banks was concerned. Sooner rather than later, he would find out the harsh realities of putting all economic eggs in one basket.

¹²⁸⁵ See what the new boss did and the challenges ahead in §21.7

¹²⁸⁶ On October 4th, 2010, *Maclean’s* captured on the front-page, “[Quebec], The Most Corrupt Province in Canada,” causing Andrew Coyne to write about former Ontario premier David Peterson who was forced to resign after it was revealed he had accepted a refrigerator from a party donor. The people of Toronto asked, “What was in the fridge?” After the *Matrix*, Zambians could, indeed, ask, “What laid beneath the farm?”

¹²⁸⁷ United Nations, Department of Social and Economic Affairs, “Measures for the Economic Development of Underdeveloped Countries,” 1951, (Emphasis added).

the Zambians themselves. In the second place, this challenge given by the UN-DSEA, should not only be limited to the developing formations while the rich and powerful almost at will grab the spoil of the poorer nations in the name of structural adjustments. It is not an easy task, let alone without devastating repercussions, to scrap ancient philosophies, disintegrate old social institutions and frustrate bonds of creed, caste and race without proper safety-nets in place. The experience of Zambia with SAPs illustrates this fact. As argued in chapters 4 and 22, lack of adequate social safety-nets contributed to poverty and the mushrooming of shanty compounds in Zambia.

In the 1980s, Zambia adopted the Western-injected SAPs. As much as these models were anchored on formal and proven rules in the West, they, nevertheless, lacked informal norms, and the enforcement characteristics of both formal rules and informal norms that determine economic performance: “Institutions are made up of formal rules, informal norms and the enforcement characteristics of both, and it is the admixture of rules, norms, and enforcement characteristics that determines economic performance.”¹²⁸⁸ Moreover, the SAPs conditionalities and their time-constrained *agenda* both undermined the ideals of value investing and forced the developing formations to cut spending on vital development projects that benefited the poor.

Economic development, like political progress, is based on cultural traits that have predominated from inception. People first acquire belief systems before they formalize them into rules or laws. Law itself originates from people’s customs and conventions.¹²⁸⁹ To exclude these from the modalities of economic planning is to neglect the very ethos that drives a people’s destiny.

Formal rules of economic management may not solely determine economic progress. A people may be forced to change the way they have understood progress, ethics, culture or economics, through new

¹²⁸⁸ John Harris; Janet Hunter; & Colin M. Lewis (eds.), *The New Institutional Economics and Third World Development* (London: Routledge, 1995), p. 25

¹²⁸⁹ Galund distinguishes among “law”, “regulation” and “policy.” He views law as formal rules and objectives through which states attempt to govern economic, political and social life. It prescribes rights and responsibilities, including sanctions for non-adherence. He considers regulation as a process-oriented construct, including activities that state actors and others undertake in implementing the law. Last, he defines policy as ‘what government does’ in order to develop laws, bureaucratic practices and norms by applying them to regulation. Government policies are pronounced or stated, and they signal its objectives at any particular point in time. See Galund, *supra.*, pp. 31-32.

rules. But to change their informal norms takes time. Thus, “While the formal rules can be changed overnight, the informal norms change only gradually.”¹²⁹⁰ Moreover, it is the norms that essentially legitimize formal rules. Thus, in future, Zambia should be cautious to accept economic or social adjustment models as an experiment on the precious lives of its people.

The history of economics has proven that revolutionary change does not sustain economic progress. Performance is usually different from the anticipated result. Consequently, societies do not grow or progress by adopting the formal rules of another society. If they do, they will have very different performance characteristics from the originating country. This is so because both the informal norms and the enforcement characteristics will be different.

Zambians have always been suspicious of Western-led development. But they have been reluctant to oppose it for fear of backlash, especially the fear of losing donor support. Liberalism does not of its own produce heavens from hells, and the Zambians are right; for they, “clearly hold opinions about the construction of legitimate political authority and the distribution of national wealth that are not bounded by the liberal consensus.”¹²⁹¹ Economic liberalization is now widely recognized as having been disastrous, leading to the collapse of manufacturing, a significant contraction of the economy, soaring unemployment, and a severe pensions’ crisis.¹²⁹²

As established in this book, not only overlooking informal norms impact negatively on Western-led economic reform in Zambia, but Western Capitalism also is deeply imbued in self-interest. Once privatized, companies established to provide essential goods in a closed economy are typically unable to compete against multinational corporations with unrestricted access to the Zambian markets. The reason is plain: Profit is the motive; the social consequence akin to Corporate Social Responsibility (CSR) is seemly immaterial.

For example, at the heart of Western-led liberalism, formal sector employment fell by 24 percent between 1992 and 2004 in Zambia. Major cuts to public expenditure led to a marked decline in living standards. Zambia’s ranking in the Human Development Index slid

¹²⁹⁰ *Ibid.*

¹²⁹¹ Miles Larmer and Alastair Fraser, “Of Cabbages and King Cobra: The Populist Politics and Zambia’s 2006 Elections,” *African Affairs*, 106/425, p. 616

¹²⁹² *Ibid.*

from 110 of 136 countries in 1990 (0.462) to 166 of 177 countries in 2005 (0.394).¹²⁹³

Without a doubt, the IFIs were to blame for their austere economic measures. But the Western-led IFIs and donors vehemently denied this, choosing rather to heap blame on poor policy implementation or corruption. Thus, just like during colonial imperialism, it was either the Africans were condemned to crafting bad policies or if they had good ones (which would usually be attributed to the ingenuity of the West); they were devoid of successful implementation.

Moreover, where there is clear-cut evidence that Western-led economic reforms have failed, notwithstanding the presence of adequate implementation, like in the Zambian case, corruption is often cited. For example, it is widely believed, *sic*, that, “The privatization of the strategic Zambia Consolidated Copper Mines (ZCCM) between 1997 and 2000 epitomized the problems of liberalization in a society with a weak domestic business class, a corrupt government negotiating team, and a lack of effective popular oversight.”¹²⁹⁴

African governments would be successful if they had listened more to their people than to the donors. For one, donor support only enriches a few. For another, the people have always known that their governments are under donor *petticoat* governance. The MMD government, for instance, chose the donors at the expense of popular support. This led to the collapse of living standards. The MMD knew that it lacked popular support during the 2001, 2006 and 2008 elections. “In order to retain power, the MMD resorted to the suppression of opposition, electoral rigging, and constitutional changes that enabled it to rule without majority electoral support.”¹²⁹⁵

Between 2003 and 2008, the international price of copper quadrupled. For example, in May 2006, the price of copper fetched at US\$8,825 per ton. This made the “Zambian copper profitable for the first time in thirty years.”¹²⁹⁶ In addition, new mines were opening up in North-Western Province. And, too, there was sustained demand for metals, particularly from China. These factors, and not donor funding or Western-led policies, resulted in industry

¹²⁹³ United Nations Development Program, “Human Development Index Trends,” (November 2006)

¹²⁹⁴ Larmer *et. al.*, *supra.*, p. 18

¹²⁹⁵ *Ibid.*

¹²⁹⁶ *Ibid.*

profitability. However, despite all the surging pricing in copper and that it provided about 80 percent of forex earnings, “mining employs just ten percent of salaried workers, contributes just 2.2 percent of revenue to Zambia Revenue Agency (ZRA) and 9.7 percent to GDP.”¹²⁹⁷

Clearly, if the term-oriented axioms by the international community were a standard for economic growth in Zambia, poverty would have been eliminated. The inherent African soul of community-consciousness and the ingenuity of Western liberalism should work in tandem to produce results for Zambia. Success for Zambia’s economic management neither lies in nationalism nor in liberalism. Not even privatization “is...a panacea for solving poor economic performance.”¹²⁹⁸

The prescription for a successful economic progress in Zambia has to take into consideration four factors: The mental facet, an institutional framework, contextual corollaries, and historic nuances.

First, Zambians are humans before they are creators of institutions. For the most part, institutions pattern upon the collective mental constitution of the nation, what is referred to as the *Collective Political Conscience* (CPC). Therefore, to change the old patterns and their inefficiencies, the actor’s mental models ought to change: “It is essential to change both the institutions and the belief systems for successful reform since it is the mental models of the actor that will shape choices.”¹²⁹⁹ As argued in the fourth factor, Zambia’s institutions, and its mental models to a larger extent, have been in a state of historical discontinuity, a fact that has limited capacity to sustain development.

Second, there is need to reconsider the dominant institutional framework at the core of Zambia’s survival. What is key at the institutional level is flexibility. There are those aspects of the African economic matrix that have worked and should not be discarded. These should be supplemented by proven Western models of development. Similarly, nations are a living tree; they affect change as change is affecting them. Western, Eastern and African technologies should be admixed into an economic mold that will create “a flexible institutional matrix which will adjust in the context of evolving

¹²⁹⁷ Sharife, “Copper in Zambia: Charity for Multinationals,” *Features*, Issue 532, June 2nd, 2011

¹²⁹⁸ *Ibid.*, p. 616

¹²⁹⁹ Harris *et. al.*, *supra.*,

technological and demographic changes as well as shocks to the system.”¹³⁰⁰

Both the Second and Third Republics had economic aspects that worked exceptionally well. Coupled with new technologies and foreign economic models, the Emerged Zambian Leaders should mold these into a functional system which would produce an authentic Zambian economic system that should endorse and sustain growth.

Kaunda’s agricultural policy and Chiluba’s economic liberalism give exceptional impetus to the future of Zambia’s economic performance. Future Zambian political leaders have a way already paved for them. Both regimes would for a long time give hope to upcoming regimes because they espoused some economic policies that had practical value to the nation.

Third, Western economic models are imposed upon the developing nations including Zambia without paying particular attention to the political context of the receiving nation. In short, implementation of Western-engineered economic prescriptions should take the uniqueness and context of the developing nations into account. Attention should be paid to the political nature and context of the Zambian economic crisis.

Everyone who looks at Africa in general, and Zambia in particular, is quick to pinpoint the governance aspect of the crisis. As argued in this book, good governance is a noble concept. In fact, issues of good governance are necessary to the overall economic and political sanity of the Zambians. But the idea has been blown out of proportions. So, then, what has been overlooked?

Western postulation of what is good or bad for the developing nations seems to be based on utilitarianism, a sort of consequentialism.¹³⁰¹ Thus, Western nations and the IFIs tend to look at the consequences or outcomes of governance structures of the developing nations. For example, crippling problems of “debt-servicing obligations, declining foreign aid and investments, rising bankruptcies, unemployment and inflation, institutional decay and

¹³⁰⁰ *Ibid.*

¹³⁰¹ First proposed by G.E.M Anscombe in 1958, Consequentialism is a view that people should always do what will make the best outcome. Consequentialism is part of a broader Utilitarianism moral theory, propounded by Jeremy Bentham and John Stuart Mill. With regards to Utilitarianism, Bentham tended to be an absolutist while Mill was a relativist. Thus, in relation to the concept of “Higher Pleasure” Bentham would much more or less desire it for all, and Mill will insist that each individual experiences it differently.

infrastructure disintegration, crime, insecurity, and rising malnutrition and social decay,¹³⁰² are likely to be viewed more as consequences of “serious political deformities, distortions, and disarticulation,”¹³⁰³ rather than of historical formation.

The collapse of USSR-controlled Iron Curtain, signaling the end of the Cold War in 1991, has been a key landmark in the drive to institutionalize liberal democracy among the developing nations. Until the 2008 world economic recession, Western Capitalism was seen as a formidable economic model for the whole world. In an ideologically unipolar world hugely dominated by the US, the West through the IFIs, almost at will, dictated conditions to the developing world about which economic policies to espouse. The blunt reality, however, is that not even Capitalism is as failsafe as it is meant to look.¹³⁰⁴

It has been noted that, “political conditionality simply supplements the economic conditionality already imposed on poverty-stricken, debt-ridden and desperate African states by the World Bank, the International Monetary Fund (IMF), and other creditors.”¹³⁰⁵ The sad outcome of this has been a *de facto* rule, a sort of neo-colonial model, of the Western institutions on behalf of the developing governments. Ihonvbere notes that in majority of African states, development planning and public policy are severely constrained by the policies and power of such creditors. Political conditionality, therefore, creates a platform for using the disbursement of foreign assistance to influence the context of political *agenda*. Once there is complementarity between economic and political conditionalities, then Africa once again, in spite of the end of the Cold War, will have lost the ability to be original, creative, and independent in fashioning an internally driven *agenda* for reconstruction, growth and development.¹³⁰⁶

Fourth, not only has the debate overlooked contextual corollaries, but there has also been a disregard for historic factors as well. The first of the five themes advanced in this book is that democracy and development in Zambia cannot be adequately defined without taking into consideration Zambia’s uniqueness and historic factors that impact upon its culture, society and future well-being.

¹³⁰² Julius O. Ihonvbere, *Economic Crisis, Civil Society and Democratization: The Case of Zambia* (Trenton and Asmara: Africa World Press, Inc., 1996), p. 5

¹³⁰³ *Ibid.*

¹³⁰⁴ Julius O. Ihonvbere, *supra*, p. 7

¹³⁰⁵ *Ibid.*

¹³⁰⁶ *Ibid.*

The insistence that Zambia democratize in a liberal fashion as a condition for aid and donor support, has unfairly overlooked historical factors that come to bear upon Zambia's CPC. The democratic model prescribed upon Zambia, "and in most cases, forced on – developing formations has tended to be liberal democracy one which reflects the interests and experiences of the developed social formation."¹³⁰⁷

This is one of the biggest omissions in the quest for economic liberalization and political democratization of the developing nations by the Western-sponsored institutions. There is an assumption that what has worked in Western social structures can naturally work in Zambia. This, however, has "overlooked the historic experiences and political balances and interests in underdeveloped formations."¹³⁰⁸ Moreover, it is assumed that "existing conditions in developing societies necessarily approximate the conditions in the developed societies in their earlier periods when the institutions and structures of liberal democracy were initiated and institutionalized."¹³⁰⁹

Zambia is a unique story. Transplanted institutions and processes have failed to bear the same fruits they have borne in their originating nations. The reason is simple: Zambia's colonial history and post-colonial alignment and realignment of social order require a redefinition of liberal democracy in its case.¹³¹⁰

For Zambia, and the Emerged Zambian Leaders, it would be prudent to take foreign-imposed ideologies and economic prescriptions and analyze them in context. It would be even more important to implement such prescriptions in consideration of the collective mental constitution of the nation, its informal norms, the political context, as well as its history. Where necessary, it would be advisable to simply reject some aspects of imported economic as well as political models completely.

Zambia, as observed by Galund¹³¹¹ in his thesis, is "neither a failed state nor one of Africa's economic success stories, but a place where somewhat functioning institutions complement and compete with

¹³⁰⁷ *Ibid.*

¹³⁰⁸ *Ibid.*

¹³⁰⁹ *Ibid.*

¹³¹⁰ Chiluba proposes the same agenda in *Democracy: The Challenge of Change*, but in the context of the MMD's liberal conception as opposed to UNIP's One-Party Participatory Democracy. Chiluba's proposal was that democracy as it applied to Zambia needed redefinition.

¹³¹¹ Dan Galund, *Policy Evolution and Organizational Learning in Zambia's Mining Sector*, Ph.D. Thesis, University of Bath, November 2010

deep informal and neo-patrimonial social structures.”¹³¹² This admission is very germane to this debate. Consequently, it also addresses an uncorrected discrepancy that has gone for decades unopposed, and that has given Western institutions unchallenged leverage over Africa’s resources and power structures. This discrepancy will be discussed in the paragraphs below.

“Deep informal” social structures have been elucidated upon above, so attention will now go to the alleged neo-patrimonial nature of Zambia’s social arrangement. Suffice to mention, that Zambia is a hybrid State where formal and informal, individual and collective forms of governance co-exist and simultaneously shape State form relations.¹³¹³ The hybrid nature arises from its institutional framework. This was imposed by colonialism (and subsequently by donor conditionalities) which has become endogenized through interaction with local informal systems of governance.¹³¹⁴

Every time Neo-Patrimonialism is mentioned in the same context as development, as far as Africa is concerned, it divorces history from the political and economic challenges that many African states, including Zambia, experience. Put simply, it places blame on the Africans’ Incompetence and what has been termed, the “administrative...deficit of the African state[s].”¹³¹⁵

This reasoning, based mainly on State Theory,¹³¹⁶ is fundamentally flawed. As maintained in this book, research conducted on African states by non-Africans, and sometimes by poorly-informed Africans, overlooks historic corollaries for an obvious reason: Self-incrimination. Whereas Bayart¹³¹⁷ has argued that the extraneous

¹³¹² *Ibid.*, p. 29

¹³¹³ *Ibid.*, p. 31; Galund, further, differentiates between a development state, to which Zambia subscribes, and a system in which state or government is seen as a neutral arbitrator such as a Western state. However, in the wake of the 2008 global recession and the modern trends in which governments worldwide are getting involved in regulation, such a dichotomy is slowly vanishing.

¹³¹⁴ Galund, *supra.*, p. 33

¹³¹⁵ Pierre Englebert, “The Contemporary African State: Neither African Nor State,” (1997) *Third World Quarterly*, Vol. 18, No. 4: p. 768

¹³¹⁶ State theories are only one root cited as causes of Africa’s predicament; others include social capital theories and ethnic fragmentation. Englebert disputes these postulations noting that, “If these were the real roots of Africa’s predicament, Africans would have been all but doomed to poverty and state failure for centuries to come” (Englebert, *State Legitimacy and Development in Africa*, p. 11)

¹³¹⁷ Jean-François Bayart, *The State in Africa: The Politics of the Belly* (London and New York: Longman, 1997)

State Theory has denied the “historicity of the African state,”¹³¹⁸ many scholars dismiss his historicity *agenda*. They argue, for example, that Africa’s persistent economic underdevelopment is based on notions of African states as neo-patrimonial states.¹³¹⁹

Admittedly, in many African states, there seem to be a systematic concentration of power in the presidency,¹³²⁰ the awarding of personal favors by the patrons to their clients,¹³²¹ and the misuse of State resources for political legitimization.¹³²² Presidentialism, clientelism and State resource misuse, respectively, are cited as key features of Neo-Patrimonialism present in some African states.¹³²³

However, these are not the causes of Africa’s underdevelopment; they are egregious symptoms of a colonial past. Denying this is akin to denying that Hitler did not cause the holocaust. Granting, the past cannot redeem the African future. But it is the only available safeguard for the Emerged Zambian Leaders against present and future corrosion of the precarious economic conditions in which the continent finds itself.

If the challenges African nations face were idiosyncratic to individual African states as some assert,¹³²⁴ it would be logically acceptable that Africa’s underdevelopment dilemma was rooted in the African State. Development challenges seem to be rooted in a social and political order that is distinctly African and homogeneous across Africa.¹³²⁵ It is not too remote, therefore, to conclude that the only political and economic factor African states share in absolute common is the history of colonialism and its neo-colonial adjuvant; others are only incidental to it.

Moreover, it cannot be concluded with certainty that institutions do not matter, and that institutions and leadership are mutually exclusive in Africa.¹³²⁶ Institutions in Africa in general, and Zambia in particular, matter. In fact, by the time Cleisthenes, that noble Athenian of the Alcmaeonid family and who is credited as the father

¹³¹⁸ Englebert, “The Contemporary African State: Neither African Nor State,” *supra.*, p. 771

¹³¹⁹ Galund, *supra.*, p. 32

¹³²⁰ See also Chapter 10 on Presidential Politics

¹³²¹ See Chapter 32

¹³²² *Ibid.*

¹³²³ See M. Bratton and Van De Walle, N, *Democratic Experiments in Africa: Regime Transitions in Comparative Perspectives* (Cambridge: Cambridge University Press, 1997)

¹³²⁴ See P. Chabal and Daloz, J. *Africa Works: Disorder as Political Instrument* (Oxford: James Curry, 1999)

¹³²⁵ See Galund, *supra.*, p. 33

¹³²⁶ *Ibid.*

of Athenian democracy, reformed the constitution of ancient Athens in 508/7 B.C, Egypt had long been established as an empire with strong institutions.¹³²⁷ It is, veritably, believed that Cleisthenes could have learned the art of democracy from the Egyptians after returning from exile, for immediately after his return, the Acropolis emerged on the pattern of the Egyptian pyramids.

Likewise, the Greeks were not the only ones to devise a revolutionary governmental solution to a revolutionary political problem by carving a meeting place out in the shadows of the Acropolis where citizens, rich and poor, could address their leaders on matters pertinent to their affairs. Zambians had devised *insaakas* way before the arrival of Europeans. This was equivalent to modern democratic institutions.

Post-independence Africa is in a state of discontinuity. This is true both at the institutional and leadership levels. Colonialism scrapped off the indigenous institutions, sometimes referring to them as backward or unrefined. Thus, the so-called Neo-patrimonial Africa lacks legitimacy because, “Its structures have not evolved endogenously to its own society and *without some level of historical continuity for its institutions.*”¹³²⁸ And the oft-cited omission by the colonialists is that they did not sufficiently train the Africans to assume Western-like administration for Western-like institutions. In many cases, performance expectations have not tarried with time required to achieve such strides.

For example, for three centuries before colonialism, the Africans were busy developing their institutions. Colonialism set in and disrupted the momentum. After 70 years of colonialism, they inherited systems which had faces of their own. Dia¹³²⁹ describes them as, “Western democratic institutions that have been superimposed on informal traditional institutions and norms.”¹³³⁰ Bangura¹³³¹ is blunt that formal institutions have been ineffective in poor African countries because of the contradictions between, “the

¹³²⁷ The very first date known in African chronology is 4241 B.C – when the calendar was instituted in Egypt.

¹³²⁸ Englebert, *State Legitimacy and Development in Africa*, p. 4 (Emphasis added).

¹³²⁹ M. Dia, “African’s Management in the 1991s and Beyond: Reconciling Indigenous and Collective Rationality,” (1996) *African Sociological Review*, 48: pp. 147 - 60

¹³³⁰ *Ibid.*

¹³³¹ Y. Bandura, “Economic Restructuring, Copying Strategies and Social Change: Implications for Institutional Development in Africa,” (1994) *Development and Change* 25: 785 - 827

interests of bureaucratic actors and the goals [they are supposed] to uphold.”¹³³² Zambian hybrid state mechanisms or the overlap between formal (Western) and informal (indigenous) institutions create, “A policy environment that is less predictable from the perspective of the [Corporate Capitalists].”¹³³³ This is then interpreted as a weakness.¹³³⁴

However, this unpredictability is a blessing in disguise. Zambia benefits from its interactions with Western financiers because, in part, it subscribes to Western formality. Zambian informal norms are a catalyst because they are “hybridized with local strategies of power, re-appropriated by local groups.”¹³³⁵ More so importantly, however, is the strengthened cooperation with the so-called *South-South* investors, especially China.¹³³⁶

§23.7 Zambia’s Economic Backbone

Zambia’s future is predicated upon its past, not so much as in retreating to the good old days, as it is in emulating the agricultural *agenda* espoused by the UNIP regime in the First Republic. The *Go Back to the Land* campaign, and the dream of making Zambia the Granary Basket of Africa, must be revisited. The idea of co-operative societies must be infused with new life and competent management.

Zambian leadership present and past, have recognized that a mono-economy is problematic, and needs strong agricultural and manufacturing supplement. In a message to the World Economic Forum (WEF), President Banda then noted, “We have put a lot of emphasis and a lot of money in our budget on those sectors we want to concentrate on in addition to mining.”¹³³⁷ Over 80 percent of Zambia’s export earnings come from copper. In 2009, there was a 65 percent drop in the copper price. This resulted in thousands of laid offs and “a 73 percent fall in the value of [the] Kwacha currency.”¹³³⁸

¹³³² *Ibid.*, p. 785

¹³³³ Galund, *supra.*, p. 34

¹³³⁴ These nations are said to rely on FDI and private capital as agents of development. See a sustained discussion on this issue in Chapter 24.

¹³³⁵ Bayart, *supra.*, p. 14

¹³³⁶ See the discussions on FDI and *Diversifying Dependency* in chapters 21 and 24, respectively.

¹³³⁷ “A Word from the President” on the Movement for Multiparty Democracy (MMD) website < <http://www.mmdzam.org/content/more> > (Retrieved: August 7th, 2010)

¹³³⁸ *Ibid.*

Ceteris paribus, the price of copper at any point in time determines the strength or weakness of the Kwacha. Eight of the ten large scale mining companies in the country recorded an increase in copper production in 2020.¹³³⁹ Even in 2019, Zambia was still highly dependent on mining as its major productive industry, with the extractives sector contributing about 10 percent to Zambia's GDP – the mining sector accounted for 28 percent of the government's revenues and 77 percent of export earnings, with copper accounting for over 90 percent of the sector's exports, according to the Extractive Industries Transparency Initiative's Zambia (EITI) Report of 2019.¹³⁴⁰

The answer to this unavoidable fluctuation in the copper price leading to layoffs and a slump in the currency can be fixed by diversifying the economy. The Zambian economy is in urgent need of diversification away from copper. More should be done in terms of long-term investments in manufacturing, agricultural and energy, among other areas.

While the mines should be kept open, manufacturing plants and factories, and agricultural projects need a facelift if the economy is to be sustained. In the First Republic, Zambia had achieved a middle-income country.¹³⁴¹ However, fluctuations in the price of copper and unpredictable economic policing have plunged the country into one of the poorest in the world.

The new economic frontier, with a new pragmatic leadership, must concentrate on both increasing agricultural output and food security. Zambians understand the importance of agriculture. The Zambian rural areas are littered with small and intermediate substance farmers whose only needs are agricultural inputs and implements.

Food security need not be a problem in a country with a working agricultural ethos. For one, government through the Food Reserve Agency (FRA) ought to facilitate the collection and storage of agricultural surplus in a good year. For another, where there are shortages due to lack of rain, the nation can draw upon the surplus

¹³³⁹ Chantelle Kotze, "Record copper prices double-edged sword for Zambian miners," S&P Global, May 18th, 2021, <
<https://www.spglobal.com/platts/en/market-insights/latest-news/metals/051821-record-copper-prices-double-edged-sword-for-zambian-miners>> (Retrieved: September 27th, 2021)

¹³⁴⁰ *Ibid.*

¹³⁴¹ See Chapter 24

to offset the deficit.¹³⁴² For example, in 2010, FRA had “committed itself to buying at least 300,000 tons of the [2010] bumper harvest.”¹³⁴³ This trend should be encouraged.

There is no plausible justification for a mono-economy dependent on copper since independence. The only explanation seems to be that the successive Zambian political administrations have either have no political will to diversify or they have lacked the will to invest. Compounding this laxity has been the perpetual deficits that have rendered notions of investing in other sectors inoperable.

If Zambia is to break away from dependence on copper and succumbing to the vagaries of price fluctuations, the leaders must take an ambitious approach. This approach should include a deliberate policy that offers incentives for small-scale as well as commercial farmers, and that rewards private sector initiatives. An economy that lacks the active participation of the middle-class in the private sector sucks government resources thereby negating any efforts being made at eliminating hunger and poverty.¹³⁴⁴ A report from OECD showed that subsidies for agriculture in industrialized countries were rising.¹³⁴⁵ *The Agricultural Policies in OECD Countries at a Glance in 2010* report noted that subsidies for agriculture in industrialized countries had increased from 21 percent in 2008 to 22 percent in 2009 to a record US\$ 252.5 billion (about K1.2 quadrillion).¹³⁴⁶ The EU countries alone spent about US\$75 billion on subsidies for agriculture in 2010. This was despite the fact that the agricultural sector represented only about two percent of the total GDP of the Union. The West is subsidizing the agricultural sector because it understands the importance of this sector to the overall performance of the economy.

§23.8 Manufacturing – The Neglected Sector

¹³⁴² Zulu has admitted that “There were moments when we [the UNIP government] faced food shortages partly as a result of our failure to collect maize from the countryside, as well as due to lack of rain,” in *Memoirs of Alexander Grey Zulu*, p. 463

¹³⁴³ *Zambia Weekly*, “Bumper Harvest in Brief,” Week 30, Vol. 1, Issue 16 (July 30th, 2010)

¹³⁴⁴ The largest portion of income in Western nations comes from taxing the middle-class.

¹³⁴⁵ *Zambia Weekly*, “Agricultural Subsidies are Increasing,” Week 32, Vol. 1, Issue 18, (August 13th, 2010), p. 3

¹³⁴⁶ *Ibid.*

Most investment in Zambia is concentrated in the mining sector. There are three reasons why this is so. First, although the manufacturing is the leading sector in most Western countries, efforts to develop this sector in developing countries is hampered by the law of comparative advantage. Comparative advantage is defined as the ability of a country to produce a particular good or service at a lower opportunity cost than another country. It is the ability to produce a product with the highest relative efficiency given all the other products that could be produced.

In Chapter 24, a framework is provided under which FDI should be attracted and sustained in Zambia.¹³⁴⁷ An inter-sectorial approach is the most feasible in the interim with emphasis on spreading investment in sectors other than mining. Most investors are aware of the potency of the manufacturing sector but are constrained by the law of comparative advantage to invest in the thriving mining sector. As early as 1990, Young and Loxley were attuned to this dynamic: “For the longer term of the redirection of the economy away from mining, the prospects for Zambia’s manufacturing and semi-commercial agriculture are very controversial given the fact that most Fund and Bank programs put strong emphasis on comparative advantage thinking.”¹³⁴⁸

In Chapter 22, arguments were made for *diversifying dependency* as a way of negotiating the sole dependence on the IMF and the World Bank. The manufacturing industry has suffered in Zambia partly because of the IFI’s unwillingness to support growth in this sector owing to comparative advantage thinking. The solution is in the creation of partnerships with Eastern and other partners who would be willing to invest in manufacturing. The other is to re-orient the Zambians away from being only a consumer nation to a producer nation. And this is the second way of de-congesting investment away from the mining sector. Nations that produce grow and prosper. Nations that only consume eventually dwindle and are impoverished. Zambia cannot afford to remain a consumer nation.¹³⁴⁹

¹³⁴⁷ Suffice to mention, however, that FDI in 2011 had a projected influx of over US\$10 billion from exports compared to the US\$900 million it earned ten years prior.

¹³⁴⁸ Roger Young & John Loxley, *supra.*, pp. viii -ix

¹³⁴⁹ Although in a perfectly functioning capitalistic society the consumer is king, consumerism must come at a price, and that price must be productivity. Consumerism is not the same as import-based economics. Some nations are more import-based than export-based. In each case, this is balanced by the laws of supply

Third, and consequent to second above, the last reason why FDI and investment is not attractive in the manufacturing sector in Zambia is due to perception.¹³⁵⁰ Most developing countries, including Zambia, are perceived by Western investors to be Sweatshop (Sweat Factory) Nations. That is, their working environments are considered to be unacceptably difficult or dangerous. Since wages are unusually low, and working conditions relatively poor, the incentive for owners to invest in modern, possibly economically nonviable technology, is less and most investors find developing nations risky and less attractive for investments.¹³⁵¹

History has repeatedly shown that the best investment opportunities can be found where perception differs from reality. That is, where things are not as bad as they seem. When a skewed perception is attached to Zambia, it may result in a situation where mainstream investors stay away, leaving only the so-called brave to venture into the so-called unknown territories.

Zambia is viable for manufacturing supremacy. There are four major factors necessitating this. In the first place, Zambia has experienced rapid economic growth from time to time. This has been attested to by the IMF. IMF figures released in January 2009 showed that Africa's economy expanded, whereas most others contracted. The IMF raised its growth forecasts for Africa for 2009 and 2010, projecting an expansion of 4.3 percent in 2010 and 5.3 percent in 2011. In the same period for the US, 2.7 percent for 2010 and 2.4 percent for 2011; for the EU, it was 1.0 percent for 2010 and 1.9 percent for 2011.¹³⁵² Generally, growth is projected to grow in the following sectors: The telecoms, IT and financial services sectors. Others are agriculture, infrastructure, renewable energy, *manufacturing*, chemicals, tourism, pharmaceuticals, horticulture, education, and etc.

The next major factor is political stability. Zambia has achieved sustained political stability, which has contributed to its increased

and demand. Manufacturing impacts greatly on trade and is a productive way of balancing it.

¹³⁵⁰ African nations gained a reputation for having nothing to offer the world except poverty and corruption, an assumption which has been refuted throughout this book.

¹³⁵¹ On the contrary, Zambia had stable infrastructures, systems and leadership. Zambia was an "Investor's Final Frontier," owing to its rich and hugely untapped business opportunity base. Zambia, on March 22nd, 2011, was found by the CEO Summit in London, England, to be one of the best countries in which to invest, do business and live, in Africa.

¹³⁵² Camilla, "Why You Should Invest in Africa – and How," *Make Money in Africa*, February 12th, 2010

economic growth. Reportages on African countries have often tended to lamp peaceful and unstable countries together. In reality, Africa has over 80 percent of its 53 countries enjoying peace and political stability. And Zambia is a champion of peace on the continent. The 2011 Global Peace Index ranked Zambia as number 52nd out of 153 countries in the world, and in Africa, Zambia ranked sixth.¹³⁵³ It ranked 47th in the world in 2020 and ranked fourth in Africa in the same year.

The third factor is augmented by Zambia's Vision 2030. Zambia's middle-class is growing and so is its demand for consumer goods, education, entertainment, and so on. This segment is rapidly becoming a gold mine for many local and foreign businesses.

The fourth factor is Zambia's abundant natural resources. The country is littered with mineral wealth, vegetation, rivers and lakes and an abundant of wildlife. In 2006, Zambia was the largest producer of cobalt in the world. Oil was also discovered in North-western Province in 2007. In addition, by 2003, Zambia was exporting 63 percent of its ores and metals, about 22 percent of its agriculture foods and feeds and agricultural materials, but only thirteen percent of its manufacturing latency.

Zambia's mineral wealth remains largely untapped, "with 44 percent of the country not fully geographically mapped."¹³⁵⁴ This is both a challenge and an opportunity. It is a challenge because, hitherto, Zambia continues to grope in poverty when it has the potential to harness its mineral resources for the prosperity of all. It is, however, an opportunity because there is hope in the future that Zambia would develop adequate capabilities to manipulate its river of wealth underneath for a heaven of reality on the ground.

There is, too, an urgent need to engage, while continuing in dialogue with the traditional donors, the emerging powers like China, India and South Africa which may hold the keys to Zambia's manufacturing boom. As someone has accurately said, "The Chinese...are our friends, in our hour of need,"¹³⁵⁵ and should it be added, and so are the Western donors in continued cooperation. As Mohamed Ibrahim – the billionaire Sudanese entrepreneur famously

¹³⁵³ Zambia was only outshined by five African countries, namely, Botswana (35), Malawi (39), Ghana (42), Mozambique (48) and Burkina Faso (51). Iceland was the most peaceful country in the world and Somalia the worst. See *Zambia Weekly*, "Zambia 6th Most Peaceful Country in Africa," Vol. 2, Issue 20, May 27th, 2011, p. 2

¹³⁵⁴ Galund, *supra.*, pp. 88-89

¹³⁵⁵ *Ibid.*, p. 90

said of Africa – “Things are happening. There is energy there. You can touch it. Africa is open for business.”¹³⁵⁶ And he was right. That part of Africa is Zambia, and that part of Zambia is the *manufacturing* sector.

§23.9 Growing the Economy

This section is based on a published article contained in *HH is the Right Man for Zambia*, written by the same author.¹³⁵⁷ It compares Zambia’s economy to the one in Ontario (A Canadian province) and to Switzerland (a Sovereign State). The assertion is that Zambia has a very tiny economy relative to the resources contained in its nature and humanity. The author resided in Ontario, Canada’s largest province. Ontario is only a province in Canada – but it’s by far richer than Zambia, a nation-state. Consider, for example, Ontario had a population of about 15 million people in 2019. But it boasted of a GDP of over US\$660 billion. Ontario’s main industries include manufacturing, hydro (electricity), film & media, tech, telecommunications, steel, and agriculture. The average annual income for Ontario was about US\$45,000.¹³⁵⁸

Ontario compared favorably, even at par with Switzerland, which had a population of about nine million people. Switzerland’s GDP was over US\$685 billion.¹³⁵⁹ Switzerland’s main industries include pharma, finance and tennis. And, on average, an individual earned about US\$61,000 per year in Switzerland.

Zambia, on the other hand, had a population of about 16 million people,¹³⁶⁰ statistically the same as Ontario’s and Switzerland’s. But Zambia’s GDP was very small, at about US\$26 billion. Zambia’s major industries include copper mining and processing, construction, emerald mining, beverages, food, textiles, chemicals, fertilizer and horticulture.¹³⁶¹ The highest paid Zambian might earn about US\$66,000 per year.

What did these numbers say? First, that Zambia was under-utilizing its resources (human, raw, capital, and so on) and

¹³⁵⁶ Camilla, *supra*.

¹³⁵⁷ See “Chapter 6” in *HH is the Right Man for Zambia: And Other Acclaimed Articles on Zambia and Africa* (Ottawa: ACP, 2021), pp. 17 and 18.

¹³⁵⁸ As of March 2019

¹³⁵⁹ As of March 2019

¹³⁶⁰ In 2019

¹³⁶¹ In addition to telecoms, IT, financial service, agriculture, infrastructure, renewable energy, manufacturing, tourism, pharmaceuticals, and education.

underdeveloping its potential. But it remained, relatively, a very small economy, more like a province of some small country in Europe. Second, there was need to change the focus. Focus, had, generally, been on arguing about the small resources in circulation (mostly centered around copper mining) rather than growing the pie. There was urgent need to increase the GDP, expand industries, and make copper mining subsidiary to agriculture, for example. And third and last, compared to Switzerland (which had tennis and finance at the core of its economy and yet was far richer than Zambia), Zambia had potential to develop its existing industries, invest in and develop new others, and become a prosperous country.

Zambia can become a higher-income earner. This is not simply intellectual pandering; there are steps that could be taken to achieve an Upper-Income Economic status. Successive governments, including those of the MMD and PF had envisioned Zambia to be an Upper-Middle Income economy by the year 2030, dubbed Vision 2030. However, all indications by 2021 seemed to show that Zambia was moving away rather than moving towards Vision 2030. This author identified another vision, Vision 30-10-60.¹³⁶²

¹³⁶² This model is briefly discussed in §24.5. The vision can be written either as 30-60-10 or 30-10-60, in each case “60” stands for the middle-class, which is the hallmark of the theory.

Chapter 24 Zambia's Economic Vision

Zambia has wealth. With it we could create an upper middle income nation in which poverty was the thing of the past.

BRIEF INTRODUCTION

This chapter looks at the Middle-Income Vision and Zambia's dream of going beyond it (Vision 2030). The author proposes a middle-approach to tackling the challenges facing the Zambian economic dream. The private sector and the middle class are the future of the Zambian economic redemption. Assuming that Zambia reaches the zenith of private sector and middle class development, the chapter concludes by proposition an economic theory (Vision 30-60-10) leading to a developed Zambia.

Economics \approx Politics \approx The Economy

AT THE END OF THIS CHAPTER:

1. You will understand the role of government in the economic marketplace;
2. You will learn about a four-dished recipe for a balanced Zambian economic diet; and
3. You will know about the idea of Social Capitalism and the ultimate dream for a developed Zambia.

MAJOR THEMES:

Economic Theory;
Economic Vision.

§24.1 The Dream

On July 14th, 2011, the World Bank reclassified Zambia as a middle-income nation. The upward adjustment in Zambia's income growth was attributed to the surge in the prices of copper. Zambia's dream was to become a middle-income nation by

the year 2030. The dream of a middle-income nation or the National Long-Term Vision 2030 (Vision 2030) was launched by Mwanawasa in December 2006 to be a shared and commonly understood dream for Zambia. The vision or dream was done through a participatory and consultative process that covered all of the then 72 districts of Zambia. As of May 2019, Zambia had ten provinces, 116 districts, 156 constituencies, and 1,624 wards.¹³⁶³ The consultative process reflected the collective understanding, aspirations and determination of the Zambian people to be a prosperous middle-income nation. It had seven principles: (i) fostering sustainable development; (ii) upholding democratic principles; (iii) respecting human rights; (iv) fostering family values; (v) promoting a positive attitude to work; (vi) enhancing peaceful coexistence; and (vii) upholding good traditional values.¹³⁶⁴ This vision should read, “A Prosperous Upper Middle-Income Nation by 2030.”

Following its decision to change the name from Gross National Product (GNP) to Gross National Income (GNI) *per capita* in 1993 according to the System of National Accounts (SNA), the World Bank now classifies economies as low income, middle income, or high income.¹³⁶⁵ The middle-income countries are further subdivided into lower middle and upper middle incomes.

For example, in 2008, the groups *per capita* were: Low income, US\$995 or less; lower middle income, US\$996 to US\$3,945; upper middle income, US\$3,976 to US\$12,275; and high income, US\$12,196 or more. Some of the high-income countries included

¹³⁶³ The Ministry of Local Government and Housing (MLGH) and the Ministry of Land’s Office of the Surveyor General (OSG) are responsible for national, provincial, and district boundaries in Zambia; the Electoral Commission of Zambia (ECZ) is responsible for mapping wards and constituencies countrywide. These two ministries do not work in coordination, and hence the haphazard nature of mapping. In future, it would be advisable to create an omnibus administrative agency that brings together the Zambia Statistics Agency (ZamStats), ECZ, MLGH, OSG, the Ministry of National Development Planning, Population and Development department, the NSDI Steering and Technical Committees, university stakeholders, to coordinate mapping of boundaries, wards and constituencies. (See <https://grid3.org/spotlight/district-boundaries-harmonisation-in-zambia> - retrieved: September 28th, 2021)

¹³⁶⁴ See Republic of Zambia, Vision 2030, “A Prosperous Middle-Income Nation by 2030,” December 2006.

¹³⁶⁵ The World Bank, “Country Classifications,”

<<http://data.worldbank.org/about/country-classifications>> (Retrieved: August 22nd, 2010)

Monaco,¹³⁶⁶ USA, UK, and Canada. Among the upper middle-income countries in terms of GNI *per capita* were South Africa at US\$5,720, Botswana at US\$6,260, Gabon at US\$7,370 and Mexico at US\$8,960. The low-income countries included Uganda with a GNI *per capita* of US\$460, Guinea Bissau at US\$510, Bangladesh at US\$590 and with a GNI of US\$950 Zambia was ranked 174th in the world.

According to the 2009 World Bank data, Zambia had a GNI of US\$970, a Gross Domestic Product (GDP)¹³⁶⁷ of US\$14.3 billion with a “real GDP growth between 2005 and 2008 of about six percent per year.”¹³⁶⁸ Zambia’s population in 2009 stood at 12.6 million. Whereas in 1998 Zambia’s poverty head count ratio was at 72.9 percent, in 2004 that number dropped to 68 percent. In 2008, the Zambian Life Expectancy estimate was 45 years and the nation was just surviving with purchasing power parity (PPP) of US\$1,500.¹³⁶⁹

The GNI comprises the total value of currently produced final goods and services by the domestic economy of a country, measured within a given period of time, usually a year. A close value is Gross National Product (GNP). Effective July 2011, Zambia was a lower-middle-income economy falling within average incomes of \$1,006 to \$3,975.¹³⁷⁰ Zambia envisioned becoming an upper middle-income nation by 2030. “The five happiest countries in the world: Denmark, Finland, Norway, Sweden and the Netherlands are not necessarily the

¹³⁶⁶ With the GNI *per capita* of US\$203,900, Monaco ranked number one in the world in 2008; the US had a GNI *per capita* of US\$47, 240 and ranked number 17th in the world; Canada with a GNI *per capita* of US\$42,120 ranked number 28th in the world; UK was number 30th in the world and had a GNI *per capita* of US\$41, 520. Taiwan and China were also high-income countries.

¹³⁶⁷ GDP is calculated using the classic formula of: $Y=C+I+G+(X-M)$: where Y represents GDP or income; C stands for consumption (especially through spending); I is total investment in the country; G represents the net position of government tax income less its expenditure; $(X-M)$ is $X=Exports$ minus $M=Imports$.

¹³⁶⁸ CIA, “Zambia: Economy Overview,” The World Factbook, <<https://www.cia.gov/library/publications/the-world-factbook/geos/za.html>> (Retrieved: August 28th, 2010). For 2009, Zambia’s GDP - real growth rate was 4.5 percent!

¹³⁶⁹ PPP converts all currencies into US dollars and pairs the prices of identical goods and services in different markets. To illustrate with the 2008 data, the PPP of Congo DR’s currency was stronger than Zambia’s at US\$2,980 while that of Canada was even much stronger at a staggering US\$37,590!

¹³⁷⁰ As of July 1st, 2011, low-income economies were those that had average incomes of US\$1,005 or less in 2010; lower-middle-income economies had average incomes of US\$1,006 to US\$3,975; upper-middle-income economies had average incomes of US\$3,976 to US\$12,275; and high-income had average incomes of US\$12,276 or more (Source: World Bank, 2011)

richest countries in the world, but people living in these countries are having their basic needs taken care of to a higher degree than in other countries.”¹³⁷¹ That was what Zambia needed, to meet the needs of its population. But it could only do so through increased productivity.

Fundamental to Zambia’s quest for an upper middle-income nation were four actors. Zambia’s economic challenges were also the stepping stones to economic bounty. Four actors (discussed in Chapter 4), working in concert, could provide answers to the Zambian economic condition: Government should play a limited role in the economic marketplace; the private sector should have unlimited participation in the economic-sphere; social welfare, reminiscent of a Welfare State discussed in Chapter 28 should be allowed to take root; and technology should be given a facelift.

§24.2 Social Security System

There is a discrepancy in Zambia’s economic contraction that requires an ambitious program to curb inequalities. Various indicators suggest that the Zambian economy grew between 2005 and 2009. However, this growth did not translate into poverty reduction for the poor of Zambia: “Zambia’s economy has experienced strong growth in recent years, with real GDP growth in 2005-08 about six percent per year. *Poverty remains a significant problem in Zambia, despite a stronger economy.*”¹³⁷²

One of the contributing factors to the scenario above is a disastrous Zambian social security and assistance system. A strong social security and assistance program will help Zambians who are in financial need. It will provide money to help cover the cost of basic needs for adults, such as food; money to help cover housing costs for adults and their families; and employment assistance to help individuals prepare for, find and keep a job and to meet health costs for those who may not afford private care.

The Zambian social assistance program should be able to help workers and the disabled. If workers who are out of jobs or in-between jobs need money to pay for food, health services and housing, they should qualify to receive social assistance. However, to

¹³⁷¹ *Zambia Weekly*, “Can Money Buy Happiness?” Week 30, Vol.1, Issue 16 (July 30th, 2010); the happiest countries in the world also constitute the countries with a thriving welfare arrangement; see the discussion on Welfare State in Chapter 28.

¹³⁷² “Zambia Economy 2010,” *supra*. (Emphasis added)

qualify, they must be willing to participate in activities that help them find a job.

Similarly, those who are disabled should be helped by the program.¹³⁷³ The program should help people with disabilities who need financial help, or who are looking for a job. With unemployment rates in their thirteenth percentile,¹³⁷⁴ survival of the unemployed is a huge challenge. Where there is no proper system for providing relief for those who are unemployed, people tend to resort to crime and other social ills in order to fend for themselves and their families. In the end a society of social misfits, irresponsible and desperate citizenry is created.

The biggest challenge of such a program in the context of higher unemployment rates is that government may be unable to help everyone who may be eligible. However, this can be achieved in phases. Phase one may involve strengthening the private sector, especially in terms of creating employment. During phase one, only those who are in-between jobs and are actively looking for employment should qualify.

Phase two may begin immediately following a reduction in unemployment rates and during a state of a strong and stable private sector regime. During this period the extremely poor may also qualify pursuant to six-month mandatory skills development and training. The aim is to keep them out of the welfare system by empowering them with vocational and other self-sustaining skills.

A new anti-poverty device gaining momentum in many countries¹³⁷⁵ is called the Conditional Cash-Transfer Program (CCT). It is deemed to be useful in poor and middle-income countries.¹³⁷⁶ The program provides stipends and food to the poorest if they meet specific conditions like enrolling children into public schools, getting regular check-ups at the doctor's office, receiving vaccinations, and

¹³⁷³ Disability, under this program should extend to those who are infected with an advanced stage of HIV/AIDS and who are the bread winners for their families. The program should be able to assist them while they remain under this disability condition.

¹³⁷⁴ "Unemployment Rate in Zambia is expected to reach 13.00 percent by the end of 2021," <https://tradingeconomics.com/zambia/unemployment-rate#:~:text=Unemployment%20Rate%20in%20Zambia%20is,macro%20models%20and%20analysts%20expectations.> (Retrieved: September 28th, 2021)

¹³⁷⁵ CCTs are available in Brazil, Chile, Colombia, Egypt, Honduras, Jamaica, Indonesia, Malawi, Mexico, Guatemala, Nicaragua, Panama, Turkey, and to some extent, Zambia.

¹³⁷⁶ See *The Economist*, "Give the Poor Money," July 31st, 2010, p. 10

so on. Even New York City has one.¹³⁷⁷ The advantages of CCTs are that they work, they cut poverty, they are cheap (for example, they cost only 0.5 percent of the GDP in Brazil), and they are rational.¹³⁷⁸ CCTs are good. But they are only a start.¹³⁷⁹

There are both critics and proponents of a social assistance system. Critics believe that it tends to reward laziness and inactivity. They insist that hard working tax payers are unfairly burdened because they are the only ones producing and paying for social assistance. At the peak of this criticism is the idea that a social assistance system is against the very spirit of Capitalism which tends to reward hard work, initiative and competence.

These criticisms are justified especially when applied to Zambia where unemployment rates are rampant. In Zambia, a purely social assistance system may not be feasible. In fact, it could hinder the very progress Zambia envisages. However, a modified version is necessary in order to help those without jobs while at the same time acting as a temporary relief for the majority looking for jobs.

To successfully implement a social assistance system in Zambia requires strengthening the private sector as elaborated above. A social assistance system that will work for Zambia is only possible where government plays a limited role in the economic marketplace.

The unlimited involvement of the private sector in the key sectors of the economy such as in manufacturing, mining and agriculture, will increase the tax base thereby generating the much-needed revenue for the government. However, there is a caveat to this. The narrow tax base of many African countries is one of the major reasons why tax contribution to GDP is relatively low as compared to other regions. Many countries in Africa have embarked on efforts to broaden the tax base by widening the payer's net. From an economic justice perspective, it is important to interrogate these policies to ensure that the broadening of tax bracket does not lead to increasing the burden of those who are poor.¹³⁸⁰

Zambia has one of the narrowest tax bases in the region. With a widened tax base, government will be in a position to provide vital services including social assistance. It is one of the fundamental

¹³⁷⁷ *Ibid.*

¹³⁷⁸ See *The Economist*, "Societies on the Move," September 11th, 2010, pp. 11-15

¹³⁷⁹ *The Economist*, "Give the Poor Money," *supra*.

¹³⁸⁰ See Affiliated Network for Social Accountability (ANSA), "Southern Africa Regional Policy Roundtable on Tax Justice – September 14th-15th, 2010,"

functions of government *to raise revenue for public projects and current government expenditure such as infrastructure, defence, and etcetera.*

§24.2.1 Employment Insurance

Employment is the most valuable asset in the citizen's life. It ranks higher than all other valuable possessions like houses or cars. It is usual to give adequate thought to the security of houses and cars and provide them with insurance coverage, but "we seldom accord the same consideration to the most valuable asset of all, our employment. Our income is what keeps the kitchen fire burning and also takes care of some necessary expenses."¹³⁸¹

In a perfect world, employment should be a right of every citizen. In Zambia, it is still a privilege of a few. Any nation, whose unemployment rates soar in fiftieth or over percentages, should be declared a national emergency. Government exists to do only three things: Provide for the well-being of its citizens,¹³⁸² keep law and order, and guarantee national security. The rest are only auxiliary.

Indeed, "All government spending is financed in one of the two ways: Through taxes and through borrowings."¹³⁸³ Employment facilitates the former and curbs on the later. Having no job is calamitous; losing one is an emergency. Every worker must get a compulsory employment insurance coverage. Employment insurance to cover incomes should also be available for individuals who cannot afford. It guarantees keeping up to one's earlier lifestyle in case of the loss of income.

§24.2.2 Poverty's Remedy

Unemployment is one of Zambia's biggest challenges. Foreign aid, loans or grants do not end poverty unless they are used as catalysts in employment creation. Unemployment is related to poverty reciprocally. Increased rates of unemployment lead to deepening levels of poverty. Nations where unemployment rates are at their worst are also nations which are poor and struggling.

¹³⁸¹ Logiqueglobal, "Understanding the Importance of Unemployment Insurance," <http://www.streetdirectory.com/travel_guide/200164/insurance/understanding_th_importance_of_unemployment_insurance.html> (Retrieved: August 30th, 2010).

¹³⁸² By raising revenue for public projects and current government expenditure

¹³⁸³ Robert E. Kelly, *The National Debt: from FDR (1941) to Clinton (1996)*, p. 2

Zambia cannot escape the indignities of abject poverty without a comprehensive program for poverty reduction. Creating employment is the best, and sometimes the only solution. Employment serves as a double-edged sword; through income, it improves the people's well-being while at the same time increasing the productive capacity of a nation. The result is improved standards of living and a healthy and happy society. There can never be a better way of creating employment other than by making the private sector a major national employment generator.

A system akin to Employment Insurance¹³⁸⁴ to which both companies and workers contribute will serve to off-set the temporary unemployment situation during lay-offs or when misfortunes strike.¹³⁸⁵ This system, together with the universal health-care provision, makes Canada one of the most attractive economies on the planet. The Canadian-type Employment Insurance model can only be implemented in Zambia when the unemployment rates have been reduced to the ranges between the twenties and below.

Zambia may not begin to think in terms of productivity or regional integration without connecting these to the creation of employment. It cannot begin to think so without taking into consideration the profitability of businesses especially in the private sector, either. Zambia can, however, begin to think in such terms as a way of generating employment in key sectors, especially the private sector. Until that is the case, Zambia will continue to be a subject of economic ignominy and to perpetually depend on outside help and support.

Of importance to Zambia is the creation of employment for the productive age group, which is evidently the youth. One of the factors that has contributed to high unemployment levels in Zambia is due to the close down of some companies after privatization. Most of the people who lost their jobs during this privatization process joined the informal sector. Mwape succinctly analyzes this situation: "Today, in Zambia [about 32 percent] of young people are unemployed. Unable to support themselves and often without access to constructive alternatives, unemployed youth are at a high risk of experiencing 'a sense of vulnerability, uselessness and idleness.'"¹³⁸⁶

¹³⁸⁴ Or Unemployment Insurance

¹³⁸⁵ For example, in Canada Employment Insurance (E.I) is mandatory and taxable at the federal level.

¹³⁸⁶ Mapalo Mwape, Facebook (August 31st, 2010)

§24.3 Technology

“Education and technology should go hand in hand for any meaningful change to be realized in society.”¹³⁸⁷ Indeed, technology involves the “...technical nomenclature; a scientific or industrial process, invention, method, or the like; [and] the sum of the ways in which social groups provide themselves with the material objects of their civilization.”¹³⁸⁸

The Zambia of the 21st Century must be different from the Zambia of the 1900s. It must be defined by high technology.¹³⁸⁹ Nations that will develop superior technologies will also be nations that will lead in the 21st Century. Zambia cannot afford to lag behind in this regard. Technology is one of the three ingredients of economic growth. The other two being capital and labor. The way a nation manipulates these three determines how rich or poor that nation will be.

For example, the US had leveraged technological gains for centuries, making it a single global economic leader, until China rose.¹³⁹⁰ Technology is closely linked to productivity, also known as Total Factor Productivity (or TFP). Even more than capital and labor combined, TFP explains more than 50 percent of growth between economies. TFP is all-inclusive and, apart from technological growth and efficiency, it may include “the Rule of Law, property rights, human rights, freedom of expression, and etcetera.”¹³⁹¹

For the most part, the up and coming Zambians are increasingly becoming savvy in the use of modern technologies as epitomized in the use of such social networking sites as Facebook, LinkedIn, Twitter, Instagram, and other social media platforms and Internet applications. This is a sign that Zambia is getting closer to technological innovation. However, to use technologies created by other nations, and to create those technologies yourselves are not the same. In fact, it is the creator, with patent and copyright rights, that eventually makes profit and benefit immensely.

The user nation is not as advantageous as the creator name. This scenario perpetuates the same culture of being at the receiving end,

¹³⁸⁷ Charles Mwewa, *The System: How Society Confines and Defines Us* (Ottawa: ACP: 2021), p.56

¹³⁸⁸ *Ibid.*, as quoted from <https://www.dictionary.com/browse/technology> (Retrieved: September 6th, 2020)

¹³⁸⁹ See Chapter 25

¹³⁹⁰ See Dambisa Moyo, *How the West was Lost*, p. 118

¹³⁹¹ *Ibid.*, p. 105

just as Zambia has done in terms of economic dependence on donor and multinational support. Technology, too, is regarded as a factor of production, after land, labor and capital. Even in the era of technology, productivity is the issue. The nation or nations that will produce more and superior technologies will continue to dominate weak and non-producer nations.

Zambia faces one challenge in this regard. The present situation relegates Zambia to a nation of obsoletes as far as technology is concerned. Despite the fast changes in technological advancements, Zambia continues to rely on yesterday's technology to run its industrial machines and this consigns it further to obscurity leaving its means of production to be operated by outside influence. This, to some extent, is justified.

Where Zambia's technologies cannot efficiently dig out, process and transact copper, for example, the nation has resorted to multinational corporations and foreign investors to dictate what and how to conduct business. This scenario sees Zambia only as a low and cheap raw material supplier while the rich nations use its resources to advance and even re-sell to Zambia superior made items. The sad state of affairs is that Zambia re-buys its own, say, copper, in a finished concept.¹³⁹²

The finished concept happens when a nation gives away at very cheap prices its natural resources and has to buy back in finished materials. For example, Zambia buys electrical cables from the Republic of South Africa. Most of the cables could have been made from the very copper that is produced in Zambia. This is one example in which a nation with superior technologies wins.

Technology does to a nation what education does to an individual. A nation with grand technologies develops capacities for making and managing many contemporary challenges. The Republic of South Korea (RSK) is an impeccable example of this: "South Korea was our closest much in terms of GDP in 1964. But today we are just over one percent of South Korea's GDP. Clearly Zambia is not doing things right."¹³⁹³

¹³⁹² Notwithstanding the idea of comparative advantage, a nation that both possesses its own natural resources and exports the finished concepts has an upper hand in terms of sustaining its development.

¹³⁹³ Rodgers Raysis Chimfwembe comments on Henry C. Sakasole, *Facebook*, "Zambia has moved from being a major copper producer and potentially one of the continent's richest countries at independence in 1964 to one of the world's poorest," (August 31st, 2010)

RSK has proven that technological advancements can catapult a once low-income nation to a nation with an attractive GDP. In the 1970s, Zambia performed far much better than RSK in terms of GDP. In the 1990 and 2000s, that trend reversed. Zambia trails RSK exponentially in technological and economic advancement. One factor can be attributed to this; RSK invested adequately in technology, and today reaps profitably from it.

Technology improves a nation's efficiency and triggers higher productivity. It takes little effort and less time with technology to produce the same quantity of required output than it takes without technology. The example of RSK has demonstrated that a superior technological nation has even a voice in world economic and technological affairs. RSK is a smaller country comparatively. However, it has a huge voice where technology is concerned. Moreover, a nation like Iran can threaten even the major and rich industrialized nations like the US or Britain when it shows capacity for producing certain weapons of mass destruction. The threat is not in the weapons, but in the capacity, technologically, to produce such weapons at will.

From whichever angle one looks at it, superior technologies improve a nation's image and boost its capacity to compete favorably in the global economic-sphere. Moreover, superior technologies trigger mass productivity quakes in such sectors as agriculture, manufacturing, and etc. Technology and economic development are related reciprocally. One is caused and in turn causes the other.

If Zambia has to see the light of day in the economic-sphere, it has to insist on creating and improving its technology. The new-look Emerged Zambian Leaders have a task, and that task is to ensure that they understand the imperative of acquiring superior technologies, re-educate society to its usefulness, and make it accessible to vital sections of society. This will not only impact greatly on the poverty situation, but it will fundamentally change the way the next generation will look at the status of Zambia in economic terms.

Zambia cannot continue to think that the development of technologies in other countries will ultimately aid development in Zambia. Technologies are a resource. To benefit one, they must be owned. In Zambia, this will mean spending heavily to own such technologies, and also paying instructors heavily to operate them. The same thing has happened in the social sector. Zambia has paid handsomely to import knowledge, and has equally spent more to integrate such knowledge into society. The result has not always been favorable. For when Zambia imports knowledge, it also comes to a

bitter realization that what works in other nations, does not always bear the same fruit in the Zambian context.¹³⁹⁴

Emerged Zambian Leaders have both the mandate and the political obligation to ensure that Zambia becomes a regional star in the development of superior technologies. Only when Zambia does this, will it become an efficient and productive nation. Productivity is a prerogative of ingenuity, and technology is a precursor to ingenious mind-sets.

Important questions to ask in this regard are: Does Zambia have the manpower to handle sophisticated machinery that may be required in high-tech industries? What about Zambia's education system, does it instill confidence in an investor that he or she will find the skills required to run his or her business?

For Keller,¹³⁹⁵ the answers lie in the implementation of the liberal-oriented technologies. Recent studies on technological transformation in developing countries emphasize that successful industrialization requires both technological information and a good understanding of its implementation. Technology is only implementable as the labor force has built up the corresponding skills. Sustained growth gains are only forthcoming if in addition to the arrival of new technologies also skills are accumulated at a higher rate than before the regime changes. Keller further argues that this explains part of the variation in the long-run growth effects of trade liberalization in newly industrializing countries.¹³⁹⁶

Zambians must understand that technology does not need the genius of rocket scientists to acquire. It is available in science laboratories of schools and universities. Technology happens, too, where people sufficiently need improved lifestyles. Galileo Galilei did not feel obliged to believe that the same God who had endowed him with the brain did not intend him to use it.

It takes political will and national demand to develop technologies that have the capacity to change the nation for good. Rwanda's Paul Kagame¹³⁹⁷ proved that a sufficient political vision could do more to empower the people technologically. For example, through its *Computer 4-All* policy, Rwanda is placing a laptop on each classroom desk in its quest to avail global informational access to its productive

¹³⁹⁴ This scenario, too, has contributed to the erosion of the Zambian culture.

¹³⁹⁵ Wolfgang Keller, "Absorptive Capacity: On the Creation and Acquisition of Technology in Development," (April 1996), *Journal of Development Economics*, Vol. 49, 199-227

¹³⁹⁶ *Ibid.*

¹³⁹⁷ Also see "100 Influential Africans," *New African*, June 2011, pp. 10 and 11

capacity.

Investing in problem-solving type of education is the launching pad for a technologically-minded nation. Zambia's priorities in terms of investment should not exclusively focus on FDI. Interventions that initially directly benefit investors may not be the answer. For example, India has been able to attract billion-dollar investments in the IT industry because the country appealed not only in terms of cheap labor but also in the IT knowledge-base which was achieved through investment in education.

Technology is a resource. Unlike non-renewable and exhaustible resources, technology can be acquired by any nation at any time. Developing nations pride in the use of technologies developed by the developed nations. Somehow developing or Least Developed Countries (LDCs)¹³⁹⁸ design their national caliber on their proficient use of the rich nations' technology. This is wrong.

Zambians have used mobile, social media, industrial and other technologies created by the developed nations with effulgent perfection. Although these technologies go a long way in improving the lives of many Zambians, they do more for the patented nations. The challenge that Emerged Zambian Leaders have is to dispel the myth that Black Africans are devoid of technological innovation; the notion that Black people are semi-evolved organisms who depend upon the ingenuity of their White counterparts to survive. This has partly been invigorated by the tendency by the African governments to rely entirely on Western and Eastern technologies and innovations.

The assumption has always been that with time citizens of the developing countries will master the skills and competence to handle foreign technologies. There is rarely any conception that African

¹³⁹⁸ The United Nations Economic and Social Council (UNESCO) categorizes nations as LDCs based on three criteria, *viz*, GNI *per capita* of at least three-year average; Human Assets Index (HAI) and the Economic Vulnerability Index (EVI). The LDCs category was developed in 1971. It has currently 48 members, including Zambia. To graduate from the LDCs' category, a nation needs to have, in 2009, reached a threshold of GNI *per capita* of US\$1,086, HAI of 66 or higher and an EVI of 38 or lower. The review is conducted every three years and a country can only graduate if it meets graduation thresholds for at least two of the three criteria in at least two consecutive reviews. Thus, for a review in 2009, 2005 to 2007 thresholds were used. During that period, Zambia had a GNI *per capita* of US\$647, an HAI of 40.7 and an EVI of 52.8. The next review took place in 2012, and Zambia was assessed on its GNI *per capita* of 2008-2010. Zambia was still a LDC up to at least 2018 because it did not exceed the threshold of US\$1,086 *per capita* between 2008 and 2010. Since 1971, only three countries had graduated, *viz*, Botswana (1994), Cape Verde (2007) and Maldives (2011).

communities can develop technologies that other societies can emulate and pay for. Conversely, developing countries in general, and Zambia in particular should begin to think in terms of developing authentic technologies.

Technology tenders a competitive advantage to the one who owns and uses it. It does even more; it makes the developing nations dependent upon the West. It does so even at the expense of national security and sovereignty. The case of Marshall Sogoi is a good example: “Marshall was introduced to ...Rupiah Banda... [and he]...embarked on a project of installing communication network, he planned to protect Lusaka with anti-aircraft guns but this was not achieved. He influenced...Wilted Phiri, the Director-General of Zambian Intelligence, to remove all the Zambian workers and replace them with American technicians.”¹³⁹⁹

In the light of the above-noted citation, two issues arise. The first issue regards Zambia’s reliance on Western-backed technologies which also tend to expose the nation in terms of national security and pride. The second issue relates to Zambia’s vulnerability to foreign encroachment in its quest to elicit technologies from other nations. There is, therefore, urgent need to strengthen Zambia’s tech-oriented education so as to curb on reliance on, and vulnerability to, outside domination.

Although in 1969, Wilted Phiri eventually refused to succumb to Sogoi’s desire “to remove all the Zambian workers and replace them with American technicians,” Zambia through the years has finally given preference to foreigners in terms of investment and technology. Zambia’s mobile and information industry continues to be foreign-owned and operated.

Even the developed countries are reluctant to completely deregulate certain sectors which are of security or employment benefit to them. For example, in Canada, the Canadian Radio-television and Telecommunications Commission (CRTC), through the Canadian federal *Telecommunications Act*, insist that landline and mobile telephone providers be majority-owned by Canadians.

In Zambia, this should be modified. Government should be run like a distinct sector. This will give chance to the private sector to participate in the Zambian economic marketplace. Government should not be in total control of technology or information innovations; it should be a shared responsibility with the private sector.

¹³⁹⁹ Chisala, *The Downfall of President Kaunda*, pp. 50-51

Local Zambian companies should be empowered to compete favorably with their foreign counterparts in terms of technology. As a distinct sector empowering its citizens for private sector participation, government has the following major tasks: To regulate for technological competition; to make technology accessible to its citizens; and to compete with the private sector to ensure technological productivity.

As regards the first task, *viz.*, to regulate for technological competition, it must be asserted that the ingenuity of any nation does not depend on the omnipotence of government. Citizens are the driving force of any thriving economic system anywhere in the world. When the people own the means of production and property, they are empowered to bring development to the nation. The people, not government, however poor they may be, hold the key to meaningful technological and general development. Yunus argues: “If the poor are to get the chance to lift themselves out of poverty, it’s up to us to remove the institutional barriers we’ve created around them. We must remove the absurd rules and laws we have made that treat the poor as nonentities. And we must come up with new ways to recognize a person by his or her own worth, not by artificial measuring sticks imposed by a *biased system*.¹⁴⁰⁰

Of course, that “biased system,” in more ways than one, involves governmental and corporate bureaucracies that only exist to serve the whims of the governors. The poor, usually in the majority, are left out and subjected to worse than human conditions. Technology, especially in Zambia, must be simplified for the poor.

The second task involves making technology accessible to the Zambian citizens. People in villages have access to cell-phones in Zambia. The spirit, therefore, is already there. Government can enact relevant legislation and create empowerment programs that structure and contextualize the Internet revolution towards local development. For example, it may now be possible for villagers to get medical or agricultural information from Lusaka without physically going there.

§24.4 Social Capitalism

In a world in which disparities between the rich and poor continue to expand, the latter become not only victims of Capitalism, but they

¹⁴⁰⁰ Yunus, *How to Create a World without Poverty*, p. 49

also find no hope of competing against well-entrenched market forces, there are very few options left for the poor majority. One such option is also becoming common among the major IFIs, and it is called microcredit financing. Microcredit is the extension of very small loans (microloans) to those in poverty designed to encourage entrepreneurship.¹⁴⁰¹ Unlike macro financing, microcredit apportions loans in small amounts to small-scale entrepreneurs. These people access small amounts of money, usually around US\$50 to US\$150 as loans. The poor then use these amounts as capital to start or expand small businesses.¹⁴⁰²

Development institutions are rapidly realizing that microcredit is a vital link to the continued performance of the financial markets. For example, the endorsement given to microcredit by leaders such as former US president Bill Clinton, its adoption as a core strategy to alleviate poverty by the World Bank, and the support it received at the 2006 Global Summit in Halifax, Canada, on microcredit are indicative of the current pre-eminence of this anti-poverty strategy. This enthusiasm stems from the assessment that microcredit interventions benefit the poor with efficiency and accountability.

The Grameen Bank in Bangladesh has been a model of success in such activities. Yunus is of the view that what he calls social business will infuse seamlessly with major financial institutions in making available credit to the poor of their communities. For example, his “first financial firm, Grameen Capital India, created in partnership with Citibank India and ICICI Bank, to facilitate access to local capital markets for Indian microfinance institutions (MFIs), and its owners...reinvested profits in expanding the business”¹⁴⁰³ without distributing the profits to its shareholders. In Bangladesh, Grameen Bank is not the only financial institution spearheading this initiative; others include BRAC, Proshika, and many more. BRAC, which was established in 1972, has brought stakeholders in the development of the less developed economies to the realization that the poor are potential economic agent, rather than economic liabilities.¹⁴⁰⁴

The historical progression of the development of microcredit lending has shown that microcredit finance is an integral part of the functionality of the financial markets. For example, the development

¹⁴⁰¹ Farlex, “Microcredit,” *Farlex Financial Dictionary*, 2009

¹⁴⁰² Both CCTs, discussed earlier, and Microcredit Finance are anti-poverty strategies.

¹⁴⁰³ Yunus, *supra*.

¹⁴⁰⁴ Business Day, “Poverty Alleviation and Micro Finance: Can Nigeria Learn From India?” 2008 < www.businessday.org > (Retrieved: February 8th, 2011)

of the MFIs between the 1950s and 1970s, focused on providing subsidized agricultural credit to small and marginal farmers. This raised productivity and incomes for the participating communities. The other demography that has benefited from this initiative is the poor women. “There is strong evidence that female clients are more empowered by microcredit finance.”¹⁴⁰⁵ Micro-lending has enabled them to invest in tiny businesses, and they have accumulated assets and raised household incomes and welfare. In the 1990s and 2000s, many of these MFIs transformed themselves into formal financial institutions in order to access and on-lend client savings, thus, enhancing their outreach.

There are many barriers and problems to microcredit. However, in this book, only five such barriers or problems will be discussed. First, Muhammad Yunus, founder of Grameen Bank in Bangladesh, has identified lack of a recognized system as one of the barriers to microcredit finance: “One problem [is] the lack of any recognized system for evaluating, testing, or enforcing claims of socially responsible products produced by companies”¹⁴⁰⁶ He argues that advertising and marketing of microcredit financing, including statements from consumer groups may in that way lack credibility.

The second barrier involves finding ways to reduce costs for poor borrowers. Microcredit interest rates are higher than those of other financial institutions. This is due to high operating costs required to deliver small loans, such as paying administrative and staff expenses. For example, “Making 1,000 loans of US\$100 each requires far greater staff expenses than making a single loan of \$100,000.”¹⁴⁰⁷ The reason is because of the well-known relationship between loan size and cost. The MFIs are most likely to be affected by the proposed interest rate caps because they may be making smaller loans and reaching the poorest micro-borrowers.

The third barrier is that microcredit funds may not be reaching the intended targets in the long run. “Some worry that an excessive concern for profit in microfinance will lead MFIs away from poor clients to serve better-off clients who want larger loans.”¹⁴⁰⁸ It is assumed that programs which serve the very poor clients are

¹⁴⁰⁵ Nathanael Goldberg, “Measuring the Impact of Microfinance: Taking Stock of What We Know,” Grameen Foundation USA Publication Series, 2005

¹⁴⁰⁶ Yunus, *supra*, p. 175

¹⁴⁰⁷ Adrian Gonzalez, “Sacrificing Microcredit for Unrealistic Goals,” Microfinance Information Exchange, January 2011.

¹⁴⁰⁸ M. Robinson, “The Microfinance Revolution: Sustainable Finance for the Poor,” June 2001

somewhat less profitable than those reaching better-off clients. However, MFIs serving the very poor are showing rapid financial improvement. For example, microfinance programs in Bangladesh have already demonstrated that very poor clients can be reached profitably.

The fourth barrier relates to the imperialistic thinking of Western philanthropy. The reasoning that somehow the West hoards the answers to the developing countries' problems, robs the so-called Third World of owning any progressive initiatives, even those which would improve their lives. In contrast, *Free the Children* has adopted a model that engages the local people and partners with them to "ensure a sense of community ownership."¹⁴⁰⁹ This approach actualizes the goal of mushrooming enterprises being the hubs where microfinance fosters improvements.

The last barrier is that, "Microcredit may be inappropriate where conditions pose severe challenges to standard microcredit methodologies."¹⁴¹⁰ Populations that are geographically dispersed may not be suitable microfinance candidates. Populations in deserts, those who depend on a single economic activity or agricultural crop, or on barter systems, may experience problems. Moreover, "Microcredit is also much more difficult when laws and regulations create significant barriers to the sustainability of microfinance providers, for example, by mandating interest-rate caps."¹⁴¹¹ In other words, microcredit facilities may not succeed where there is no political will to promote them.

His Imperial Majesty Haile Selassie I, said, "Throughout history, it has been the inaction of those who could have acted; the indifference of those who should have known better; the silence of the voice of justice when it mattered most; that has made it possible for evil to triumph."¹⁴¹² Poverty and economic underdevelopment are evils; they demand action, forthrightness, and advocacy to be vanquished.

§24.5 Theory 30-60-10

Theory 30-60-10 (or 30-10-60) is also known as the *Developed*

¹⁴⁰⁹ Michael 'Pinball' Clemons, "Global Reach," *Sway*, Spring 2011, p. 43

¹⁴¹⁰ David Lascelles and Sam Mendelson, "Microfinance Banana Skins 2011," CSFI, 2011

¹⁴¹¹ *Ibid.*

¹⁴¹² See *New African*, "The Case of the Missing Wristwatch," June 2011, p. 9

Zambia Vision (or DZV). Within the next 50 years, Africa shall be the new global economic leader. This would be, notably, the most sustainable economic paradigm shift the world has ever witnessed. This is not mere presumption or a dream, global indicators are in every place.

For the start, the rise of Africa is poised to be a natural mutation for three reasons. First, the West and other transitory rich nations would have plateaued (technically, reaching their highest summits) and would have no room for going any further but slowing down. Second, the faultiness in Western formations in terms of economic and political framing are growing more and more uncertain with each passing year. And third, social and ideological polarity in presently model democracies are but a sign of future trouble.

Africa has 54 countries, and only 15 of these had some sort of conflict: “There are currently fifteen African countries involved in war, or are experiencing post-war conflict and tension.”¹⁴¹³ This represented about 28 percent. According to the Institute for Economics and Peace, only Botswana, Chile, Costa Rica, Japan, Mauritius, Panama, Qatar, Switzerland, Uruguay and Vietnam could be considered truly free from conflict.

In short, while more and more countries in America, Europe and Asia were tending towards conflict, Africa was more and more trending towards peace and unity. In economic parlance, peace and solidarity are catalysts for prosperity and economic investment. Zambia will have both by 2070.

Zambia has five factors that would catapult the nation to uncommon prosperity and economic growth. These are: The people are peaceful; the people are diligent and industrious; the people love knowledge and experimenting; Zambians tend to be democratic in approaches to governance; and Zambia has untapped natural resources. Anyone who might argue against these four, either would be peremptorily biased or had not studied Zambia critically. These, notwithstanding, the necessary impetus for Zambian change is to have a mixture of true economic growth and prosperity while enhancing the happiness of the people based on what the author calls a “30-60-10 Upper-Income Economic Theory.” From a policy perspective, “30-60-10” means 30 percent of population is upper-class; 60 percent middle-class; and 10 percent lower-class. In this paradigm, middle-class would be defined as being able to enjoy an acceptable standard of living and being happy. Happiness would

¹⁴¹³ *Africa Sun News* – “Africa Wars and Conflicts.”

mean having a life expectancy of 76 years and above; enjoying and having access to a stable and working social support system; freedom from corruption; being able to give to others; and ability to bring in an income that meets all the basic needs and has surplus for saving for the future. In short, the middle-class would be an affluent class. The upper-class would be shrunk and would include those who exceed the middle-class definition. The lower-class would be those who fall short of the middle-class definition. No-one would be allowed to live below the poverty datum line. At that level, it would become a human rights issue and government would be required to compensate such. The future of Zambia lies in the deliberate restoration and empowerment of the middle-class.

The rich or upper-class do not grow the economy unless they can create jobs. A large percentage of the lower-class means less productivity and more dependence on government handout. The goal would be to move a large chunk of the poor population into the middle-class (by deliberate government action that legislatively creates an enabling environment for fair competition).

The result of this economic paradigm would be to reverse the historical inequalities created by the imposition of structural adjustments that worked for Western formations but totally failed in Africa. And they failed because (1) African ideology is neither Socialism nor Capitalism; it's a combination of many factors, including Welfare Capitalism and a form of Socialism that minimizes social proprietorship and maximizes a democratic control of the means of production, something akin to Social Democracy. This balance is essential to reducing the gaping social and economic inequalities among the population; (2) African leadership and democracy should be redefined; and (3) African innovative spirit, free experimentation should be recharacterized with enhanced diversification of the economy away from copper.

Chapter 25 Technology Nation

“What has been is what will be, and what has been done is what will be done; there is nothing new under the sun” (Ecclesiastes 1:9, Bible)

BRIEF INTRODUCTION

This chapter delves into Technology Nation and adduces a conceptual approach to solving Zambia’s technological challenges. It reveals the fact that technology has been a monopoly of the powerful. Technology has been, for the most part, weaponized against Africa’s interests. The chapter ends by linking the management of data and information to the health and safety of the people of Africa and Zambia. Harnessed and used properly, information can develop a nation, technologically.

Technology \approx Education

AT THE END OF THIS CHAPTER:

1. You will learn that technology is not only the quintessence of Western nations, but also a birthright of every sovereign nation;
2. You will appreciate the challenge that Zambian institutions of higher learning ought to redesign their curricula to instill technological thinking in Zambian students; and
3. You will know that information is one of the core factors that define a Technology Nation.

MAJOR THEMES:

Borrow-to-Adapt Concept;
Brain-Earn Concept;
Statistics and Data
Management

§25.1 Borrow-to-Adapt Concept

Humans co-exist with technology. “For technology is more than computers, cars or gadgets. It is the entirety of human-made artefacts that extend and amplify our grasp of the world.”¹⁴¹⁴ Technology defines civilization at any point in time. It is synonymous with innovation, but it goes further. It is the umbilical cord of life in the universe. Without technology nations begin to die; but with it, the future and the present become intertwined.

There are several challenges that must be overcome. Chief among them is lack of financial resources. Financial resources are required to update skills, purchase software and hardware necessary to brace superior technologies and etc. However, there is an easy way to this. It is vested in two concepts: *Borrow-to-Adapt* and *Brain-Earn*.

The *Borrow-to-Adapt* concept requires building on what already exists. To do so, it may be necessary to borrow and adapt approaches from other countries and regions. Although one may need to obtain permission and pay any fees requested from the original source, sometimes such dynamics are not necessary. A graphics-facilitator advises: “If you borrow idea A from person X, and they adapted their idea A from person Q who had idea B, and based on these things you create idea C and take it to market...who gets the credit? Without boring the client with a historical overview, one should give proper credence, I think. The line in the sand is drawn with the baton of integrity, I suppose.”¹⁴¹⁵

The fact is that borrow and adapt techniques have been utilized in all areas of advancement. Businesses as well as governments thrive on borrowed ideas which they exploit to their advantage. China is rising as the global giant in technology. But Chinese ingenuity is partly acquired through borrow and adapt means.

Chao writes in *The Wall Street Journal* that, “Chinese companies succeed by taking an existing technology and then tweaking it for a local audience.”¹⁴¹⁶ For example, Baidu Inc., owner of the most popular website in China, is not known for ground-breaking innovation.¹⁴¹⁷ From the Google-esque look of Baidu.com’s main

¹⁴¹⁴ Tom Chatfield, “Technology in deep time: How it evolves alongside us,” BBC, February 7th, 2019

¹⁴¹⁵ Susan Low, “Borrow, Blend, Adapt” <<http://pictureyourmeeting.com>> (Retrieved: September 5th, 2010)

¹⁴¹⁶ Loretta Chao, “Something Borrowed,” *The Wall Street Journal* (November 16th, 2009).

¹⁴¹⁷ See the *Toronto Star* of Monday, July 4th, 2011

page to its Wikipedia-like encyclopedia to a question-and-answer service that's similar to Yahoo Answers, the Chinese Internet search company is revolutionizing the way borrow and adapt concept is manipulated.¹⁴¹⁸

Zambian technology companies can outfox foreign competitors by tailoring existing technologies to the Zambian mostly-dormant and soon-to-be discovered market. While that may not earn the nation the respect as a global innovator, Zambia's understanding of its consumer base will allow it to beat bigger foreign rivals at their own game in Zambia.

Zambia's companies can benefit by taking existing technologies or ideas and giving them a Zambian feel. They may take advantage of the fact that foreign firms often struggle to adapt their businesses to the African market. Agazzi of the Thomson Reuters agrees: "Technology transfer and aid for trade could assist LDCs suffering the effects of [technology deficiency]."¹⁴¹⁹ The easiest way to create winning technologies may be simply to borrow and adapt them from some of the greatest technologies in existence.

§25.2 Brain-Earn Concept

Brain-Earn is the other concept. The emigration of individuals with technical-how, skills and knowledge to other countries is normally referred to as *Brain-Drain*. It is also known as human capital flight. There can be any number of reasons why such human capital flees, including lack of opportunity, political instability, and etcetera. The term originally referred to the emigration of technology workers leaving a nation.

Brain-Drain involves the departure of educated or professional people from one country's economic or other sectors for another in search of "greener pastures" or for better pay or living conditions. *Brain-Drain* emigrants were usually trained at the expense of their government's sponsorship, and therefore, are regarded as an economic cost. The sad reality of *Brain-Drain* is that it leads to the *de-skilling* of emigrants in their country of destination. Skills that were

¹⁴¹⁸ Baidu Inc., for example, dominates China's Internet search market, holding a 61 percent share of the industry revenue in the second quarter of 2009, compared with 29 percent for Google Inc., its biggest Internet-search competitor.

¹⁴¹⁹ Isolda Agazzi, "Africa: Climate Change Assistance so Near and Yet so Far," Thomson Reuters Foundation-*AlertNet* (July 24th, 2010)

acquired at high cost to the government or local organizations usually end up being disregarded in the country of destination when they are vital to the development of the originating country.

Traditionally, that is how *Brain-Drain* has been looked at. A new concept advanced here is called *Brain-Earn*. It is not antithetical to *Brain-Drain*; it involves the technological plough-back of rich experiences of the immigrants from the developing countries. Borrow-to-Adapt concept is related to Brain-Earn in that it requires that emigrated workers use the skills, information, training and knowledge they acquire in the countries of destination to develop their countries of origin. This demands that governments in developing countries create a policy-framework which favors the return of foreign-experienced workers to their countries of origin.

§25.3 Statistics and Development

In 2003, Mwanawasa recognized the importance of data and information in the fight against poverty. Statistics in the form of data and information play a big role in national planning. In the foreword to the Central Statistical Office (CSO)'s *Strategic Plan*, President Mwanawasa stated: "The planning process is central in ensuring the optimal allocation of our limited resources and more importantly charting the right path towards poverty reduction."¹⁴²⁰ Despite this admission, however, the CSO has been dogged by two glitches.

First, the CSO faces what Mwanawasa termed a "crisis of expectation."¹⁴²¹ Sometimes in the late 1990s, the CSO released certain statistics on the HIV/AIDS situation in Zambia. The informed quarters of the Zambian society disputed the computation.¹⁴²² At the time, the author did not follow the debate. After visiting the Toronto library and learning how some organizations desperately needed certain information interpreted in a certain way, he began to sympathize with the well-informed quarters in Zambia.

Second and consequent to the observation above, Zambia's economic position is a disadvantage in the management of information. Information is power and the one who controls it wields tremendous leverage. It cannot be said that Zambia is in total control

¹⁴²⁰ Central Statistical Office, *Strategic Plan* (2003-2007), p. i

¹⁴²¹ *Ibid.*

¹⁴²² Statistics alleged that in every five Zambians, one had the HIV virus.

of its data and information. For example, under the 2003 *Strategic Plan*, the government of Zambia approached the “British Department for International Development (DFID) and Zambia Social Investment Fund (ZAMSIF) for their support in the preparation of [the] strategic plan.”¹⁴²³

Statistics make some nations powerful and others weak. The CIA, MI16, the KGB or any renowned intelligence agencies on the globe specialize in the art of information management. Information is a finished product; it is processed from raw data. Once it has become information it can be a powerful tool for liberation or enslavement.

§25.4 Politics of Data

In Zambia, as is the case in the developing countries in general, neither the availability nor the scarcity of data has advanced the well-being of the citizens. Data has become a boomerang, a weapon against the developing cores’ best interest. Data is no longer “a formal statement of a set of assumptions about our environment,”¹⁴²⁴ it has not allowed the developing countries’ a chance to make informed decisions.

Whereas data, and the information processed from it, should concoct assumptions that would enable the technocrats become experts at articulating and defending what is obtaining in their environment, and even learn new ways of solving problems, it has, unfortunately, led to “skilled incompetence.”¹⁴²⁵ In reality, as Daniel Kim rightly puts it, “Instead of looking at the real data and real issues which may prompt a re-articulation of the problem, we instead become very skilled at dancing around the issues.”

Perhaps more than any other time in the history of data and information management was the revelations of WikiLeaks. On its website WikiLeaks wrote, “We provide an innovative, secure and anonymous way for independent sources around the world to leak information to our journalists.”¹⁴²⁶ WikiLeaks was a blessing to some and a curse to others. Those in Africa who felt that the rich and powerful nations had for long kept their “goings and comings” a secret were vindicated with the leaked information.

¹⁴²³ Central Statistical Office, *supra*. p. i

¹⁴²⁴ Daniel Kim

¹⁴²⁵ Chris Argyris of Harvard University

¹⁴²⁶ WikiLeaks Homepage, <<http://www.wikileaks.ch/>> (Retrieved: May 1st, 2011)

Why not, WikiLeaks itself purported to be in the justice and ethical business: “We publish material of ethical, political and historical significance while keeping the identity of our sources anonymous, thus providing a universal way for the revealing of suppressed and censored injustices.”¹⁴²⁷ In fact, they were not alone, *Time Magazine* had vetted them, as “important a journalistic tool as the [US] *Freedom of Information Act*.”¹⁴²⁸

“Suppressed and censored injustices,” sounds like an eye-opener, for that has been what African diplomats have suspected for long. This may explain, for example, why Africa has been unable to pre-judge economic and political upheavals which have left the continent in a shambles. And this, too, explains why what is said about Africa does not match actions.

Indeed, WikiLeaks caused “governments to ask what is really a secret and to assess how their behavior should change in an age when supposedly private communications can be whizzed around the world at the stroke of a key.”¹⁴²⁹ In that caveat was the voice of reason, reason that had eluded the developing formations. For, while the developing nations had been careless in managing their information, the developed formations had mastered the art of information secrecy.

On the other hand, WikiLeaks was seen as a curse, especially by those powerful nations that feared for international linen being washed in the full view of the global audience. When in July 2010 WikiLeaks released more than 75,000 of US Army and Marine Corps documents chronicling six years of events in Afghanistan, “It angered officials in Washington, Britain and Pakistan.”¹⁴³⁰ In the aftermath of the gunning down of Osama bin Laden, the US Intelligence became concerned that more revelations about its mission at Abbottabad would be injurious both to US national security and the well-being of the commandos (SEALS) who carried out the mission. This should surely matter to all that offhand management of information about Africa had marred this continent’s ability to *keep head above water*. It should anger the Zambian government, too, when information is being carelessly dished out to the international community almost at will.

¹⁴²⁷ *Ibid.*

¹⁴²⁸ *Ibid.*

¹⁴²⁹ Massimo Calabresi, “WikiLeaks’ War on Secrecy: Truth’s Consequences,” *Time*, (Thursday, December 2nd, 2010)

¹⁴³⁰ Jennifer Glasse, “WikiLeaks Organization Sparks Controversy,” *Voice of America*, (July 27th, 2010)

Chapter 26 Economic Struggles

*Know thee that money is existence
Understandeth freedom's next of kin
For as thousands lacketh its power
In poverty countless doth succumb.*

BRIEF INTRODUCTION

In this chapter, the author discusses Zambia's specific economic struggles, focusing on habits and practices that hinder economic success.

≈ Economics ≈ Economy ≈

AT THE END OF THIS CHAPTER:

1. You will understand some common economic detractors in Zambia; and
2. You will appreciate that the Zambian cultural attitude is central to Zambia's development.

MAJOR THEMES:

Communcracy;
Economic Struggles

§26.1 Economic Detractors

Corrupt practices like bribery, nepotism and sexual harassment are some of the economic detractors prevalent in Zambia. Bribery is an act of employing money or gifts in order to gain illicit advantage; it is a form of corruption that hinders the development of Zambia at the higher level. Bribery can either occur in working or learning environments. Nepotism, defined as

“favoritism granted to relatives or friends regardless of merit,”¹⁴³¹ is a serious problem which can negatively affect economic development. It involves the hiring or promoting of relatives or friends regardless of their qualification. It results in the loss of productivity owing to the incompetence of workers hired.

Sexual harassment is another obstacle that retards the economic development of the nation. Employers requesting or demanding for sexual favors in return for employment or any related job is one of the worst forms of recruitment habits. Like nepotism, it leads to underdevelopment since the people hired are likely to be illiterate and incompetent employees.

According to Grace Mwenya, “There is everything to lose if you don’t use your brain but choose the easy way out.”¹⁴³² Seeking short cuts to economic prosperity has a negative impact on the economy. The economic struggles of the Zambian people can only be offset by changed behavior, espousing core values of honesty, hard work and a culture of investment. These values beam with truth, regardless even of what Obama calls, “the circumstances of our birth.”¹⁴³³

§26.2 Awake O’ Sleeping Giant

There are economic problems in Zambia, but so, too, in other countries worldwide. In 2011, Zambia was one of the over twenty-six¹⁴³⁴ countries in Africa south of the Sahara categorized as highly indebted poorest countries of the world. To be poor and indebted is a dangerous combination. As a people who seek to exert their dignity and humanness in world affairs, Zambians must begin to refuse to be placed under this category of nations. It is not attractive, and neither is it honorable to be poor and highly indebted. HIPC was designed to ensure that the poorest countries in the world are not overwhelmed by unmanageable or unsustainable debt burdens. It

¹⁴³¹ Modern Language Association (MLA), “Nepotism,” *The American Heritage New Dictionary of Cultural Literacy, Third Edition* (Boston, MA: Houghton Mifflin Company, 2005)

¹⁴³² OZAF0 Facebook posting, May 11th, 2009.

¹⁴³³ Barack Obama, *The Audacity of Hope*, p. 54

¹⁴³⁴ In 2018, the World Bank recognized 37 such countries, with 31 of them being in Africa, see World Bank, “Heavily Indebted Poor Countries (HIPC) Initiative,” January 11th, 2018 < <https://www.worldbank.org/en/topic/debt/brief/hipc> > (Retrieved: September 30th, 2021)

reduces the debt of countries meeting strict criteria.¹⁴³⁵

Zambians must learn that all nations of the world have problems that are peculiar to them. Poverty is the greatest evil against human sanity. Poverty is a shame. To be poor is tumultuous but to be poorest is absurdity. No one with human dignity desires to be or to see their fellow human beings poor. It is against human nature. Poverty is a crime against humanity.

Zambia's status in the world has been used to create more poverty conditions by the austere measures prescribed to curb it. Early in the 1990s, the Anglo-American Corporation (AAC) bought the Konkola Copper Mines in order to develop the mines and create employment for the Zambians. After few years AAC left the mines citing inability to make profits. But by the time AAC left Zambia, the mines were in a worse position than before. This is just one example of how foreign investors may take advantage of the developing nations. Zambia will not attain to full potential if its citizens are not empowered both to own and manage their own industries. In the words of Shaw,¹⁴³⁶ "The underdevelopment of Zambia will continue, therefore, until domestic inequalities compel a revolution in Zambia's internal relationships."¹⁴³⁷ There is a new framework that is capable of developing Zambia. It is a concept of a 30-60-10 Theory.¹⁴³⁸

§26.3 Zambia's Uniqueness

The Zambian mind-set and philosophy are unique to Africa. And Africans are, for the most part, conservative. They believe in the principle of cooperation and value. Although Zambians have, historically, been organized communally, where trade is concerned, Zambians have followed after free-market economic principles. Long before the invention of currency, Zambians practiced market economics through barter system, which was the exchange of goods for goods. Archaeological evidence suggests that Ingombe Ilede flourished with trade in textile, copper ore, ceramics, gold and other commodities from the 7th till the 16th centuries, making this Zambian spot one of the most important archaeological sites in the southern

¹⁴³⁵ World Bank, "Heavily Indebted Poor Countries (HIPC) Initiative," *supra*.

¹⁴³⁶ Timothy M. Shaw, "Zambia: Dependence and Underdevelopment," (1976) *Canadian Journal of African Studies*, Vol. 10, No. 1

¹⁴³⁷ *Ibid.*, p. 5

¹⁴³⁸ See §24.5

African region.¹⁴³⁹ Between the 13th and 15th centuries, Ingombe Ilede had established trade relations with the Munhumutapa (Mwenemutapa) Empire and India.

Zambians have not just, historically, been free marketers; they have also had tremendous regard for their poor and needy as well. A kind of society in which people collaborated in economic and social terms was a common practice in the Zambian setting. Family was defined broadly to include extended relations. Respect for other people's privacy and property was not just a social obligation, it was a virtue. Even in rural Zambia today, people still cooperate in social and economic matters.

§26.4 Economic Struggles

Trust is inevitable in Zambian social milieu. The trend has always favored trusting people until they prove otherwise. The elderly hold a position of trust in society. The Zambian social assumption is that trust is a flawless human endowment. However, there is a downside to this. Whereas trust is an economic asset, it has landed the African state into problems.

Zambians have, historically, entrusted their livelihood and means of production into the hands of foreigners. Whether it was during colonialism when Africa unwittingly, propelled by the doctrine of *terra nullius*, abdicated its land and resources into the colonial masters' care or through privatization when the Zambian government entrusted its economic resources to foreign investors, relative effort has been outweighed by deleterious results.

Foreign corporations have amassed wealth at the expense of the struggling Zambians. Zambians are used as cheap labor and neither the government nor a common Zambian on the street has reasonably benefited from FDI relative to foreign elements. Profits accrued from Zambia are invested in the investors' countries' of origin, leaving the nation economically worse after the fact. The following analysis illustrates: "According to UNCTAD's 2021 World Investment Report, FDI flows into Zambia declined from USD 548 million in 2019 to USD 234 million in 2020, following the global economic

¹⁴³⁹ Ingombe Ilede is situated on a hill near the confluence of the Zambezi and Lusitu rivers, near the town of Siavonga close to the Kariba Dam. The name means "where the cow sleeps." The site was uncovered in 1960. The place is thought to have been a small commercial state or principality.

crisis triggered by the Covid-19 pandemic. In the same year, the total stock of FDI was estimated at USD 19.4 billion. FDI remains dominated by large mining investments from Canada, Australia, United Kingdom, China and the United States, in addition to large infrastructure and other projects performed almost entirely by Chinese companies.”¹⁴⁴⁰

Except for *force majeure*, in respect of foreign contracting, Zambian naïvety must come to an end. Economic and socio-political trends that honor ingenuity and value exchange must be fortified. Zambians must continue to regard strangers but only when the basis for such relationships is mutual. Indeed, peace is an economic strategy. However, when it comes to making decisions and choices that border on the economic and social well-being of its people, Zambian leaders must not relent. They must think strategically and act tactically. Service to the nation must come first and that may mean defending the nation’s resources in whatever form they may be.

§26.5 Economic Paradigm

Traditional Zambian social system has followed along the communal path. But this is not to imply that Zambians did not employ the free-market model. Although Zambians embraced extended families in which everyone was related, when it came to economic well-being, everyone managed their own farms and enterprises. Common ownership was only possible but not entrenched. Mutual cooperation was prized. This was not African Communism or Socialism. This communal approach to life was a value-based system and not an ideology.

There are some who argue that Zambian culture does not promote economic discipline. For example, Chisala contends that, “The culture of [Zambia] is still backward. It means that a child who grows up in [the Zambian] community is more likely to grow up undisciplined than disciplined due to the general influence of those around him.”¹⁴⁴¹

¹⁴⁴⁰ Lloyds Bank, “Foreign direct investment (FDI) in Zambia,” September 2021 < <https://www.lloydsbanktrade.com/en/market-potential/zambia/investment>> (Retrieved: September 30th, 2021)

¹⁴⁴¹ Chanda Chisala, “How Black Pride Produces Black Poverty – Part 3,” at www.chandachisala.com (Posted and retrieved: September 6th, 2010)

Chisala continues: “Whether we like it or not, groups of people do have certain cultural habits that they promote, certain things that they value or devalue. Some are fortunate enough to have parents who abandoned such a culture, sometimes by physically moving to an area where the reach of such influence is largely dissipated.”¹⁴⁴² However, critical review of Chisala’s theorization shows that he lacks an understanding of *a priori* and he fails to differentiate between Africans in general and the colonial apparatus that depreciated the authentic African way of life.

Chisala disregards the impact of slavery and repression suffered by African-Americans when he cites a line in one of Tupac’s songs: “I come from a family tree of killers, thugs and drug dealers...”¹⁴⁴³ A thematic approach employed in this book takes the history of the Black people into consideration when arguing for or against their current state of affairs. Mwibawa gives the best defence of the state of Black people through the eyes of history: “Consumerism and living beyond one’s means is a lifestyle preference due to learned behavior. The history of great inventions usually doesn’t do justice to Black inventors and scholars. History also proves that the Dahomey and people around Timbuktu in Mali had great civilizations that had thriven long before the Whiteman entered the continent. Egypt at its height was a world super power long before the ancestors of the Whiteman walked naked gathering fruits and living as nomads.”¹⁴⁴⁴

Chisala is correct when he states that, “Real success has to come from cultivating real virtues that will enable [one] to succeed anywhere and at any time, like the ability to improve [one’s] education, an ability to work hard, no matter what job it is or whether or not someone is watching over, and the ability to keep time.”¹⁴⁴⁵ These values, perhaps with the exception of time-management, are ubiquitous in traditional Zambian economic culture.

¹⁴⁴² *Ibid.*

¹⁴⁴³ *Ibid.*

¹⁴⁴⁴ Nicholas Sii Mwibawa, *Facebook*, “Black Poverty as Seen by Chanda Chisala on His Blog,” (September 6th, 2010)

¹⁴⁴⁵ Chisala, *supra*.

Chapter 27 Economic Globalization

*Educate thyself in providence's drill
Coach thyself in shortages' tricks
For in hard times knowledge winneth
And in thy ignorance death loometh*

BRIEF INTRODUCTION

This chapter highlights the relationship between Zambia's local economy and the global economy. It delves into the need for the West to genuinely give back to Africa for all moral, historical and strategic reasons.

Economics \approx International
Business \approx International
Relations

AT THE END OF THIS CHAPTER:

1. You will learn about the fact that both Africa and the West need each other;
2. You will appreciate the fact that ideas that are key to the development of Zambia are already available through the international community; and
3. You will know that the West has both the moral and strategic obligation to cooperate with Africa.

MAJOR THEMES:
Globalization;
International Financial
Institutions;
International Responses.

§27.1 Economic Globalization

Globalization describes a process by which regional economies, societies, and cultures have become integrated through a global network of communication, transportation, and trade.¹⁴⁴⁶ Globalization has come to mean freedom of movement for goods and people. Its significance has been equated to the Industrial Revolution: “The restructuring of our political and economic life due to globalization may be as significant a process as the industrial revolution.”¹⁴⁴⁷

Globalization has benefits such as fast growth of productivity as countries produce goods and services in which they have a comparative advantage. When this happens living standards can go up. Moreover, global competition and cheap imports can keep prices locked up and this can more or less keep inflation to a minimum. An open economy due to globalization could necessitate development with fresh ideas from abroad.

Despite the pluses of globalization, export jobs have often paid more than local jobs, only to the benefit of the industrialized nations. Unfettered capital flows give the US and other rich nations access to foreign investment and keep their interest rates low. By 2011, globalization had not yet benefited Zambia. While movements of goods and services, money and people, and ideas were relatively easy, it seemed that all move in one direction only. Baskets did leave Zambia full, and so were the wallets. Increased economic interdependence among states had not helped Zambia, either.¹⁴⁴⁸

An ardent critique of globalization as it impacts negatively on Africa is Ngugi wa Thiong’o.¹⁴⁴⁹ According to him, the current global situation is shaped by what he refers to as “the imperative of capitalist fundamentalism with its quasi-religious ideology of privatization and imperial requirements for unfettered movements of capital across

¹⁴⁴⁶ “Globalization,” <<http://en.wikipedia.org/wiki/Globalization>> (Retrieved: September 6th, 2010)

¹⁴⁴⁷ Kelvin Danaher as quoted by Amanda Ligi, “The Pros and Cons of Globalization,”

<http://www.associatedcontent.com/article/29797/the_pros_and_cons_of_globalization.html?cat=3> (Retrieved: September 6th, 2010)

¹⁴⁴⁸ National Geographic, “Effects of Economic Globalization,” Monday, December 23rd, 2019.

¹⁴⁴⁹ Ngugi wa Thiong’o, “Europhone or African Memory: The Challenge of Pan-Africanist Intellectual in the Era of Globalization,” in Thandika Mkandawire (ed.), *African Intellectual* (Dakar: Codesria, 2005)

national borders.”¹⁴⁵⁰ He advises Africans to awake from the stupor of what he terms a “global temple of true believer.” He specifically laments the economic panacea dished out to all who seek loans from the World Bank and the IMF, which, he claims, “has the same identical demands – privatize or perish – and homily – leave everything, even your social fate, to the tender mercies of the markets.”¹⁴⁵¹

The weakness of globalization, thence, is in the fact that it has produced, “a minority of very wealthy creditor nations, mostly Western and the majority debtor nations, mostly African...and within each nation a yawning gap between a wealthy tiny social stratum and a poor social majority.”¹⁴⁵²

The benefits of globalization are just a pipedream for Zambia. Until Zambia either develops superior technologies or adapts to the Internet revolution as discussed in Chapter 38, and becomes a strong economic player, the challenge of globalization will continue to elude the African nation.

§27.2 Western Policy

Towards the end of the 19th Century it was the private sector of the West which directed African affairs while their governments stayed at home. Missionaries, explorers and traders were in the forefront to “discover” Africa and its vast resources. Between 1870 and 1900, Africa was a place of indifference, scramble and rivalry. While European powers were locked up in continental hegemony, Africa provided them with freedom to maneuver and became a safe haven for competition.

The question to ask is: do the Western governments have any significant interest in Africa as a continent? The answer cannot be adduced without taking into consideration the lending criteria of the Western institutions and governments to Africa. Further, this is witnessed by the West’s withdrawing as key international financiers and abdicating such responsibility to the Breton Woods institutions and international aid agencies. The US and Britain’s creation of the IMF in 1944 to provide relief for countries with temporary balance of payment crises clearly demonstrates this lack of interest as well.

When it comes to Africa, the West displays a double-standard

¹⁴⁵⁰ *Ibid.*, p. 155

¹⁴⁵¹ *Ibid.*

¹⁴⁵² *Ibid.*

approach. In public forums and diplomatic windows, it appears as if its policy towards Africa is cordial. But Intelligence, especially in the wake of WikiLeaks, has revealed that most African leaders are demonized.¹⁴⁵³ Further Intelligence released by WikiLeaks accused the US of attempted regime change in Nigeria, noting that, “Assistant Secretary Carson, Ambassador encouraged [Goodluck] Jonathan to change the perception that he is a regional figure, and be seen, rather, as a national figure who has the best interest of the nation at heart.”¹⁴⁵⁴ Does this indirectly show that the West determines who should rule in Africa, and not the African electorate?

Nevertheless, the rich governments have not completely abandoned Zambia. USAID has helped Zambia bridge the gap between aid and development. USAID directs the US government’s aid to the developing countries and sets policy. USAID does not directly distribute its budget to African governments. It does so through other NGOs. This is seen by some as giving impetus to the continuous domination of the IMF and the World Bank.

From its inception, the IMF provided short term loans with high interests to the African nations including Zambia. Export prices continued to fall because most African nations were unable to repay. This lack of interest in the continent of Africa by the Western governments has given real power to the Funds.

The Cold War period provided an *alibi* for the Western governments’ direct involvement into African affairs. However, the Cold War was chiefly a catalyst for the fight against opposing views, especially those advanced by the United Soviet Socialistic Republics (USSR). With the demise of USSR the West had no significant interest in Africa.

The multilaterals set the *agenda* and their criteria are both economic and political.¹⁴⁵⁵ To date, the bilateral will not lend to any country that does not have the approval of the IMF or the World Bank.¹⁴⁵⁶ Julius Nyerere observed that one of the weapons the multinationals use against the developing countries is aid conditions. He argued that when the poor nations reject the IMF conditions, the lenders whisper that without accepting their conditions, the

¹⁴⁵³ Ambassador Christopher W. Dell called Robert Mugabe a “devil,” and Morgan Tsvangirai as “a flawed figure, not readily open to advice, indecisive...”; see *New Africa*, “WikiLeaks Africa: the Gospel According to the Americans,” January 2011, No. 502, p. 9. This is just one example.

¹⁴⁵⁴ *Ibid.*, p. 14

¹⁴⁵⁵ The multilaterals include the IMF, the World Bank, and etcetera.

¹⁴⁵⁶ The bilateral include individual nations giving aid to poor countries.

borrowers will not get any other money.

§27.3 International Financial Institutions

In the 1980s, the Breton Woods institutions made it a condition to adopt SAPs before aid or loan could be advanced to the economically struggling nations. SAP's philosophy encapsulates the following tenets: it fosters export-led growth by devaluing currencies; it demands privatization of government-owned parastatals; and it demands complete end to food subsidies and a cut on bureaucracies.

When the author first joined UNZA to study for my Bachelor's degree in the 1990s, most of these concepts like SAP were strange to him. He believed that they were strange to most students, as well. The paradox was that UNZA students were considered the brains of the nation by the reasonable person. He began to wonder why Africans continued to accept theories they barely understood.

Most of those concepts were subtle at best and confusing at worst. When propounded in the context of international aid, they looked attractive and promising. In most countries south of the Sahara where SAPs have been imposed, emphasis has been on the privatization of government-owned parastatals. In Zambia, the most noticeable retail-chains such as Shoprite, Game, and etc. hurred from the Republic of South Africa. Consequently, such companies brought in most of their goods from South Africa. They employed a handful of Zambians who might have not been properly compensated.

For example, then Labor Deputy Minister Simon Kachimba went as far as warning Shoprite Zambia to desist from engaging workers on casual basis on the pretext of studying the country's labor laws.¹⁴⁵⁷ It was common knowledge that a large chunk of the profits generated by those foreign-owned firms went straight to develop their originating nations.¹⁴⁵⁸

This scenario depicts the direct impact of SAP. The indirect impact was that local manufacturing industries were shattered leading

¹⁴⁵⁷ *Lusaka Times*, "Kachimba Warns Shoprite on Casualization," (September 10th, 2010)

¹⁴⁵⁸ Most of the foreign-owned stores operating in Zambia bring their goods, and sometimes services, from abroad. This practice portends misery for poor Zambian producers and farmers who have been left in an economic quandary. Zambian producers as a result may face stiff competition from imported finished products. They may struggle to sell the little they produce because the markets may be flooded with imported products.

to the rape of the poor. This scenario led to major cities in Zambia to only serve as dumping grounds for imported goods. Although Zambia could access and afford many items and goods, there should have been a strong regulatory framework that protected Zambian produced goods as well.

SAPs impacted negatively on the Zambian agricultural sector. Between 1970 and 1990 Africa's share of agricultural exports fell from 17 percent to eight percent. The Zambian government devalued the Kwacha and subsidized imports. This was a weakness because it crippled the farmers' ability to compete globally.

There are economic precedents already for Zambia. After the discovery of extensive copper deposits in Northern Rhodesia in 1925, RAA and RST dominated the Copperbelt. Unable to meet demands mainly caused by the two companies' desire to increase investment profits in 1931, the price of copper crashed. This resulted in massive lay-offs, affecting both the White European settlers and the Africans.

The profits generated by the two companies did not develop Northern Rhodesia. Rather, it was Southern Rhodesia, South Africa, Britain and the US which benefited. At independence, Zambia still owed these companies a total of US\$1 billion, in addition to the profits they amassed throughout their existence.

Then, as now, it was not the contemporary generation that suffered, although they were already victims of a repressive colonial apparatus. Rather, it was posterity that would suffer economic ignominy. African parochialism has generally ignored historic examples. If there are any lessons to be learned, it is that the same mistakes made in the 1930s are being made in the 21st Century.

This is not good for posterity which might inherit worse economic conditions than what is currently obtaining. Zambia cannot ignore history. The future is in trouble if this present generation continues to make the same economic mistakes made by its predecessors.

The private sector should play a pivotal role in the economy of Zambia. However, this should be supplemented by government. Government should in turn regulate or deregulate contracts so that there is a balance between FDI and local empowerment. Moreover, a regulatory regime that prescribes a return-percentage of the profits accrued from investing in Zambia should be normalized. This approach would ensure economic prosperity by making sure that most of the profits generated in Zambia remain in Zambia to help Zambians. It would also create employment for the people while protecting their labor rights.

§27.4 Zambia Needs the West

Towards the end of the presidency of George W. Bush of the US, President Bush had two images. At home, his ratings were the lowest of any American president up to that time.¹⁴⁵⁹ His rates were in their twenties, and with the slump in the US economy under his watch, Bush became a political liability to John McCain's presidential bid.

While the legacy of Bush was wanting at home, in Africa he was highly rated. Africans saw Bush as a savior especially when it came to HIV/AIDS funding. In Africa, Bush's rating was over eighty percent. That disparity was very telling. Perhaps it explained the fundamental difference in attitudes between the African and the Western mind-sets, or was it?

Bush and the US – to some extent – were oil hunters. It is not in the American political DNA to be algid in areas it finds of economic or military advantage to its foreign national security policy. Before February 6th, 2007, Africa was “of little concern to the US.”¹⁴⁶⁰ On that date, however, and augmented by what Bush called the “Global War on Terrorism” and the definition of African oil supplies as of strategic national interest to the US, the Bush administration declared the creation of the Africa Command or Africom.¹⁴⁶¹ Under subsequent US administrations, Africom combined both military and diplomatic sway on Africa.¹⁴⁶²

Africa looks to the rich nations for stimulus help. Africa knows it cannot breakthrough from its legacy of poverty and undemocratic tendencies without the help of the West. But in a twisted way, the West has contributed to the present state of affairs of most African states. The West perpetuates the poverty conditions in Africa by its policy towards Africa. It does this by paying only lip-service to the scourges disheartening Africa.

The West does this in two ways. First, Africa is only a debating point in Western political campaigns. Internally, aspiring political candidates understand that Africa is a debate-worth issue to winning

¹⁴⁵⁹ President Donald Trump (president from 2016 – 2021) had constant lower ratings than any president in American history.

¹⁴⁶⁰ *New African*, “Why America Wants Military HQ in Africa,” No. 469, January 2008, p. 36

¹⁴⁶¹ Initially, especially during the Cold War, the US only maintained the European Command responsible for Europe; the Central Command responsible for North Africa, Middle East and Central Asia; and the Pacific Command, responsible for the Indian Ocean islands.

¹⁴⁶² *New African*, *supra*, p. 37

presidential elections. So they learn all they can about Africa in order to outwit the rival in the debates or campaigns. Externally, the West engages in the politics of self-interest in order to consolidate its position of power. This usually happens through monetary pledges and budgetary allocations for development to Africa.

Second, the West allocates resources earmarked for development aid to Africa. However, this is accomplished by special interests and lobbyists. Some presidential candidates in the West cannot win elections without special help. This help must be canvassed and rewarded. Africa is usually the reward.

Western politics and philanthropy are vested in serious self-interest. Western powers cannot rescue Africa, however genuine their wish to be altruistic. They only cooperate if their interest is involved. Self-interest is the ultimate motivation. In fact, unlike in Africa where politics revolves around persons, in issue-oriented Western politics, electoral victory can be pegged on any trajectory, including foreign policy.

Thus, some Western nations may pay only lip-service to Africa's development as long as in so doing they leverage their international credibility. This goes to individual politicians as well, because their failure "to deliver at home in terms of the economy affects the incumbents and threatens their continuation."¹⁴⁶³

The concept of self-interest goes further than simply protecting the interests of sovereign states at home; it also involves the depletion of the resources of other nations. While African states feel they have an obligation to welcome foreign Western governments and businesses into their backyards, some governments and institutions in the West see Africa as a source of raw material only.

Africa is more than just a reward to some Western nations; it is a perfect *alibi*. Failing businesses in the West relocate to Africa to take advantage of cheap labor and to have a competitive edge over locally-groomed companies. Africa has not yet ripened as an outsourcing continent, either. It lacks the capacity to produce human capital.¹⁴⁶⁴ However, Africa is a low sourcing continent, a vital component in outsourcing bids.¹⁴⁶⁵ China and India both meet these criteria. They

¹⁴⁶³ *Ibid.*, p. 78

¹⁴⁶⁴ Human capital is not only workforce or one of the three factors of production comprising stocks in land, labor and capital goods; it refers to the stock of competence, knowledge and personality attitudes.

¹⁴⁶⁵ Outsourcing involves the contracting out of a business function which previously was performed in-house to an external provider. It happens when two

both produce a large number of graduates and are low cost countries.¹⁴⁶⁶

It has long been known that Africa is the cradle of civilization. More than that, Africa teems with natural resources.¹⁴⁶⁷ Stocks of minerals exist in Africa and this makes Africa one of the most lucrative continents in terms of investment. The West, however, has for a long time known of the strategic importance of Africa. The *Financial Post* reported of an impending legal battle between First Quantum and Euroasia Natural Resources Corp. (ENRC).¹⁴⁶⁸ The interest of these companies in the Congo mineral industry, just like they have in Zambia, is a clear testimony.

Some Western nations and institutions lend to Africa as a way of maximizing profits. Some give aid and grants as a form of bargain, an economic strategy to gain tax-free perks through tax-returns and rebates. The West should use its unique position to aid Africa in its quest to find a balance in economic, political and international relations' aspects of globalization. If the West is going to be naïve, or to show a lame commitment to Africa, not only will Africa continue to be poorer, but the world economy will suffer as well. As the 2008 economic crisis and the 2020-21 global Covid-19 pandemic had loudly spoken, the world is not a structure of untouchable states, but of vulnerable states. Nations of the world are not immune to the global crisis. Issues such as global warming, climate change, global justice,¹⁴⁶⁹ carbon emission, poverty, oil and energy are concerns of all nations, rich and poor alike.

The idea that one nation can engage another in development only when it can benefit from such engagement is an oxymoron. Even if self-interest is the norm, the nations of the world are realizing that, to the greater extent, they depend on Africa.¹⁴⁷⁰ Western states should

organizations enter into a contractual agreement involving an exchange of services and payments.

¹⁴⁶⁶ China and India produce over 200,000 engineers and science graduates each year combined.

¹⁴⁶⁷ All types of natural resources are plenteous in Africa: biotic and abiotic; potential and actual; renewable and non-renewable; and inexhaustible and exhaustible.

¹⁴⁶⁸ Eric Onstad, "First Quantum May Sue ENRC over Congo's Kolwezi Site," *Financial Post*, (Tuesday, September 7th, 2010)

¹⁴⁶⁹ The idea of "Global Justice," is a real theme in globalization discussions. It is a philosophical or theoretical stand that addresses the issue of just distribution (also known as distributive equality) of benefits and burdens across the world.

Institutions with such viabilities are studied in their quest to secure just distribution.

¹⁴⁷⁰ Nigeria, for example produces oil, and the Organization of the Petroleum

not see Africa as a dumping ground for experimental drugs, obsolete technology or defunct products. Africa should not be viewed as source of cheap labor or only of strategically military advantage, either. Africa should be considered a partner in global trade and development.

The surging interest in Africa by foreign companies and government is a testament to the growing importance of Africa. “Africa is the future of the world,” is not simply an elevated platitude to glamorize Africa, it is a dimpling reality frolicking in international commerce. The *Toronto Star* reported of the Wal-Mart Store Inc. which offered to buy the South African retailer Massmart Holdings Ltd. for a staggering US\$4.25 billion. With sluggish sales in the West, most retail giants are pushing to expand in *emerging* African markets. Africa is being described as a “fast growing region.”¹⁴⁷¹ According to Andy Bond, Executive Vice-president of Wal-Mart US, Africa “possesses attractive market dynamics, favorable demographic trends and a growing economy.”¹⁴⁷² Perhaps the global economic hope now rests with the so-called *developing* world since the rich nations have already *developed*, and therefore, have no more left to offer.

§27.5 Strategic Reasons

Western policy towards Africa should be based on fair play. African leaders should insist that they are accrued a place they deserve in fundamental decisions which may have serious global consequences. If there is anything the world is learning every day, it is that no one nation is invincible. History has proven that smaller nations have the capacity to become big and powerful. History has also shown that powerful nations and empires collapse. Rome, Egypt and Britain were once mighty empires. In international relations, it is unimaginable that a continent of the size of Africa has no permanent membership in the UN’s Security Council. Indeed, “Africa is the only

Exporting Countries (OPEC) knows that Nigeria is crucial to the world oil sanity. Some nations in West Africa produce coffee in abundance which is needed by Western states. South Africa provides the world with unique reserves of gold and diamond. Even Zimbabwe which has experienced apathy because of Mugabe’s undemocratic practices deserves a second chance.

¹⁴⁷¹ Association Press, “Wal-Mart Bids \$4.25B to Buy S. African Retailer,” *Toronto Star*, (Tuesday, September 28th, 2010)

¹⁴⁷² *Ibid.*

continent without a permanent seat, yet it accounts for most of the issues on the Council's agenda."¹⁴⁷³

A policy of equitable cooperation will ensure that Africa tailors its creative potential towards satisfying the demand of the West. At the same time, the West will reciprocate by creating an enabling environment that meets the developmental needs of Africa. When Africa is used as dumping ground, it demoralizes its competence in world economic, social and technological development. Africa should exert its will to compete and play fairly with other nations in the global marketplace.

Admittedly, Africa plays a viable strategic role in the military and power domination of most Western states. Most powerful nations know that victory over terrorism, piracy and security of non-state actors partly depends on Africa. Some powers have military bases and intelligence citadels in or near Africa. Others have strategic missions for both military and economic reasons in or near Africa. Africa is, therefore, very vital to the West.

§27.6 Moral Obligations

Economic partnering with Africa should be based on moral understanding. This understanding should be mutual – because Africa and the West need each other. Most developed countries are well-placed to help Africa conquer its challenges of poverty, AIDS, corruption and bad governance. But the West has also a moral obligation to invest in the economic redemption of Africa. Africa donates more refugees to the West every year, and the West depends on such personnel from Africa for its critical labor shortages.

Moreover, the African fingerprint is written all over the Western wall.¹⁴⁷⁴ Directly, African slave labor was responsible to building America and Europe. During the colonial era, Africa provided a lucrative source of cheap raw materials for the on-going Industrial Revolution in Europe. Africa has helped Europe and America develop. Indirectly, African ingenuity continues to contribute to key

¹⁴⁷³ General Assembly Plenary Seventy-fifth Session, 29th Meeting – GA/12289, “Delegates Call for Veto Power Limits, More Permanent Seats for Africa, as General Assembly Concludes Debate on Security Council Reform,” UN, November 17th, 2020

¹⁴⁷⁴ African slave labor, for example, built so many American projects including the White House in Washington, DC.

Western technological and economic development.

Globalization has turned the world into a small and reachable global village. The Internet and advances in communication have made it necessary for the ease of information sharing and cross-cultural imperatives. It now takes just a click of a mouse or cellphone for one part of the world to know what is happening in another part. Business transaction is no longer confined to boundaries. People can conduct business across the globe at the stroke of a computer keyboard. E-commerce is opening new vistas of trade and business. There has never been a time in the history of international trade when monies move so swiftly across borders.¹⁴⁷⁵

If there was a time to involve Africa in global trade and commerce it is now - and for good reasons. Africa has everything to offer. Not only land and labor, but Africans everywhere are also becoming a force in the global economy. Forty years ago, no-one would have predicted that South Korea would be a force in the electronic technology or that South Africa could stage a successful FIFA World Cup.¹⁴⁷⁶

§27.7 International Response

Africa is not only important to the world for strategic and moral reasons. Major economic events in the world have shown that what happens in one part of the world affects the rest of the world. The oil crisis of 1973 and 1979; the international debt crisis of the 1980s; the world stock market crisis of October 1987, the Asian financial crisis of 1997 and 1998; the global financial crisis of 2008 which began in the US; and the 2020 global coronavirus pandemic – all show the importance of international cooperation.

All signs point to increased economic interdependence among states. Both political realists and liberals are awaking to the realization that whatever the motive, the effects of international cooperation

¹⁴⁷⁵ Western Union, Money Gram, bank transfers, and etc., have made the movements of money easier. Social networking sites like Facebook, Twitter, and etc., are informing of what is happening globally even before the traditional mass media have a chance. Through VoIP, emails, phone-conferencing, and etcetera, people can talk and chat across cultural and national divides.

¹⁴⁷⁶ Between June 11th and July 11th, 2010, South Africa successfully hosted the FIFA World Cup involving 32 nations from all across the globe. Spain won the Cup, the first time in history Spain had won the prestigious silverware.

benefit all.¹⁴⁷⁷ Self-interest is presumed, but the West should show leadership in terms of facilitating mutual international cooperation.

Rich and developed nations are blessed with finished products and power. These nations should use their affluence and power to defend the developing nations. Terror attacks in Kenya and Uganda demonstrate that the decisions of the US government affect Africa directly.¹⁴⁷⁸ Whether it is due to Katrina in New Orleans, or tsunami in Indonesia, or hurricanes in Burma or ethnic cleansing in Kosovo or genocides in Darfur; or the imposition of a no-fly zone in Libya;¹⁴⁷⁹ or the earthquake-tsunami and the subsequent Fukushima Nuclear Accident in Japan; Western nations have moral and political obligation to defend the weak and vulnerable.

Conflicts undermine the economic progress of Africa. Economic interest overlaps with humanitarian and military intervention. Increased conflicts in the 1990s and 2000s in Africa, especially the civil-war in Congo DR, the genocide in Darfur, Sudan, and Sierra Leone, call upon the UN Security Council to redefine its peacekeeping mission in Africa.¹⁴⁸⁰ If the Rwandese genocide is a

¹⁴⁷⁷ Realists place emphasis on international relations and specifically, on the strategic importance of cooperation, especially when that cooperation may enhance their military and economic influence. Liberals, on the other hand, perceive international relations to have mutual and beneficial properties of economic and power exchanges, especially when such relations will lead to the preservation of peace among nation states.

¹⁴⁷⁸ The 1998 US Embassy bombings occurred on August 7th. Hundreds of people were killed in simultaneous truck bomb explosions at the US embassies in the major East African cities of Dar-es-Salaam, Tanzania and Nairobi, Kenya. The attacks, linked to local members of the Egyptian Islamic Jihad brought Osama bin Laden and Ayman al-Zawahiri to American attention for the first time, and resulted in the US Federal Bureau of Investigation placing bin Laden on its Ten Most Wanted list. (Source: http://en.wikipedia.org/wiki/1998_United_States_embassy_bombings (Retrieved: September 8th, 2010)).

On July 12th, 2010, the Al Qaeda-linked Somali group al-Shabab claimed responsibility for the attack on Uganda, which left dozens dead including at least one American.

¹⁴⁷⁹ The UN Security Council on Thursday, March 17th, 2011, voted 10-0 in favor of resolution number 1973 with five abstentions which included Germany, Russia and China. This was a progressive move from the unilateral attack of the US in Iraq, using the UN Security Council then only as a pawn.

¹⁴⁸⁰ France, Sierra Leone's former colonial master showed interest and concern by supplying troops which helped to topple Quatara.

symbol of the worse things to come, the UN cannot only define its mission as peacekeeping in Africa.¹⁴⁸¹

To ensure collective security, especially when dealing with African conflicts, the UN should extend the meaning of peacekeeping to peace-making. If this approach had been taken in 1994, for example, over a million people would not have been massacred in Rwanda.

But the rich and powerful nations should not only inveigle the UN Security Council for peace making or the imposition of no-fly zones as in Kosovo and Libya where other interests and oil abound, respectively; it should also do the same for nations like Rwanda. The UN has a responsibility to protect those who are victims of human right abuses through humanitarian aid, and military intervention, if necessary.

§27.8 Democracy or Military Strategy

The West, especially the US' interest in Africa is two-fold, summarized by the Council on Foreign Relations as based on mere "extra-African considerations and by the particular circumstances of the case":

The United States is far freer from commitments in Africa south of the Sahara than in any other region of the world. Everywhere else American policy operates in a setting of old-established friendships and understandings, supplemented in the postwar years by a network of alliances such as those creating NATO, CENTO and SEATO; and American bases are scattered about the globe. In Africa to an unprecedented degree the United States is not bound by established positions or traditions, by fixed agreements or vested interests. While in any given situation it may find itself hemmed in by extra-African considerations and by the particular circumstances of the case, it still has a unique freedom, indeed a necessity, constantly to create policies to meet the issues presented by what for American diplomacy is virtually a new continent.¹⁴⁸²

This *relationship of convenience* has, many times, meant that, despite

¹⁴⁸¹ The AU lacks both the resources and infrastructure to provide collective defence and to combat increased and sophisticated civil-wars in Africa. It needs the full support of the UN in the defence and protection of the innocent.

¹⁴⁸² Rupert Emerson, "American Policy in Africa," *Foreign Affairs*, January 1962

some dictatorial tendencies of some leaders of the few nations with which the West has “fixed agreements or vested interest,” the said interest have prevailed. For example, until the *March of a Million* by the Egyptian populous on February 1st, 2011, the US had strong ties with Hosni Mubarak. It is ironic that Mubarak had ruled Egypt for over thirty years as a dictator, all along maintaining cordial relations with the US. And in another twist, the US overarching hatred for the Taliban’s human right abuses were traded conveniently with corporation: “The Taliban have returned to power in Afghanistan twenty years after their ouster by U.S. troops, sparking concerns that they will impose harsh rule, neglect to provide basic services, and abuse human rights.”¹⁴⁸³

Mubarak was not a lesser dictator than Mugabe, and yet Mubarak was preferred because he provided a strategic advantage for the US as a ready ally against the tumultuous Middle-Eastern enemies, especially Iran. Western nations should not base their relations with the developing world on the “fear of impeding shortages”¹⁴⁸⁴ in terms of raw material supply.¹⁴⁸⁵ The quest to defend democracy should not be defined in capital or military, except where peacekeeping is warranted, but, rather, in human terms.

The US allegedly killed Saddam Hussein on December 30th, 2006.¹⁴⁸⁶ On May 1st, 2011, “Saif al-Arab Gaddafi, 29, was killed along with three of Muammar Gaddafi’s grandsons.”¹⁴⁸⁷ NATO forces claimed they were permitted, under UN Resolution 1973, passed in

¹⁴⁸³ Lindsay Maizland, “The Taliban in Afghanistan,” Council on Foreign Relations, September 15th, 2021

¹⁴⁸⁴ See Stephen D. Krasner, *Defending the National Interest: Raw Materials Investments and US Foreign Policy* (Princeton, NJ: Princeton University Press, 1978)

¹⁴⁸⁵ This is the same reason why Europe scrambled for Africa in the 1880s; nothing much has changed.

¹⁴⁸⁶ According to Alcuin Bramerton, “US Disinformation Hoax:: Saddam Hussein’s Execution was a Fake,” FourWinds10.Com (March 4th, 2010), “The man hung in Baghdad on the December 30th, 2006, for crimes against humanity was not Saddam Hussein. The Former Iraqi president died in March 2003. He was badly injured in intelligence-led precision bombing by the Americans on Thursday March 20th, 2003, and died later that day or very shortly afterwards. The individual who was held by the Americans for three years under the name of Saddam Hussein was a politically expedient lookalike. He was a cousin of Saddam and his body language was recognizably different from that of Saddam himself. British and American intelligence organizations knew this. It was also common knowledge in the Tikrit locality of northern Iraq where the remains of the real Saddam were quietly buried in 2003.”

¹⁴⁸⁷ Tim Hill, “Muammar Gaddafi Son Killed by NATO Air Strike – Libyan Government,” *Guardian*, (Sunday, May 1st, 2011)

March 2011, to use “all necessary measures” to protect civilians from pro-Gaddafi forces. However, Ibrahim a Gaddafi spokesman said that: “We think now it is clear to everyone that what is happening in Libya has nothing to do with the protection of civilians. This is not permitted by international law. NATO does not care to test our promises; the West does not care to test our statements. Their only care is to rob us of our freedom.”¹⁴⁸⁸

There is no doubt that NATO interprets “all necessary measure” to mean regime change. It remains to be seen if the purported democracy the West claims motivated it to attack Gaddafi, when thousands of people lay dead in the bushes of Ivory Coast, would materialize through the attack on Tripoli. Dictators like Saddam Hussein and Muammar Gaddafi¹⁴⁸⁹ do not deserve a place in the sane and civilized community of nations. However, international law, and not insipid aggression disguised in UN resolutions for specific nations’ appetite for regime change and oil and mineral pursuits, should be used as ruses.

Indeed, it remains to be seen if the promises and massive support of the Western governments of the Nation Transitional Council (NTC) in Libya will translate into democracy. For one, even NATO recognizes that some elements in the TNC have al-Qaida connections: “As NATO knows full well, some of the so-called rebels have ties to al-Qaeda.”¹⁴⁹⁰ For another, while the Western media repeatedly imply that the NTC is in control of “these dangerous gangs the truth lies elsewhere. Several rebel groups have denounced the NTC and said they don’t recognize its authority.”¹⁴⁹¹ Will Libya be another Iraq, a failed state masquerading in broad terms such as democracy or freedom?

A dictator Gaddafi was, but is NATO capable of replacing the genius of Gaddafi that, according to Dobbin, protected the people of Libya so that they enjoyed “a literacy rate above 90 per cent, the

¹⁴⁸⁸ *Ibid.*

¹⁴⁸⁹ At the time of the release of this book Tripoli had been captured by the rebels, and Gaddafi was nowhere to be found. However, an editorial in the *Daily Star of Beirut* of Tuesday, August 23rd, 2011, warned: “The ‘former’ rebels will have to prove to the world that they are not thugs, or undisciplined militiamen... It is time for nation-building.” The paper mentioned that the new Libyan leaders would face a huge economic challenge since, “Western and industrial countries are mired in a deep economic crisis, and have little money to spare for overseas assistance.”

¹⁴⁹⁰ Murray Dobbin, “The Real Reason the US Wanted Gaddafi Gone,”

CounterPunch, September 17th -18th, 2011

¹⁴⁹¹ *Ibid.*

lowest infant mortality rate and highest life expectancy of all of Africa, free medical care and education and the highest Human Development Index of any country on the continent?”¹⁴⁹²

Indeed, as constantly argued in this book, dictatorships are mayhem to their people. However, the case of Libya ought to be placed in context. Was Gaddafi deposed because he was a typical dictator such as Idi Amin or Adolf Hitler? Was he targeted because he had failed his people in economic or political terms? Was it due to his 42-years long rule?

It is not too remote to see that the wars of regime change leave only deprivation and misery wherever they have been attempted. The cases of Libya, Iraq, Afghanistan, to mention but three, all attest to this conclusion. On August 31st, 2021, President Joe Biden remarked:

In April, I made the decision to end this war. As part of that decision, we set the date of August 31st for American troops to withdraw. The assumption was that more than 300,000 Afghan National Security Forces that we had trained over the past two decades and equipped would be a strong adversary in their civil wars with the Taliban. That assumption — that the Afghan government would be able to hold on for a period of time beyond military drawdown — turned out not to be accurate.¹⁴⁹³

Indeed, even the might of the US is incapable of anticipating what regime change by military force engenders. The US’ predications “turned out not to be accurate,” and as at the time of updating this section, the Taliban rule in Afghanistan. Whether there will be lasting peace and development under the Taliban government in Afghanistan, only time will tell.

¹⁴⁹² *Ibid.*

¹⁴⁹³ The White House, “Remarks by President Biden on the End of the War in Afghanistan,” August 31st, 2021, < <https://www.whitehouse.gov/briefing-room/speeches-remarks/2021/08/31/remarks-by-president-biden-on-the-end-of-the-war-in-afghanistan/> > (Retrieved: October 1st, 2021)

Chapter 28 Welfare State in Zambia

And all those who had believed were together and had all things in common; and they began selling their property and possessions and were sharing them with all, as everyone might have need.

[However], when we were with you, we used to give you this order: if anyone is not willing to work, then [they] are not to eat, either. (Acts 2: 44-45; II Thessalonians 3:10, Bible)

BRIEF INTRODUCTION

This chapter discusses the Welfare State and offers its saliency as the solution to Zambia's economic disparities. It contrasts two forms of welfare, a State and a society. It brings to the fore the saliences of Capitalism and those of Socialism, and then it shows how neither on its own has lasting and sustainable value for Zambia. The chapter advocates for a modified form of Capitalism with a social safety net mechanism in place, a form of a modified Welfare State.

Economy \approx Economic Theories

AT THE END OF THIS CHAPTER:

1. You will learn about the difference between a Welfare State and a welfare society;
2. You will appreciate how the model adopted in Sweden could be modified and applied to Zambia; and
3. You will understand the reason why both *pure* Capitalism and *pure* Socialism, of their own, are impracticable in Zambia – an admixture of the two is called for if Zambia is to attain to a *developed* formation.

MAJOR THEMES:
Capitalism v. Socialism;
Welfare State.

§28.1 Welfare State

A capitalistic state demarks itself from Socialism in that the State plays a limited role in the economic marketplace. Regulation of the liberty of contract and deregulation of the freedom of enterprise are the methods of operation of a capitalistic state and competition is said to be self-regulated by what Adam Smith¹⁴⁹⁴ describes as an *invisible hand*, a natural force that guides free-market Capitalism.

Socialism, on the other hand, is an economic and political model advocating for public ownership and cooperative management of the means of production and allocation of resources. Whereas Capitalism guarantees equality of opportunity only, Socialism guarantees both the equality of opportunity and the equality of results.

Historically, the Zambian social mosaic has been a natural adaptation of the communal approach to the means of production. Colonialism both changed that system and through paid labor and hut tax, introduced to Zambia the concept of capital. In the 1960s, Kaunda introduced the ideology of Humanism. And through ZIMCO, the UNIP government controlled the means of production. In essence, Zambia was being modeled to be a socio-humanistic state.

The unexpected result of this experimentation was a State-Controlled Capitalism.¹⁴⁹⁵ With this system, despite UNIP's assertion to the contrary, the people were sidelined and only political devotees got the best of the profits. In 1991, upon the ascendance to power of the MMD government, Zambia adopted economic liberalism. In the initial stages, the Chiluba administration secured home ownership for the local Zambians. Some Zambians became the proud owners of private enterprises as well.

However, when major government parastatals were privatized, foreign investors dominated and Zambia was returned in principle to Capitalism. Kabifya thinks that even the liberalization of the economy in the Third Republic had failed. In the transition period Zambia underwent in (1993 – 1994), Zambia privatized most companies. This period is considered to be one of the worst moments the country had experienced in history. The privatization of the mines took a full period of over 15 years to recover from that measure. Some mines like Luanshya, Bwana-Mukubwa, among others, were still on life

¹⁴⁹⁴ The philosopher Adam Smith was born in 1723 in Kirkcaldy, Fife, Scotland, and wrote *The Wealth of Nations* in 1776.

¹⁴⁹⁵ See also Chapter 23

support by 2009. Another failure of privatization involved the Zambia Airways. Promises were made that Zambia would have more airlines to operate both on domestic and international routes than before privatization. Aero Zambia, Zambian Airways, among others, emerged. Aero Zambia collapsed. The Zambezi Airways also ceased operations. After the transition period, many companies were closed and many workers retrenched..

A new specter of economic colonialism, therefore, began to haunt Zambia. A new way of defining the Zambian economic regime was needed if the people of Zambia were to truly own their land again. To do so, Zambia ought to have adopted an admixture of Capitalism and Socio-humanism. Because Socialism has not worked well so far, a model that comes close to this is a Welfare State. By definition, a Welfare State is a concept of government where the State plays a key role, but not complete dominance, in the protection and promotion of the economic and social well-being of its citizens. In Zambia's context, a welfare approach should only be limited to as far as it can help to curb the widened disparity between the rich and the poor.

§28.2 Welfare State: A Brief History

A Welfare State was promulgated by Sir William Beveridge in 1942. The basic assumptions were that the National Health Service in UK would provide free healthcare to the Kingdom. This was followed by the Universal Child Benefit scheme which gave benefits to parents and encouraged people to have children who they could feed and support. The program got popularity in the aftermath of World War II after the decline of the UK population.

In the UK, the designated year when the Welfare State was born is officially attributed to July 5th, 1948, with the passing of the *National Insurance Act*, the *National Assistance Act* and the *National Health Service Act*. Welfare systems were developing intensively since the end of World War II. By the beginning of the 2000s, welfare societies started to be replaced by NGOs. Since then NGOs have provided social services.

Under a welfare model, resources are directed to the people most in need. The challenge, however, comes when a determination has to be made about which people are in most need and the subsequent management of bureaucratic controls to minimize fraud. The advantage of this model is that real poor people can be helped.

However, the unintended result is that it creates a sharp divide between the receivers and the producers of social welfare. The producers may feel that they do not gain anything from social welfare. The US has adopted this model.

Welfare States reduce poverty. “Empirical evidence suggests that taxes and transfers considerably reduce poverty in most countries, whose Welfare States commonly constitute at least a fifth of GDP.”¹⁴⁹⁶ The information shows that many Welfare States would have lower poverty rates than a non-welfare state such as the US before the transfer of wealth. A good example would be Sweden which had a 23.7 percent poverty rate pre-transfer while the US had a 21 percent poverty rate pre-transfer. Canada had 22.5 percent pre-transfer and 11.9 percent post-transfer.¹⁴⁹⁷

Welfare States are based on the principles of equality of opportunity, equitable distribution of wealth, and public responsibility for those unable to avail themselves of the minimal provisions for a good life. The Welfare State assumes primary responsibility for the welfare of its citizens. In theory, this responsibility should be comprehensive. The reason is because all aspects of welfare are considered and universally applied to citizens as a right, and not as a privilege. For Welfare States to function, there ought to be a creation of social safety-nets of minimum standards of varying forms of welfare, otherwise it is not a *state* but only a welfare *society*.

Historically, many nations have developed welfare systems after catastrophic economic melt-downs such as a recession or depression. In the 1930s, the US provided the so-called *Cradle-to-Grave* services because of extreme poverty after the depression. During the Great Depression, welfare system “was seen as an alternative ‘middle-way’ between Communism and Capitalism.”¹⁴⁹⁸ For many Americans, especially conservative Republicans, Communism is despised as an economic system. Yet, historically, whenever Capitalism has failed, a middle-way between the two economic systems has salvaged the nation.

The Great Depression was triggered by the *Black Thursday* when the stock market crashed.¹⁴⁹⁹ From then, the entire decade of the

¹⁴⁹⁶ “Welfare State,” >http://en.wikipedia.org/wiki/Welfare_state#cite_note_Kenworthy-14> (Retrieved: September 18th, 2010)

¹⁴⁹⁷ *Ibid.*

¹⁴⁹⁸ “Welfare State,” *supra*.

¹⁴⁹⁹ *Black Thursday* happened on October 24th, 1929

1930s saw the US and many other countries plunge into depression. During this decade, large numbers of people lived in poverty, desperately in need of more food, clothing, and shelter. Yet, the resources that could produce that food, clothing, and shelter were sitting idle, producing nothing.

§28.3 Three Varieties of Capitalism

There are six theories of the origins of the State which are divided into two different schools of thought: the *Integrative*¹⁵⁰⁰ and the *Conflict*.¹⁵⁰¹ The Integrative and Conflict models are based on three broad criteria. The criteria depend on the processes that are seen as central agents in the formation of the institutions of government which may characterize state-level societies. These are the production of basic resources, warfare and trade.

For example, the *Natural Theory* is premised on urgent need for humanity to be part of the community; the *Force Theory* is tilted towards the Conflict school of thought whereby one person or group forces all the people within an area to obey their authority. Here, the strong dominates the weak; the *Divine Theory* states simply that God created the State and gave certain people the divine right to govern; the *Divine Right of Kings Theory*, like the *Divine Theory*, is based on absolute spiritual power given to sovereigns; the *Social Contract Theory*, mostly adopted by Western societies, postulates that the State is essentially a contract between the governors and the governed; and the *Patriarchal Theory* relates to the father as head of the family. The family is, thus, seen as the first constituent of society.

The concept of State defines the welfare of its people. Thus, even in the capitalistic sense, Welfare States should respond to inequalities generated by the market economies. They should do so by conditioning and regulating the primary distribution of income (wages) and job insecurities that the market is allowed to generate.

¹⁵⁰⁰ The *Integrative* school of thought of the origin of State is based on a more or less managerial, benefit, or consensus aspect of State definition. It sees the institutions of State, such as government, as evolving in response to societal needs for more effective organization in the face of growing population, economic pressures and social complexity.

¹⁵⁰¹ The *Conflict* school of thought of the origin of State is based on the coercive, class, or Marxist schools, and sees the State arising as a means to stabilize a system of social and economic stratification and to resolve social conflicts stemming from the inequalities of stratified societies.

Since 1970s, welfare distribution has increased globally. In 1960, average expenditures on social transfers were 7.5 percent of GDP in the affluent democracies. By 1980, average expenditures on social transfers had doubled to 14 percent of GDP. Swedish expenditures had risen from seven percent to over 17 percent. Many countries established new social insurance schemes and national social service programs in health and welfare virtually *ex nihilo*.

The social policy *agenda* of the late 20th Century has been shaped by the “politics of austerity,” or what Pierson calls, “accommodation to austerity.”¹⁵⁰² The three global movements that are said to threaten the very idea of Welfare State are post-industrialism, globalization, and the revolution in family forms and gender relations. Initially, “Industrialization create[d] new demands for public spending as systems of social support based on kinship and the patrimonial traditions of agrarian societies [were] eroded.”¹⁵⁰³ During the same epoch, modest economic growth was said to have necessitated expansion in welfare provision.

In the mid-1920s, Social Democrats were elaborating on a slightly mutated form of Welfare State nationalism in Sweden. In 1945, they dissolved the wartime Grand Coalition Cabinet. They were partly students of Marx and partly devotees of the capitalistic brand. So, initiated and directed by the party, the Social Democrats created the Welfare State. Misgeld and others have argued that Welfare State, “to the Swedish Social Democrats...stands as the flagship of their achievement over the past century.”¹⁵⁰⁴

Other theories postulate that, “Social programs develop independently of party politics, the preferences of political leaders, or the balance of power among the political forces they represent.”¹⁵⁰⁵ However, most theorists agree that Welfare States are motivated by generosity and the need to equalize spending.

For the developing countries like Zambia, the provision of welfare benefits to the poor of society should go further than a need to

¹⁵⁰² Paul Pierson, “Coping with Permanent Austerity: Welfare State Restructuring in Affluent Democracies,” pp. 410–56 in *The New Politics of the Welfare State*, edited by Paul Pierson (Oxford: Oxford University Press, 2001)

¹⁵⁰³ Clark Kerr; John Dunlop; Frederick Harbison; and Charles Myers, *Industrialism and Industrial Man* (New York: Oxford University Press, 1960) as quoted in John Myles and Jill Quadagno, “Political Theories of the Welfare State,” (March 2002) *Social Service Review*, p. 3

¹⁵⁰⁴ Klaus Misgeld; Karl Molin; and Klas Åmark, *Creating Social Democracy: A Century of the Social Democratic Labor Party in Sweden* (Stockholm: Tiben, 1988), p. 35

¹⁵⁰⁵ Gosta Esping-Andersen, *supra*. p. 4

equalize spending, it should embalm what Esping-Andersen calls “institutional logic.”¹⁵⁰⁶ Welfare provision is inevitable. It makes economic sense, especially in the light of cavernous poverty rates. Even in successful liberal democracies, welfare exists where “citizens are encouraged to seek their welfare in the market, for example, through subsidies for private welfare benefits.”¹⁵⁰⁷

The Welfare State, especially in the wake of the 2008 economic meltdown in the US, was being looked at with mixed feelings. For example, the gist of *How the West was Lost* by Moyo is that the US is being turned into a “bona fide Welfare State.”¹⁵⁰⁸ She postulates that, “Western governments, often with good intentions, impaired the three instruments of economic growth: capital, labor and productivity.”¹⁵⁰⁹

However, critical review of her central argument shows that the caveat is only applicable to *laissez-faire* kind of capitalistic arrangements like the one espoused by the US, and not to the other two, *viz*, State-based Capitalism as espoused on continental Europe and the Scandinavian, and Command-style Capitalism mostly championed by China. The Covid-19 pandemic rested Moyo’s argument, permanently.

Until pretty recently when China began to rise as a global economic giant, the West, particularly the US, venerated Adam Smith’s the *invisible hand* of free-market Capitalism with meritorious spirituality. Any mention of regulation was met with pejorative fascistic chants.

Welfare State is a panacea to the primacy or subordination of the weak States by the strong. It accords everyone in society a social sense of equality of opportunities while bailing out the victims of Capitalism with a sustained social safety-net.

§28.4 Welfare State Criticisms

Contrary to criticism, welfare expenditure is an investment.¹⁵¹⁰ Economic performance happens despite welfare assistance. Thus,

¹⁵⁰⁶ *Ibid.*

¹⁵⁰⁷ *Ibid.*, p. 7

¹⁵⁰⁸ *Ibid.*

¹⁵⁰⁹ Carol Goal, “Stark Warning Out of Africa for Western Economies,” *Toronto Star*, (Wednesday, March 2nd, 2011), p. A21

¹⁵¹⁰ Critics of the Welfare State argue that the system makes citizens dependent on the system and less inclined to work.

Welfare States do not impede progressive social development. The Netherlands spends more on welfare provision and is a good example of how a successful welfare system works. Similarly, the Scandinavian countries, and Norway in particular, have demonstrated that even countries with significant higher GDP *per capita* can perform superbly on welfare provision.

There is no evidence that the Welfare State results in the rise of unemployment rates. The US, for example, had a low unemployment rate and a high GDP growth rate until the economic recession of 2008.¹⁵¹¹ Welfare States may even perform better comparatively in terms of economic growth rates, especially if they are allowed to grow from a lower base and take advantage of economic liberalizations. Zambia meets both criteria.

A Welfare State bridges the gap between Capitalism and Socialism. It supplements a potentially ineffective capitalist market economy by introducing an element of social consciousness to business economics, what Yunus calls, “Social Business.”¹⁵¹² A Welfare State eliminates the complete control of the means of production by the state or Socialism. But it does not ordain a complete *laissez faire* regime, either. But at the same time, it enables governments to continue to provide for vital services to the citizens, especially during times of extreme poverty and low economic performance.

Governments cannot be said to load over their citizens in Welfare States because business is regulated to ensure equitable distribution of wealth to the needy masses of the people. Modern Welfare States differ from social democratic policies in that the later tends to limit the incentive system of the market. This mostly happens when the system provides minimum wages, employment insurance and taxes profits. This scenario happens in Welfare States except that here there is regulation for the liberty of contract which levels the playing field for competition and the ownership of property by the citizens.

The Welfare State does not “steal” people’s liberty to own property or to control their own destiny, either. Indeed, Berton has accurately argued that, “a poor man is not free and a destitute man is as much a prisoner as a convict.”¹⁵¹³ In a scenario like Zambia’s, government will not be removing money from one person to another, it will be empowering the people. In doing so the State both makes

¹⁵¹¹ However, the US only devoted about 17 percent of its GDP to welfare assistance before the 2008 recession.

¹⁵¹² Yunus, *Creating a World without Poverty*, p. 165

¹⁵¹³ Pierre Berton, *The Smug Minority* (Toronto: McClelland and Stewart, 1968), p. 43

available the equality of opportunities and protects the citizens' property rights.

A Welfare State differs in significant ways from Belloc's¹⁵¹⁴ Servile State.¹⁵¹⁵ In the first, some people do not work for others, because the majority does not even have opportunities to work due to lack of employment. In the second, there are employment opportunities available and some people deliberately monopolize the means of production. It is a form of slavery.¹⁵¹⁶ The first scenario applies to Zambia.

The predictions of a Servile State are reminiscent of those of a slavery state in which the owners of means of production load it over the have-nots: "In the eyes of society and of its positive law men will be divided into two sets: the first economically free and politically free, possessed of the means of production, and securely confirmed in that possession; the second economically unfree and politically unfree."¹⁵¹⁷ In a subtle way, a Welfare State places limits on capitalistic greed and in a sense acts as a preventive mechanism against the evolution of wanton servility.

In Zambia, taxes are already high for the common worker.¹⁵¹⁸ A typical criticism of the Welfare State is that it results in high taxes. Evidence is enormous to this effect.¹⁵¹⁹ The people of Zambia already pay higher taxes relative to the strength of the economy. The Kwacha currency is powerless and where the majority survives at one dollar a day, the effect of higher taxes simply exacerbates the already perilous conditions. However, a properly managed Welfare State balances up higher taxation with equitable distribution of wealth, especially to the poor and the disadvantaged of society.

¹⁵¹⁴ Hilaire Belloc, *The Servile State* (London & Edinburgh: T.N. Foulis, 1912)

¹⁵¹⁵ A Servile State was proposed by Hilaire Belloc in his book, *The Servile State*, where he argues that the Servile State shares with ancient slavery the fact that positive law dictates that certain people will work for others, who likewise must take care of them.

¹⁵¹⁶ Belloc makes a mind-boggling assertion: "If we do not restore the Institution of Property, we cannot escape restoring the Institution of Slavery; there is no third cause," (See copyright page of Belloc's *The Servile State*).

¹⁵¹⁷ Belloc, *supra.*, p. 3

¹⁵¹⁸ For 2009/2010 a Limited Company paid 35 percent on profits; individuals paid 0 percent for the first K7, 200,000, 25 percent for the next K7, 620,000, 25 percent for the next K33,180,000, and 35 percent on profits for the balance.

<http://www.zra.org.zm/Taxpers_Types.php> (Retrieved: September 22nd, 2010)

¹⁵¹⁹ For example, Denmark's tax level was at 48.9 percent of GDP in 2007 while Sweden's tax level was at 48.2 percent of GDP in the same year.

§28.5 The Swedish Model

Sweden, dubbed, “Home of the People,” is a shining example of a Welfare State on earth. In continental European countries, there exists a welfare regime of conservatives, corporatists, and more recently, Christian Democrats. This regime places more emphasis on social spending. In these nations, social spending is considerably higher than in the liberal Welfare States such as those of the US and Canada.

However, a model advocated for in this book is the Social Democratic Welfare States model, found mainly in the Scandinavian. It represents a model of society characterized by extensive social rights and a marginal role for private welfare provision. This system emphasizes the universal equality of citizenship. Unlike the continental European model, there is considerable emphasis on redistribution and providing all with high levels of income security. The most important aspect of this model is women. In this model, social services provide employment for women, child-care and other services that allow women or parents to participate in the labor market.

Both the continental European and the Scandinavian models have created bargaining structures that limit wage dispersion and regulatory institutions that limit the rights of employers to hire and fire at will.

In a functional Welfare State, the duty of government augments with the corporate vision of serving an economically heterogeneous community. Government constantly negotiates how it can, with optimal efficiency, allocate resources and goods and positively affect social welfare.

Perhaps the example of Sweden¹⁵²⁰ is the best illustration of how a Welfare State should look like. Sweden began with a promise of

¹⁵²⁰ However, the response taken by Sweden towards the Covid-19 pandemic was, generally, judged by some to be a failure. Others thought that it was a success. Sweden was slow to respond to Covid-19 and did not impose lockdowns owing to its constitution which prevents the declaration of a state of emergency that restricts the free movement of citizens in times of peace. By October 1st, 2021, this debate was still ongoing, see Kelly Bjorklund and Andrew Ewing, “The Swedish Covid-19 Response Is a Disaster. It Shouldn’t Be a Model for the Rest of the World,” *Time* <October 14th, 2020; Peter Geoghegan, “Now the Swedish Model has Failed, It’s Time to Ask Who was Pushing It,” *The Guardian*, January 3rd, 2021; BBVA, “Sweden, the Pandemic Experiment Without a Lockdown: A Failure or a Model to Learn From?” September 2021.

providing free schools, child care, healthcare, pensions, elder care, social services and various economic security systems. This was to be accomplished initially with a heavy tax burden. However, as the model took shape and gained momentum, Sweden became the most generous nation on the globe.

§28.6 **Zambian Welfare State**

The Zambian Welfare State should not be mistaken to a typical welfare system as can be found in the US, Canada, UK or the Scandinavian countries. Such a view would not only be too ambitious but dangerously presumptuous as well. The Western-style Welfare States are unattainable in the developing countries. Inflated unemployment rates and higher levels of poverty make such a pure concept unfeasible simply because such a system may not be able to finance itself owing to foreign aid dependence.

A modified version, augmented by a strong private sector development, and good poverty reduction policies, will make such a system flourish. In the absence of the aforesaid, such a State would provide welfare services which would be more expensive and less efficient than the same services would be if provided by private businesses.

Taking into consideration the *Pareto Principle*, 20 percent of the population may not produce more to accommodate for 80 percent of the consumers. This would be economically unachievable and would lead to *Pareto* inefficiencies. The simple theory behind this situation is that goods and services will be supplied free at the point of consumption. A state of affairs like this one would subject the economy to artificially high demand. The result is that costs would not reflect provisions in the allocation of resources.

Moreover, the Zambian Welfare State should not be entrenched in stone; it will only exist for as long as it creates a relief for the citizens during hard economic times which it currently experiences. The goal is to create a nation founded on strong liberal principles while not solely dependent upon the markets and individual capitalists. The system created must, thus, not depend exclusively on the State, either.

This in-between resultant, fostered by democratic and economic liberalization, will in a way necessitate a strong market-based economy without disadvantaging those who are unable to compete effectively. It will also revive economic reforms and accelerate

economic growth rates. A Welfare State affords the only hope most struggling economies face. Capitalism, though omnipotent and unavoidable, fail to take into account the plight of the poor. For the most part, they are caught up in between – both as means of accomplishing the capitalistic ingenuity and as the measure through which the privileged and powerful calibrate their economic spoils. For Zambia, Capitalism is necessary, but it must be contextualized into the nation's unique economic position, and especially, the need to address the nation's number one enemy – poverty.

§28.7 The Swedish Model during the Covid-19 Era

Until April 2020, most countries in the West poured scorn on the Swedish-style welfare model. They argued that it encouraged laziness and was anti-Capitalism. The Covid-19 pandemic revealed the gaping disparities that exist among the rich and poor, low-income and high-income, and socially-minority of society and the upper-class. Many if not all, nations resorted to stimulus packages to help off-set the vagaries of economic recessions brought by closing economies owing to Covid-19. Sweden and most Scandinavian countries were least affected because they had already opened up their economies to social democracy, social consciousness and to the equalization, at least in principle, of the distribution of wealth between the haves and the have-nots.¹⁵²¹

¹⁵²¹ For a discussion on Zambia in post-Covid-19 era, see Chapter 40.

Chapter 29 Corruption

*The whole world is corrupt, corrupt, corrupt
But like justice itself, only the rich excel
The weak may spend all their life behind bars
Just for stealing a spoonful of glucose
The strong spend life outside of prisons
Even when they plunder half a nation itself.*

BRIEF INTRODUCTION

This chapter looks at the universal nature of corruption. Arguments are made for and against magnifying the corruption obtaining in developing countries at the expense of some Western banks which benefit immensely from the corrupt transactions with some corrupt African leaders. The chapter further looks at corruption in Zambia. It places corruption, first, in its normative context and then offers practical means of addressing corruption in Zambia

≈ Politics ≈ Finance ≈
Economy

AT THE END OF THIS CHAPTER:

1. You will understand the nature and the fact that political corruption is endemic in Zambia;
2. You will appreciate the efforts made by successive administrations in addressing corruption in Zambia; and
3. You will discover the national and international legal regime that addresses corruption in Zambia.

MAJOR THEMES:

Corruption;
International Financial
Scandals;
Neo-Morality

§29.1 Universality of Corruption

In Chapter Seven, arguments were made for and against the reasons why independence for Zambia was inevitable. Grant indicated in his book, *Zambia Then and Now*,¹⁵²² that perhaps Zambia had acquired independence too early as “subsequent events” showed that the country was not ready for self-rule in 1964. The author has disputed that argument with provable evidence that independence is not in the mind of the oppressor to grant. The oppressed must fight for it, and this does not depend on right or wrong timing. Similarly, with corruption, it is only those who are affected by its venom who can truly know the horrendous nature it portends.

Reading from the periphery, one may be forced to believe that Africans are much more prone to corrupt practices in government and business than any people on the globe. Records prove otherwise as the Internet is strewn with an array of corrupt scandals all over the world. Subsequent to this allegation, is the multilateral insistence that Africa “democratize” before qualifying for aid or grants. A new regime of democratization hinges on good governance, creating an impression that African countries are devoid of running good governments.

Taken together, “subsequent events” that befell the Zambian governments are not peculiar only to Africa. Nations all over the world have had to cope with scandals and corruption in government and business. To expect Zambia to perform miracles immediately after independence is an exaggeration of insurmountable proportions. It took the US almost four hundred years and Great Britain an Industrial Revolution from the time of their creation to the building of strong economies and democratic systems. By the time William the Conqueror took control of Britain in 1066 to the 1850s during the Industrial Revolution, it had been hundreds of years. The US was created in 1776 and by 1930s, it had experienced one of the worst economic doldrums in the history of the world economy, the depression.

¹⁵²² William Grant, *Zambia Then And Now: Colonial Rulers and Their African Successors* (Abingdon: Routledge, 2009)

To expect a former colony to improve suddenly ten years after independence is spurious.¹⁵²³ Moreover, such an expectation is too far-fetched considering that the former colonial master did not leave behind a rich Zambia. Grant has admitted that, “In 1964, Zambia was, even with its rich copper deposits, one of the poorest countries in the world.”¹⁵²⁴ As argued in this book, the Zambian economy had from the outset been dogged by serious impediments, Zambia being used mainly as a raw material supplier to nourish the White settlers in Southern Rhodesia and to export the excess reserves to “stable” banks in South Africa and Britain.

The failure of the Zambian economy has been blamed on Kaunda’s bad economic policies. This is not entirely correct. Grant has diagnosed accurately that Zambian economic hopes “lasted throughout the first decade of independence, but began to dim in the 1970s and were dashed in the final two decades of the twentieth century.”¹⁵²⁵ Then Grant goes further to identify three things that went wrong: (1) fundamental problems; (2) bad luck; and (3) policy mistakes. Then he nails a verdict, “The last factor was the dynamic one.” While policy mistakes are a common feature of many, if not, all dynamic governments, when it comes to Africa, there is a tendency to over-blow the trumpet.¹⁵²⁶ Even the greatest ingenuity of the US could not prevent a credit crunch of October 3rd, 2008, economic recession or massive deaths during the 2020s Covid-19 pandemic.

Kaunda, under very difficult conditions, grew the Zambian economy to equal the US in the strength of the currency throughout most of the 1960s and 1970s. It was only during the 1980s that the economy began to dwindle, partly due to historic connotations and policy mistakes as can be expected from any dynamic economy, and partly due to the act of God. The SAPs regime introduced to Zambia by the IMF and the World Bank in mid-1980s, simply exacerbated what was already a precarious economic situation in Zambia. Although corruption has been a factor in the demise of the Zambian economy, it is not the only factor, and neither is corruption only confined to the African continent; it is a universal problem.

¹⁵²³ Belloc makes a mind-boggling assertion: “If we do not restore the Institution of Property, we cannot escape restoring the Institution of Slavery; there is no third cause,” (See copyright page of Belloc’s *The Servile State*).

¹⁵²⁴ Grant, *supra*, p. 136

¹⁵²⁵ *Ibid.*, p. 287

¹⁵²⁶ Belloc, *supra*, p. 3

§29.2 Afrophobic Agenda

Corruption in the United States is a growing problem across many areas, particularly in the political sphere. In 2020, Transparency International ranked the United States as the 25th least corrupt country (of 180 countries ranked), falling from 18th, since 2016.¹⁵²⁷ As president, Donald Trump flouted all kinds of norms, starting with his decision not to divest from his business interests while in office. That set the stage for an administration marked by self-interest, profiteering at the highest levels and more than 3,700 conflicts of interest.¹⁵²⁸ In the UK, “scandals such as phone hacking corruption in cricket, and controversy over political party funding have further highlighted the existence of...”¹⁵²⁹ corruption. Transparency International “surveyed over 40,000 people in all 27 EU countries. The results reveal[ed] that almost a third of people think that corruption is getting worse in their countries. A further 44 percent think that it is not getting any better.”¹⁵³⁰ Generally, “Corruption continues to be a pressing issue around the world, contributing to growing inequality and an erosion of democracy and public trust in governments.”¹⁵³¹ If not curbed, corruption undermines development and democracy: “Corruption is a complex social, political and economic phenomenon that affects all countries. Corruption undermines democratic institutions, slows economic development and contributes to governmental instability. Corruption attacks the foundation of democratic institutions by distorting electoral processes, perverting the rule of law and creating

¹⁵²⁷ Wikipedia, “Corruption in the United States,” < https://en.wikipedia.org/wiki/Corruption_in_the_United_States> (Retrieved: October 1st, 2021)

¹⁵²⁸ Crew, “President Trump’s legacy of corruption, four years and 3,700 conflicts of interest later,” January 15th, 2021, < <https://www.citizensforethics.org/reports-investigations/crew-reports/president-trump-legacy-corruption-3700-conflicts-interest/>> (Retrieved: October 1st, 2021)

¹⁵²⁹ Transparency International UK, “Corruption and the UK,” < <https://www.transparency.org.uk/corruption-and-uk>> (Retrieved: October 1st, 2021)

¹⁵³⁰ Transparency International, “Global Corruption Barometer EU: People worried about unchecked abuses of power,” June 15th, 2021, < <https://www.transparency.org/en/news/gcb-eu-2021-survey-people-worry-corruption-unchecked-impunity-business-politics>> (Retrieved: October 1st, 2021)

¹⁵³¹ Transparency International, “People’s Experiences of Corruption: Implications for business in South-East Asia,” November 29th, 2019, < <https://www.transparency.org/en/publications/peoples-experiences-corruption-implications-business-south-east-asia>> (Retrieved: October 1st, 2021).

bureaucratic quagmires whose only reason for existing is the soliciting of bribes. Economic development is stunted because foreign direct investment is discouraged and small businesses within the country often find it impossible to overcome the ‘start-up costs’ required because of corruption.¹⁵³²

As noted by the United Nations, corruption “affects all countries.” It is not only a quiescence of the developing countries. It knows no distinction or national definitions. The US, UK, East Asia, East Europe, EU and Europe, North, South and Central America and Africa, all succumb to corruption. Corruption is transcendental; if it exists in one part of the world, it exists in all parts of the world.

What has been shown above, is the extent to which, and prevalence of, corruption all over the world. Reading news and following Western media, one begins to think that such corruption scandals are only a subjective omission in human judgment. However, when a Head of State or a government official is involved in a corruption scandal in Zambia or Africa, news headlines saturate the major media channels. The impression is created that only scandals happening in developing countries, which are fewer by comparison, are serious scandals. In this way the perpetuation of an Afrophobic *agenda* continues to the exclusion of everything else. Corruption is universal. It exists in all the countries of the world, there is no exception. Afrophobia is the fear of anything African, and it is more pronounced when major creditors believe in this phony ideal. The fear of investing in Africa, establishing competent industries and connections and genuinely developing Africa, is tied to this agenda. Investors usually cite Africa as a place not to invest capital in because of “corruption.” However, as shown above, such fears are not founded, because even in the developed formations, corruption still looms large. What is required is to know that Africa, just like Europe or the Americas, has challenges which, like all challenges, can be overcome.

§29.3 Definition of Corruption

The etymology of the word corruption can be traced to the Latin word *corrumperere*, which literally means to pervert, corrupt, deprave or spoil. It can also mean to taint or rot. The word corruption has a very

¹⁵³² United Nations, “UNODC’s Action against Corruption and Economic Crime,” < <https://www.unodc.org/unodc/en/corruption/> > (Retrieved: October 1st, 2021)

rich Latin derivative source of *rumpere* or to break or destroy which itself is rooted in the Proto-Indo-European root *reup-*.

The nomenclature of corruption includes a normative classification into degrees of corruptness or lack of integrity or lack of honesty where someone is susceptible to bribery. It can also mean the use of a position of trust for fraudulent gain. The next level involves putrescence or a state of progressive putrefaction. The highest level of corruption is associated with moral perversion or an impairment of virtue and moral principles usually patented by Political Corruption.

The semantics of corruption can only be appreciated with reference to its multifaceted nature supported by differing historical and socio-economic contexts. For one, corruption exists at all levels of society. For another, it transcends national boundaries. Its consequences are personal, local, national and global; its hidden costs are ravenous and immense.

In its practical sense, corruption may destroy people's virtues of honesty and loyalty, undermine their moral integrity, and induce improper means to violate duty or trust. At its operational level corruption involves the misuse of entrusted power or privilege for private gain. Most organizations¹⁵³³ also differentiate between corruption *according to rule* and corruption *against the rule*.

For example, facilitation payments, where a bribe is paid to receive preferential treatment for something that the bribe receiver is required to do by law, constitutes corruption according to rule. Corruption against the rule, on the other hand, is a bribe paid to obtain services the bribe receiver is prohibited from providing.

Forms of corruption abound. They range from bribery, extortion, cronyism, to nepotism, patronage, graft, and embezzlement. Drug trafficking, human trafficking, and money laundering may be seen as forms of corruption as well. However, bribery alone is estimated to involve over one trillion US dollars annually.¹⁵³⁴

It is generally acceptable to regard the nomenclature of corruption as comprising three categories. These are Petty Corruption, Grand Corruption and Political Corruption.¹⁵³⁵ Petty corruption may be regarded as small scale. Petty corruption is also known as Bureaucratic Corruption: "It is the everyday corruption that takes

¹⁵³³ For example, Transparent International (TI) has a very active chapter in Zambia, see <https://tizambia.org.zm/>.

¹⁵³⁴ BBC News, "African Corruption on the Wane," July 10th, 2007.

¹⁵³⁵ Actionaid-Denmark, "Facts about Corruption," June 2005

place at the implementation end of politics, where the public officials meet the public. Petty corruption is bribery in connection with the implementation of existing laws, rules and regulations, and thus different from “grand” or “political” corruption.”¹⁵³⁶

The next category of corruption identified by *Actionaid* is called Grand Corruption. It is also known as high level corruption and it takes place at the policy formulation end of politics. It refers not so much to the amount of money involved as to the level in which it takes place. Grand Corruption is at the top levels of the public sphere, where policies and rules are formulated.

The last and most notorious category of corruption is Political Corruption. “It is any transaction between private and public sector actors through which collective goods are illegitimately converted into private-regarding payoffs.”¹⁵³⁷ Political Corruption is often used synonymously with Grand Corruption because it implicates political decision-makers. Peter Reuben considers Political Corruption as “the debasement of the foundation or origin of a political community.”¹⁵³⁸ Political Corruption leads to the misallocation of resources and it perverts the manner in which decisions are made. When the political rulers abuse or tailor the laws and regulations to suit their whims and caprice, Political Corruption occurs.

Political Corruption manifests itself through such corrupt activities like donating money to influence voters’ choice, distribution of money and foodstuffs to influence voters, buying of beer and providing entertainment, buying of voters’ cards in order to ensure the opponents’ voters do not vote, paying of journalists to cover the candidate favorably, false promises aimed at influencing the voters’ choice, and so on. No rule regulates campaign finance in Zambia.

Political Corruption involves the use of legislated powers by government officials for illegitimate private gain. Power may be misused for such deviant behaviors as repressing political opponents and engaging the police to adopt brutal means of keeping order. If such actions are done outside the scope of official duties, no Political Corruption takes place. However, when such illegal acts are done by officeholders in their official duties, corruption occurs. In rare situations, Political Corruption may get so much out of hand that it could lead to a state of unrestrained Political Corruption known as a

¹⁵³⁶ *Ibid.*

¹⁵³⁷ *Ibid.*

¹⁵³⁸ Peter Reuben, “On Political Corruption,” (Winter, 1978) *JSTOR: The Antioch Review*, Vol. 36, No.1 pp.103-118

Kleptocracy. This regime, which in theory means the rule by thieves is said to have happened under late president Chiluba.¹⁵³⁹ Where political or Grand Corruption is so rampant that for anything to be done, someone must bribe someone else, an unofficial Kleptocracy rules. In some countries organized crime syndicates may indirectly put so much pressure on government officials resulting in the control of financial and police institutions.

Cowan, McAlaster and Pratt have sketched how dictators and other Kleptocrats steal money from their state coffers. In an article that appeared in *The Globe and Mail* of March 2nd, 2011, they demonstrate the patterns Kleptocrats have developed to avoid detection. First, they move the money before it is too late. For example, “The most prolific looters, such as Mr. Abacha or the late Ferdinand Marcos of the Philippines (up to US\$10-billion stolen), were able to siphon massive amounts directly from their countries’ treasuries undisturbed.”¹⁵⁴⁰ Marcos moved money to Hong Kong and Switzerland and purchased real estate in the US. Abacha sent the money to US, Britain, Austria, Switzerland, Liechtenstein and Luxembourg. In Britain alone, Abacha had, “23 [British] banks handle the money. In Switzerland, 19 banks took deposits from Mr. Abacha’s relatives and associates.”¹⁵⁴¹

Second, they blur the audit trail. In other words, they put a distance between the money and its origin. Sheik Fahad Mohammed, for example, moved over US\$800 million stolen money from Swiss Bank to the Cayman Islands, the Bahamas and Jersey. One Joshua Dariye, once governor in Nigeria had a house manager run his fraudulent assets in Britain where she spread US\$2.5 million and US\$3 million in 15 banks and real estate, respectively. This made it difficult to find any “trace of him [Dariye] in public records.”¹⁵⁴²

Third, to retrieve the stolen money invites long and protracted legal battles, especially in developing countries with very limited resources. In 2007, in Zambia, for example, the Zambian government successfully turned to the UK High Court to reclaim more than US\$46 million that late president Chiluba is said to have diverted to accounts in Britain, Belgium and Switzerland.¹⁵⁴³

¹⁵³⁹ See “Kleptocrats,” *The Globe and Mail*, (Wednesday, March 2nd, 2011), pp. A1, A8 and A9.

¹⁵⁴⁰ “Kleptocrats,” *ibid.*, p. A8

¹⁵⁴¹ *Ibid.*

¹⁵⁴² *Ibid.*

¹⁵⁴³ See Chapter 31 for a detailed discussion on the *Chiluba Matrix*.

Fourth, and in the interest of full disclosure, the Western banks continue to be havens where the said stolen money is diverted. In 1986, Switzerland froze US\$356 million of the Marcos assets only after the fact. This, too, was an oxymoron, as the legal battles to return the moneys to the Philippines took twelve long years of litigation. It was only in 2011 when Switzerland adopted a new law enabling officials to seize suspicious assets, and only after intense pressure from the US.¹⁵⁴⁴ Otherwise, Switzerland had maintained an *Ask No Questions* policy which made many Swiss banks ready havens for laundered money. Western banks continue to aid Kleptocrats in other parts of the world to satiate their fraudulent avarice, and so, “Their reputation is at risk if they allow themselves to be used as repository for stolen money.”¹⁵⁴⁵

Indeed, that reputation is already ruined because as recent as 2011, Hosni Mubarak had stashes of money held in Western banks. In the US alone, Gaddafi had US\$30 billion stockpiled there. The West owes an inordinate debt of apology to the struggling masses of people in developing countries who are the only elements that lose in this dark enterprise. Despite his bombing of a Pan Am Airliner in Lockerbie in 1988 and the butchering of over one thousand prisoners in 2000, the US still went ahead and embraced Gaddafi in 2010 as an ally in the fight against Al Qaeda, and only to turn-around and condemn him after a pro-democracy rebellion in the first quarter of 2011. Unless, Western banks and governments begin to refuse to hoard stolen money and embracing dictators, however of strategic importance they may be, kleptocratic tendencies will continue to dog world sanity. Moyo has charged, thus, “The West pursues self-interested policies at the expense of developing countries.”¹⁵⁴⁶ Zambia should guard against such.

§29.4 Legal Definition

According to Zambian law, the *Anti-Corruption Commission Act* No. 12 of 2012, corruption is defined as: “Soliciting, accepting, obtaining, giving, promising or offering of a gratification by way of a bribe or

¹⁵⁴⁴ *The New York Times* called bank executives who help dictators and other tax evaders who conduct cross-border banking business as cheaters, see “The Cheaters and their Banks,” *The New York Times*, (Monday, March 14th, 2011), p. A20

¹⁵⁴⁵ “Kleptocrats,” *supra.*, p. A9

¹⁵⁴⁶ Dambisa Moyo, *How the West was Lost* (Vancouver/Toronto: D&M Publishers Inc., 2011), p. 176

other personal temptation of inducement. The misuse or abuse of a public office for private advantage or benefit.” This is a broad definition which captures the elements of Petty Corruption, what is called *middle corruption*,¹⁵⁴⁷ and grand or Political Corruption.

The Anti-Corruption Commission¹⁵⁴⁸ is mandated under the *Anti-Corruption Act*¹⁵⁴⁹ to spearhead the fight against corruption in Zambia. Its functions are provided for under section 6, and reads as follows:¹⁵⁵⁰

- (1) The functions of the Commission are to—
 - (a) prevent and take necessary and effective measures for the prevention of corruption in public and private bodies, including, in particular, measures for—
 - (i) examining the practices and procedures of public and private bodies in order to facilitate the discovery of opportunities of corrupt practices and secure the revision of methods of work or procedures which in the opinion of the Commission, may be prone or conducive to corrupt practices;
 - (ii) advising public bodies and private bodies on ways and means of preventing corrupt practices, and on changes in methods of work or procedures of such public bodies and private bodies compatible with the effective performance of their duties, which the Commission considers necessary to reduce the likelihood of the occurrence of corrupt practices;
 - (iii) disseminating information on the evil and dangerous effects of corrupt practices on society;
 - (iv) creation of committees in institutions for monitoring corruption in the institution; and
 - (v) enlisting and fostering public confidence and support against corrupt practices;
 - (b) initiate, receive and investigate complaints of alleged or suspected corrupt practices, and, subject to the

¹⁵⁴⁷ Corruption involving civil servant workers where small bribes are solicited in the procurement of contracts, and so on, see *Public Procurement Act* (number 8 of 2020).

¹⁵⁴⁸ The Anti-Corruption Commission is created by the *Anti-Corruption Commission Act*, Chapter 91 of the Laws of Zambia, whose mandate is to provide for the establishment of the Anti-Corruption Commission as an autonomous body; it replaced and repealed the *Corrupt Practices Act*, 1980.

¹⁵⁴⁹ No. 3 of 2012.

¹⁵⁵⁰ See *Anti-Corruption Act*, no. 3 of 2012; the *Anti-Corruption Commission Act*, Cap 91 of the Laws of Zambia.

directions of the Director of Public Prosecutions, prosecute—

- (i) offences under this Act; and
- (ii) such other offence under any other written law as may have come to the notice of the Commission during the investigation of an offence under this Act:

Provided that nothing in this paragraph shall be considered as precluding any public prosecutor from prosecuting, subject to the directions of the Director of Public Prosecutions, any offence under this Act which has come to the notice of the police during investigation of an offence under any written law;

(c) investigate any conduct of any public officer which, the Commission has reasonable grounds to believe may be connected with, or conducive to, corrupt practices;

(d) be the lead agency in matters of corruption;

(e) co-ordinate or co-operate, as applicable, with other institutions authorised to investigate, prosecute, prevent and combat corrupt practices so as to implement an integrated approach to the eradication of corruption;

(f) consult, co-operate and exchange information with appropriate bodies of other countries that are authorised to conduct inquiries or investigations in relation to corrupt practices;

(g) adopt and strengthen mechanisms for educating the public to respect the public good and public interest and, in particular—

(i) create awareness in the fight against corruption and related offences;

(ii) develop educational and other programmes for the sensitization of the media;

(iii) promote an environment for the respect of ethics; and

(iv) disseminate information and sensitize the public on the negative effects of corruption and related offences; and

(h) do all such things as are incidental or conducive to the attainment of its functions.

(2) The Commission may establish specialized units to investigate and deal with such matters as the Commission considers appropriate.

The *Anti-Corruption Act*, provides for the “...prevention, detection, investigation, prosecution and punishment of corrupt practices and related offences based on the rule of law, integrity, transparency, accountability and management of public affairs and

property.”¹⁵⁵¹ And crimes committed under this Act are determinable as crimes.¹⁵⁵² The president appoints the Director General, subject to parliamentary ratification, but the commission itself is autonomous. In principle, the commission can investigate anybody, including the president.

The legal approach to corruption is a challenge because the related offences are typically carried out in secret, while victims only realize it has occurred after much time has passed. A joint-approach involving the local judicial system and international dimensions ought to be taken together. Although corruption can often be seen as purely a domestic issue, the international dimension of corruption is no less important, as corrupt acts usually take place in multiple places and are generally linked to crimes carried out in other countries.

Corruption is, thus, not only recognized in Zambia as a crime. The numerous existing conventions identify corruption as a matter of high concern. Conventions attempt to address corruption individually as well as collectively. Although some of the conventions focus on one region, they all aim to fight corruption. They do even more; they emphasize the necessity of co-operation among countries.

International co-operation can help to engender both the will and the capability of countries to fight corruption. International conventions supplement local laws in the fight against the scourge. International conventions establish an international framework, through treaties, that help foster a high-level of political commitment. It also suggests legal measures that countries could take and establish a program of international and regional co-operation.

The most important international convention is the *United Nations Convention against Corruption* (UNCAC). It is one of the most important global tools in the fight against corruption. UNCAC went into force in December 2005. UNCAC has over 140 signatory nations. In 2007, Zambia became a party to UNCAC. Prior, in 2003, Zambia ratified the *Southern African Development Community Protocol against Corruption* (SADC-PC). Zambia has also ratified the *African Union Convention on the Prevention and Combating of Corruption* (AU-PCC). The SADC-PC and AU-PCC, and especially the UNCAC, have been domesticated through the *Forfeiture of Proceeds of Crime Act*.¹⁵⁵³ This is the right move

¹⁵⁵¹ *Ibid.*

¹⁵⁵² *Ibid.*, see section 1

¹⁵⁵³ The *Forfeiture of Proceeds of Crime Act* No. 19 of 2010 was assented to on April 13th, 2010. It is defined, among other things, as the Act to “provide for the domestication of United Nations Convention against Corruption.”

in the right direction as, previously, it had been a challenge because Zambia lacked adequate asset forfeiture, whistle-blower protection,¹⁵⁵⁴ asset disclosure, evidence, plea bargaining, and freedom of information laws.¹⁵⁵⁵

§29.5 Corruption in Zambia

In 2008, the Zambia’s Anti-Corruption Commission (ACC) received more than 2,000 corruption complaints from the public. ACC investigated a number of cases with several arrests and court appearances for the accused. “Between 60 and 70 percent of reported complaints were against government officials, while about 20 percent were against officials in the private sector.”¹⁵⁵⁶ In essence, in Zambia, there is more public corruption or Political Corruption than there is private corruption.

In 2009, the ACC received a total of 2,073 reports while 17 convictions were secured and 24 arrests made for various offences of corruption.¹⁵⁵⁷ Of the total of 2,073 reports received, 658 were categorized as corruption complaints while 1,415 were non-corruption related complaints and were treated as information received.¹⁵⁵⁸

In 2020, the ACC made 182 authorised investigations, 22 arrests, and twelve convictions. And the Hichilema administration promised to root out corruption in all its forms: “We have a zero-tolerance

¹⁵⁵⁴ The enactment of the *Public Interest Disclosure Act* in 2010 was a big boost in the fight against corruption in Zambia. The law protects an individual who makes a disclosure about a serious wrongdoing or who gives information that is of public interest to law enforcement agencies.

¹⁵⁵⁵ The enactment of the *Forfeiture of Proceeds of Crime Act* which has taken care of asset forfeiture and disclosure is only a partial victory as more needs to be done to protect whistle-blowers.

¹⁵⁵⁶ Danstan Kaunda, “Corruption: Two Steps Forward, Two Steps Back.” Inter Press Services, January 15th, 2008

¹⁵⁵⁷ This was reported on the ACC website on January 7th, 2010, <
<http://www.acc.gov.zm>> (Retrieved: June 20th, 2010)

¹⁵⁵⁸ From the 658 corruption complaints, 290 cases were authorized for investigations while 368 cases were not authorized for investigations as they were deemed not to be persuasive and appropriate advice was given to the complainants while other cases were referred to relevant authorities for appropriate action. Out of the reports received by the ACC, 1,416 were complaints against government officials, 544 were against officials in the private sector while 113 were against officials in the *quasi*-governmental institutions. Clearly, Zambia’s corruption problem is concentrated in government or Political Corruption.

policy on corruption in all its forms. We will increase the benefits of being honest and the cost of being corrupt.”¹⁵⁵⁹

Corruption in Zambia may be largely concentrated in government; nonetheless, only in the sense that it is difficult to bring government operatives to justice until it is too late. Generally, however, corruption is everywhere. For example, on July 23rd, 2010, *The Post* reported a Lusaka businessman who was imprisoned for swindling government of K376 million, and on the next day the Drug Enforcement Commission (DEC) arrested a Patriotic Front (PF) MP’s son in a money laundering corruption of K4 billion.

These two cases reveal that not only is corruption in government, but corruption is also committed against the government. However, it seems that the courts and anti-corruption agencies like DEC and ACC are prompt when it comes to arresting and prosecuting non-government corruption or corruption against the government. On July 24th, 2010, ACC “made an application to have the money misused by the convict reimbursed to the government.”¹⁵⁶⁰ This was in a case in which former director of Mines and Mineral Development, Gerhard Kangamba, was sentenced to five years imprisonment for directing Kagen Mines Limited to pay Metro Investments Limited over K135 million for his accommodation rentals. Kangamba profited from the venture.

The above-mentioned events are meant to show that corruption is rife at all levels. However, Political Corruption is perceived as more rampant in the country, especially in the context of elections, than petty or other types of corruption. An opinion poll on Lusaka’s residents’ perceptions of corruption conducted in 2005 reported that nearly 97 percent of all respondents reported witnessing candidates buying beer and food for prospective voters and nearly 75 percent reported donations of money to would-be voters. Half of the respondents reported incidents involving the buying of voters’ registration cards.

A derivative of Political Corruption is Grand Corruption. In Zambia, Grand Corruption allegations coming into the public domain include those involving the late president Chiluba, and nineteen other public officials, including the former Zambian

¹⁵⁵⁹ *African News*, “Zambia’s new leader vows ‘zero tolerance’ on corruption,” <<https://www.africanews.com/2021/09/10/zambia-s-new-leader-vows-zero-tolerance-on-corruption/>> (Retrieved: October 1st, 2021)

¹⁵⁶⁰ *Zambia Weekly*, “Ministerial Director of Mines Jailed,” Week 30, Vol.1, Issue 16 (July 30th, 2010)

Ambassador to the US and former Zambia Security and Intelligence Services (ZSIS) Director. In May 2007, these were found liable of defrauding the Zambian government of more than US\$41 million by a London High Court.

The National Governance Baseline Survey identified Public Procurement as another potential area for corruption. Public Procurement involves unofficial payments to get government contracts. Most vulnerable in this questionable trend are managers who reportedly forfeit, on average, about 6.4 percent of the invoice value to public officials in order to expedite contract payments from government.

Worldwide, citizens' perception of politics is that their public officials are corrupt. Zambia is definitely not an exception. In 2009, for example, a Global Corruption Barometer devised by Transparent International pegged Zambia's public officials at 54 percent corrupt.¹⁵⁶¹ In 2006, Transparency International's Corruption Perception Index (CPI) ranked Zambia at number 111 out of 163 countries surveyed – that is, in the last quarter on a chart of how countries are looked at – as corrupt. Zambia ranked 101 on the 2010 CPI.

§29.6 Anti-Corruption Bodies

R. Majula has written extensively on corruption in Zambia.¹⁵⁶² Zambia has been an ardent crusader against corruption. In 1980, the Kaunda government under the instigation of Mark Chona as then political advisor to former president Kaunda established the ACC. The ACC is an autonomous body composed of a chairperson, four commissioners and a directorate, all appointed by the president and subject to ratification by the National Assembly. It is mandated to spearhead the fight against corruption through community education, prevention, investigations and prosecutions in public and private institutions.

Next to the ACC is the Auditor-General (AG) of Zambia who is appointed by the president subject to ratification by the National Assembly. The institution may refer corruption-related cases to relevant authorities with powers to sanction public officials who have

¹⁵⁶¹ Transparent International, June 30th, 2009

¹⁵⁶² R. R. Majula, *The Impact of Corruption on Public Administration in Zambia* (Lusaka: Litovia Ltd, 2008)

misused or embezzled public funds. The AG has generally been flanked by ineffectiveness owing to constraints in terms of staff shortage, lack of funds and independence from political interference.

In 2002, the late president Levy Mwanawasa set up what has come to be known as the Task Forces on Economic Plunder (TFC). It was an unregulated *ad-hoc* body composed of members of the ACC, the Zambia Police, ZSIS and the DEC. Ironically, apart from the duplicity with the mandate of the ACC, the TFC was headed by Mark Chona, the same person who created the ACC in the Kaunda administration. This is another flaw alleged in the TFC as it overlooked issues of conflict of interest and fair-play. The assumption is that the person who masterminded the creation of the body would not be a fair umpire in the corruption proceedings.

However, in the light of the massive prosecutions undertaken, first to lift immunity and second to subject late president Chiluba to trial, the TFC has been hailed as a champion of corruption in Zambia. Moreover, the multidisciplinary composition of the TFC, and the investigation and convictions of prominent people between 2006 and 2007, including that of the former Managing Director of the Zambia National Commercial Bank, was seen as its strength.

The other investigative bodies in Zambia which could be put to good use in the fight against corruption include the Investigator-General and the Parliament's Public Accounts Committee (PAC). PAC is well-placed to canvass corrupt activities in many government ministries. As the TFC showed, a multidimensional, interdisciplinary approach in the fight against corruption yielded massive dividends.

The Zambian citizens, however, face one challenge. Until 2010, as partners in the fight against corruption, they lacked a legal framework that protected them from harassment and possibly loss of life from the perpetrators. A scheme akin to witness protection program was required if the so-called whistle-blowers were to report cases of corruption.¹⁵⁶³

Zambia currently has a law that protects whistle-blowers. Zambia has, thus, an adequate legislative regime to fight corruption. Contrary to calls by some NGOs and individuals to enact more laws, "Anti-corruption is a compendium of broken mirrors."¹⁵⁶⁴ In other words,

¹⁵⁶³ Both the *ACC Act* and the *Forfeiture of Proceeds of Crime Act*, if propped up, could address this aspect adequately. Section 19(1) of the *Public Procurement Act* (number 8 of 2020) addresses corruption.

¹⁵⁶⁴ Mbiji Mufalo, "Fencing the ACC Bill of September 2010 – Part II," *Times of Zambia* <www.times.co.zm> (Retrieved: January 25th, 2011)

and apart from the *ACC Act* and the *Zambian Penal Code*, other statutes dealing with procedure like the *Criminal Procedure Code* and Part I of the *Penal Code* itself, are contained in different statutes and are enough to address corruption in Zambia.

On June 22nd, 2010, the BBC reported that Global Fund suspended more than US\$300 million (£200 million) of health funding to the Zambian government. The money was meant to fight AIDS, tuberculosis and malaria. Global Fund said it was concerned with the alleged corruption in connection with one or more grants to the health ministry. It was not the first time Zambia had lost aid amid corruption claims. Sweden and the Netherlands stopped health aid and the EU halted road-building funds.

In the interest of the poor and vulnerable, a swipe at actions of aid freeze or suspension of grants is in order. Such actions exacerbate the conditions of the farmers, the poor and the sick, who are supposed to be the beneficiaries. This conduct on the part of the donor nations, development partners or multilateral organizations, of suspending or cancelling aid or grants to developing countries has brought untold miseries to the people at the receiving end. Understandably, it acts as a deterrent to corruption, but in the main, it impacts adversely upon the very poor and vulnerable who are supposed to be helped.

§29.7 Government Policy

The question of corruption in Zambia needs to be placed in its context. Statistics drawn from donor sponsored NGOs are commendable, but they lack context. As argued, they are marred by the aspect of fulfillment, especially where the donor funders demand to see statistics before they can release their hard-earned dollar.

Discipline in public affairs began with Kaunda's personal philosophy exemplified by the doctrine of Humanism. Kaunda was notorious for disciplining his ministers. Some think that he overdid it. However, the key thing about Kaunda's leadership was that his ministers and all government officials accounted for their actions. The Leadership Code introduced by Kaunda "required leaders to declare their assets."¹⁵⁶⁵ The code was so harsh that it forbade leaders from owning businesses or possessing property. Many ministers who were found to contravene the code were suspended or even fired. On

¹⁵⁶⁵ Chisala, *The Downfall of President Kaunda*, p. 38

May 27th, 1975, for example, Kaunda suspended Amoke Phiri, the then Minister for North-western Province, Francis Matanda, the then Kafue MP, and Godfrey Laima, the Katuba MP, for violating the code. By 1980, Kaunda had strengthened his communocracy to the extent of eliminating corruption completely.¹⁵⁶⁶ The ACC, the Commission for Investigations, the DEC, and the Special Investigations Team on Economic and Trade, were all brainchildren of Kaunda.

Both the first and second Zambian presidents, Kaunda and Chiluba, in principle, were enthusiastic crusaders against corruption in Zambia. While Kaunda opted for reshuffling, suspending and reappointment of corrupt offenders, Chiluba opted for removal from office. Chiluba met malpractice and disregard for the regulations by cleansing and removal from office. Kaunda, on the other hand, circulated and reappointed offenders.¹⁵⁶⁷

There are two aspects of the Mwanawasa-led squelching on corruption that set him apart from the other former Zambian presidents. First, and this will be advanced later in Chapter 31, is the lifting of immunity in order to prosecute a former Head of State. Second, is the importance of adopting a holistic approach to anti-corruption efforts that combined both punitive and preventive approaches as well as the need to strengthen the role of non-state actors and focus on actual implementation of anti-corruption commitments.¹⁵⁶⁸

The fourth Zambian president, Rupiah Banda, took the button from where late Mwanawasa left and has run with it. However, the acquittal of Chiluba on August 17th, 2009, by a Lusaka Court, had critics question whether President Banda was ready to take on the fight against corruption. Chiluba had been accused of six counts of theft, corruption and general financial chicanery during his ten years in office.

Fred M'membe, the then *Post* Editor-in-Chief, was on Friday, June 2nd, 2010, sentenced to four months imprisonment after being convicted for contempt of court arising from an article by Professor Muna Ndulo titled, "The Chansa Kabwela Trial, a Comedy of Errors." M'membe thought that Banda, like Chiluba, was "corrupt." M'membe was also arrested in June 2016 for allegedly defaulting in

¹⁵⁶⁶ A communocracy is a Communist Democracy that is headed by a peacekeeper who establishes peace and order.

¹⁵⁶⁷ Chiluba, *Democracy: The Challenge of Change*, p. 82

¹⁵⁶⁸ Marie Chêne, "U4 Helpdesk," Transparency International, October 20th, 2008

tax payment.¹⁵⁶⁹ And in 2016, the *Post* newspaper was closed for failure to settle tax obligations. On November 3rd, 2016, the *Post* newspaper was rebranded to the *Mast*.¹⁵⁷⁰

Nevertheless, M'membe's charge against Banda did not denigrate the policy consistence of the Zambian presidents on corruption. On August 27th, 2009, the Banda administration launched the National Anti-Corruption Policy (NAP). NAP was a comprehensive policy on corruption in Zambia. It provided a framework for developing ways and means of preventing and combating corruption in a coordinated, inclusive, and sustainable manner.¹⁵⁷¹

NAP followed from concerted efforts made by government to fight corruption in Zambia. In 2003, the ACC developed a Strategic Plan to run from 2004 to 2008. Its aim was to prevent, rather than merely investigate and prosecute, corruption in Zambia. The result was a National Corruption Prevention Policy and Strategy (NCPPS). This was followed in 2004 by the National Governance Baseline Survey Report (NGBSR). NGBSR established the extent and incidence of corruption in the country. The survey revealed that both Grand Corruption and Petty Corruption (rent seeking) were serious problems in the country.

Despite all the efforts by various administrations in Zambia to prevent corruption, the scourge is usually found not very far away from those who are mandated to fight it. And some may argue that if the president himself or herself or his or her administration is not corrupt, then corruption must be blamed on the entire nation. This, however, is a misunderstanding of the public role of government administration.

The primary role of the public administration in any country is to ensure that government can provide an enabling environment for sustainable socio-economic development as well as an environment for fair and equitable public enterprise. Such environments, if made available, may not only lead to increased inflows of foreign investments, social amity and political camaraderie, but also generate

¹⁵⁶⁹ *Africa News*, "Two Top Zambian Newspaper Editors Arrested," June 29th, 2016, < <https://www.africanews.com/2016/06/29/two-top-zambian-newspaper-editors-arrested/>> (Retrieved: October 2nd, 2021)

¹⁵⁷⁰ *Lusaka Times*, "Fred M'membe Rebrands Post Newspapers to the Mast," November 3rd, 2016

¹⁵⁷¹ Anti-Corruption Commission of Zambia, "The National Anti-Corruption Policy of Zambia," (2009)

economic growth, which would in turn facilitate the provision of basic goods and services to the general population.¹⁵⁷²

Government has the duty, not only to protect society from external aggression and danger, but also to ensure that it sustains a corrupt free society. It must both punish corrupt officials and citizens and also ensure that those corrupted against get the necessary justice. Mukanga argued that, despite all efforts to the contrary, corruption continued to be a problem in Zambia. “Although bribery has always been with us,” he writes, “it has undoubtedly gotten worse in the last 20 years under MMD rule.”¹⁵⁷³

Mukanga further articulated that, the culture of free-market liberalism and emphasis on personal enrichment coupled with signals of public theft by the elite ushered in the so-called “Sangwapo” culture. He lamented that bribery was not just accepted; it was assumed. It is, therefore, incumbent upon every Zambian, especially on government, to ensure that corruption is not only defeated, but is publicly punished.

¹⁵⁷² Tangier, “Good Governance in Zambia’s Public Administration: Challenges and Opportunities,” 2002, p. 3

¹⁵⁷³ Chola Mukanga, “Understanding Corruption in Zambia,” *Zambian Economist*, May 2011, p. 1

Chapter 30 Good Governance

I, an alien and a visitor in the land of the mortals again and again ask this: Do corrupters play by the rules or against? They amass lucrative wealth at the expense of governable masses and pretend to play patriotism, and only when it befits them and as quickly as they lose elections they organize versatile protests.

BRIEF INTRODUCTION

This chapter relates corruption to good governance and considers the scourge as a threat to national development. The chapter concludes with the discussion of an ethical approach, christened, “Neo-Morality,” and ascertains how its underlying principles could effectuate a new mindset that would be essential to tomorrow’s responsible leadership.

≈ Politics ≈

AT THE END OF THIS CHAPTER:

1. You will understand the interlinkage between corruption and good governance in Zambia;
2. You will appreciate that the best way to fight bad government is to reform the mindset of the governed; and
3. You will learn about the new and ethical approach to *principled leadership*.

MAJOR THEMES:

Corruption;
Democracy;
Governance.

§30.1 Good Governance

The term good governance is a vague term and is mostly used in development literature. It tends to describe how public institutions conduct public affairs, manage public resources and promote human rights. The term is only used by liberal democratic nations usually in Western Europe and North America. It has not been used by China, for example. The concept of good governance regularly surfaces as a model for the comparison of ineffective economies or political entities with feasible economies and political bodies.

Implicitly, European and American nations have set themselves as standards by which the developing block must measure itself. They tend to focus on subjective measures or form of governance, such as elections, transfer of power, accountability or corruption. Because of the mono-approach to the concept of goodness, aid organizations and the authorities of developed countries often tailor the meaning of good governance to a set of requirements which conforms to the organizations' *agenda*. Consequently, good governance may imply many different things in many different contexts to many different organizations.

There is a discretionary space left by the lack of a clearly defined scope for what good governance includes. This, essentially, allows users to choose and set their own parameters. Standards common to Western democracy cannot adequately measure goodness in government in African States. For one, African communities have had their own governance standards even before the arrival of Europeans on the continent. For another, these, together with their concept of goodness and cultural ideals, set them apart from others' conception of goodness.¹⁵⁷⁴

Cultural differences result in conflict with the standards of the international community.¹⁵⁷⁵ The very idea of goodness is elusive when compounded with different moral thoughts. What may be good in one culture may be construed as undesirable in another. Among individuals, differences abound in the interpretation of what is good and what is not.

¹⁵⁷⁴ Mostly European and American

¹⁵⁷⁵ See Chapter 32 for a discussion on culture

§30.2 Orange Shirt Day

September 30th is a day of recognition across the United States and Canada. Orange Shirt Day was started in 2013 by Phyllis Webstad, a residential school survivor. For over a century, thousands of indigenous children were removed from their communities and placed in residential schools where they were shamed and abused for their identities and heritage. The last boarding school was only closed in 1996. US and Canada had a history of removing native children and placing them in boarding schools. Phyllis Webstad came from the Stswecem'c Xgat'tem First Nation. In 1973, on her first day at St. Joseph's Residential School in Williams Lake, BC, Phyllis had an orange shirt that her mom gave her. The nuns, the teachers at the boarding school took that orange shirt away from her. She saw that as a final act of displacement from her family, from her mom, from her culture. So she started Orange Shirt Day which is supposed to bring attention and awareness to boarding schools across the country.

The story of Orange Shirt Day illustrates how the colonial and imperial force and mentality operated. It is also testament to the persistence of the neo-colonial regime that ushered in the concept of good governance; for the residential school existed until 1996. To the neo-colonial regime, anything that was not White or European or American was not ideal. It aimed at obliterating indigenous and African cultures and replaced them with its conception of good or right. After residing in the West for close to twenty years, the author observed that notions of good and right did not achieve universal agreement. Within the Western formation, liberals and conservatives, the left and the right, democrats and republicans, gay and straight, and the list goes on, do not seem to agree on a single fundament. In fact, and for the most part, they have opted for tolerance and agreement to disagree on those aspects that, culturally, politically or personally, do not afford mutuality. Thus, the West's survival has depended on a culture of diversity. However, when it came to governance issues, the Western lenders had insisted that every nation subscribed to the Western conception of good government, irrespective of those people's cultural or unique personal characteristics.

§30.3 The Era of Trump

Donald Trump was the president of the US from 2016 to 2020.

During that one term, he had broken every “good governance” ideal. *The Washington Post*¹⁵⁷⁶ listed at least twenty of such norms, including: Personally profiting from official business; not releasing tax returns; refusing oversight; interfering in Department of Justice (DOJ) investigations; abusing appointment power; insulting allies while cozying up to authoritarians; coarsening presidential discourse; politicizing the military; attacking judges; and politicizing diplomacy and foreign policy. Others were: Undermining intelligence agencies; publicizing lists of potential Supreme Court picks; making far more false or misleading claims than any previous president; abusing the pardon power; using government resources for partisan ends; making racialized appeals and attacks; dividing the nation in times of crisis; contradicting scientists; derailing the tradition of presidential debates; and undermining faith in the 2020 election results.

Trump governed with arrogance, impunity and corruption, and yet no Western nation quibbled with the US’ stand in the world. Pandits and diplomats alike sequestered Trump from the US’ brand. As far as they were concerned, what Trump did was un-American.¹⁵⁷⁷ Yes, when it comes to Africa, the misdeeds of one rogue president or political party becomes the defining standard of the entire continent or nation. The Trump presidency showed that the West are as good democratically as the character of the president or Prime Minister or Chancellor in power. What saved the US from total collapse during the Trump presidency was the solid and enshrined political and democratic institutions and the system (culture) that ensure their survival.

¹⁵⁷⁶ David Montgomery, “The Abnormal Presidency,” *The Washington Post Magazine*, November 10th, 2020,

<https://www.washingtonpost.com/graphics/2020/lifestyle/magazine/trump-presidential-norm-breaking-list/> (Retrieved: October 2nd, 2021);

¹⁵⁷⁷ John J. Pitney Jr., *Un-American: The Fake Patriotism of Donald J. Trump*

(Washington, DC., Rowman & Littlefield Publishers, 2020);

Richard Wolffe, “Donald Trump is the Most un-American President in Living Memory,” *The Guardian*, June 26th, 2018;

Andrew Solender, “Pence Slams Trump’s ‘Un-American’ Claims He Could Overturn The Election,” *Forbes*, June 25th, 2021;

Dick Polman, “Lest We Forget, Republicans were un-American Long Before Trump,” *Pennsylvania Capital Star*, December 21st, 2020; to reference but four.

§30.4 Thomas Jefferson and the Concept of Good Governance

When Thomas Jefferson used the term good government, he was referring to legitimately set objectives in judging how well or poorly government performed. For him, good governors were those who most effectively secured the rights of the people and the rewards of their labor. To him, a people whose rights were guaranteed were happy and amenable to doing their own wills. He once said that the care of human life and happiness and not their destruction was the only legitimate object of good government.¹⁵⁷⁸

In English speaking countries, the term good governance existed as a political slogan in the late 19th and early 20th centuries.¹⁵⁷⁹ The meaning of good governance was constructed to express a specific partisan stance, rather than being a common phrase which acquired a more obscure meaning. Ironically, the term good governance or government came into existence by political groups which opposed the results of the growth of political franchise. Such parties did not desire some elements of the population to vote like everyone else.

In the US, for example, good government was cited by the opponents of the Tammany Hall rule of New York City and by the old Yankee political elite who opposed the transfer of power to Irish immigrants in Boston. It was also used in the 1930s by those opposed to the New Deal, and later by the opponents of increased governmental size around the time of the Great Society project. The use of the term good governance or government was, in fact, viewed as opposition to progress, and those who so used this phrase were in turn referred to by their own opponents as Goo-goos (or good governance guys).

It is paradoxical that the modern proponents of good government demand that the Zambian government adhere to certain fixed parameters such as human rights or eradication of corruption. The Goo-goos were, in fact, political reformers or progressives. They did not restrict themselves to normalcy as they sought novelty ways and means of addressing pressing political and economic matters.

The controversy surrounding the concept of good governance does not only pose historic and definitive challenges, as it relates to Africa, in Nyerere's analysis, it is a tool the rich use to assign aid to what he calls, the "deserving poor" of Africa. For Nyerere, the

¹⁵⁷⁸ Thomas Jefferson to Maryland Republicans, 1809, ME 16:359

¹⁵⁷⁹ For example, it appears in the Canadian political maxim of "Peace, Order and Good Government" or POGG in the constitution.

world's powerful nations have not yet accepted the principle of international welfare. He conceives that they apply the “deserving poor” notion to the reality of poverty outside their own countries.

Nyerere has contended that in the wake of some pots of poverty among the rich nations, distribution of wealth came to be based upon those poor who were considered deserving of help. They were required to meet certain conditions of *goodness* or they jeopardized not being considered for aid. The said poor were either expected to display social or personal signs of being good or they were prevented from having access to help.

Arising from this uncouthly practice, aid and non-commercial credit have, therefore, come to be regarded not as springing from the principles of human rights or international solidarity, as purported, but as charity extended as a matter of altruism by richer governments to the less developed and very poor nations. However, Nyerere contends, the quantity of the said “official” charity being increasingly inadequate to meet the most obvious needs, one of the criteria for a nation being classified as among the world’s “deserving poor” came to be having *good governance* as defined by the donor community. On good governance, Nyerere continues: “And in practice that phrase meant and means those countries having multiparty systems of democracy, economies based on the principle of private ownership and of international free trade and a good record of human rights; again, as defined by the industrialized market economy countries of the North. It was in this kind of context that we in Africa first heard about ‘good governance’; and this was the manner in which it was brought up at the Harare meeting to which I have referred good governance sounded like a tool for Neo-Colonialism”¹⁵⁸⁰

Nyerere admitted that widespread corruption in high places breed poverty. However, he also understands that there is false “widespread belief that Africa has more corrupt, tyrannical, and power-hungry elites, than have other continents either now or historically.”¹⁵⁸¹ He braces that the Mobutus, Iddi Amins, Bokassas, and military juntas, of Africa indeed fit into that category, but then reiterates that in “Europe and elsewhere”¹⁵⁸² the same elements abound.

The Economic Community for Africa (ECA) has highlighted four positive trends in Africa, *wɔ̀:* democratic transitions, political inclusiveness, voice and accountability, and economic management.

¹⁵⁸⁰ Julius Nyerere, “Good Governance for Africa,” Marxist.org, October 13th, 1998

¹⁵⁸¹ *Ibid.*

¹⁵⁸² *Ibid.*

The first three will be briefly discussed. K.Y. Amoako, in a paper titled, “Governance and Development in Africa: The Critical Nexus,”¹⁵⁸³ concludes that in the area of democratic transitions, many African countries have made significant strides, evolving from authoritarian or military regimes to more democratic dispensations. There has been an emergence of a new social pact in Africa where State institutions and processes have gradually been reconstructed to promote the values of good governance. Zambia has been cited as one of the nations where elections have become the only acceptable basis for choosing and alternating leadership.

ECA also found out that the average voter turnout rate in general elections was nearly three quarters of the registered population - an exceptional figure when compared to any region of the world. This was a remarkable achievement on the part of a continent which has been misrepresented in statistics and data. The turnout in elections alone in Africa is “even significantly higher than many, older democracies.”¹⁵⁸⁴

Contrary to media reports and unsubstantiated assumptions about Africa’s good governance record, the electoral process in most African countries, including Zambia, is not only credible, but also transparent. In Zambia, the political system permits competition and pluralism. There is an aura of greater political inclusiveness and Zambia’s democratic framework for conducting politics is accepted as legitimate by all social and political groups.¹⁵⁸⁵ Since 1990, the *Zambian Constitution* has been rewritten, “Involving widespread consultation with civil society.”¹⁵⁸⁶

Despite the notable progress most African States have made in good governance, corruption still flourishes in Africa because “most of the regulatory institutions are still weak, lack autonomy, or are shady themselves. Over one-third of elites polled deem watchdog institutions to be totally controlled by the Executive branch.”¹⁵⁸⁷

Nevertheless, when it comes to corruption involving “big money” in Africa, the culprit is the Western nations. Big deals are struck right in the US, Britain, Belgium, France, and so on. In Chapter 29, it has been argued that in corruption scandals involving extraordinarily large sums of money by some African dictators like Abacha, Mobutu,

¹⁵⁸³ K.Y. Amoako, “Governance and Development in Africa: the Critical Nexus,” Economic Community for Africa, February 18th, 2004

¹⁵⁸⁴ K.Y. Amoako, *supra*.

¹⁵⁸⁵ *Ibid*

¹⁵⁸⁶ *Ibid*.

¹⁵⁸⁷ *Ibid*.

and so on, the accomplices were European banks like the Swiss Bank under its *Ask-No-Questions* policy. These deals and banking transactions, unfortunately, have enriched a few Africans and their Western partners, but have cheated millions of Africans out of the fruits of the continent's resources, and particularly its precious stones, minerals, and oil.

§30.5 Good Governance and Poverty

Corruption is a manifestation of institutional weakness, poor ethical standards, skewed incentives and insufficient enforcement. When corrupt officials slowly drain the resources of a country, its potential to develop socially and to attract foreign investment is diminished, making it incapable of providing basic services to or enforcing the rights of its citizens.

Corruption fuels transnational crime. Terrorists and organized criminals could not carry out their illegal activities without the complicity of corrupt public officials. Corruption threatens security and damages trust in systems which affect people's daily lives. It is a particular concern for the world's police and judicial systems, as corruption in one country can compromise an entire international investigation.

Corruption may cause poverty. However, corruption itself does not produce poverty, but it does have a direct and immediate impact on economic growth and good governance. This, in turn, raises poverty levels. It remains a major obstacle to the achievement of the UN's eight Millennium Development Goals (MDGs) whose primary aim is to reduce poverty.

The relevance of good governance in the fight against poverty is in the inherent mandate of public administration. Tangier¹⁵⁸⁸ reiterates that, "The primary role of the public administration in any country is to ensure that government can provide an enabling environment for sustainable socio-economic development."¹⁵⁸⁹

Consequently, the instructions given by Claire Short, UK International Development Secretary suffice here, *viz*, 'In order to meet (the) international development efforts, developing countries need effective government systems. They need good economic

¹⁵⁸⁸ Tangier, "Good Governance in Zambia's Public Administration: Challenges & Opportunities," 2002

¹⁵⁸⁹ *Ibid.*, p. 3

management and good management of public money. Without political systems which give a voice to the poor, countries will be less well placed to deal with conflict, root out the scourge of corruption and ensure efficient provision of essential public services for all.”¹⁵⁹⁰

This piece of economic advice is apropos to all nations worldwide, however, more so to the developing formations, and among them, in those countries where corruption is deeply entrenched. Good governance is presumed, and even taken for granted, especially by the development agencies, because all governments are expected to be involved in the “exercise of political power to manage a nation’s affairs.”¹⁵⁹¹ It is, therefore, incumbent upon governments to engineer policies, design programs and guard against predatory behaviors in order to create conditions that favor development and economic growth.

§30.6 Neo-Morality

Neo-Morality defines *principled leadership*. It is a political moral ethics tailored towards the combating of poverty, unemployment, profiteering, exploitation and economical plunder. Neo-Morality is political ethics, and it is the applicability of morality that gives hope to Zambian politics and to the question of corruption. There is a huge difference between people who value the idea of morality and those who ignore it.

Immoral persons breed immoral actions. That is a truism. An innocuous leadership of men and women, who are governed by the idea of right and wrong, is the dream of a Zambia of the 21st Century. It is common sense that actions that are taken by immoral people may not be in the interest of justice and decency.

Corruption, discrimination, economic plunder, and many of these vices, are products of people and governments lacking a human face. For Zambia, like many other nations worldwide, with problems of corruption and undemocratic tendencies, there can never be a substitution for a politically moral leadership. Neo-Morality is not a political gambit for winning votes, but a key fundamental precept of pure political maturity. It is not religious infiltration into politics, but

¹⁵⁹⁰ Claire Short, “Making Government Work for Poor People,” *Choices: The Human Development Magazine*, UN Development Program (UNDP), March 2000, p. 5

¹⁵⁹¹ World Bank, *Sub-Saharan Africa: From Crisis to Sustainable Growth*, (Washington DC.: The World Bank, 1989), pp. 60-61

a foundation upon which any thriving political and corrupt-free system must be founded.

Neo-Morality may be political ethics, but it is the pursuit of morality to its minute detail that gives hope to Zambian politics. The Church, in partnership with the State, can unfalteringly transmit morality in its religious sense. The Church has adequate structures to not only preach morality but also channel it through into the practical aspects of human affairs. This is the reason why the controversy between Church and State must be relaxed when it comes to the fight against corruption. In fact, the Church and the State should join forces and partner together in the fight against the scourge. The Church preaches practical morality. The State envisages the results of morality. One organ has the tools (the Church) while the other (the State) has use for them. The Church preaches to men and women who are a society. The State dreams of a trustworthy, industrious and accountable society. In short, both the Church and the State have the same clientele. Where the Church is forceful in its moral crusade and the State creates an amicable platform for the Church to marshal a successful moral campaign, corruption could be significantly reduced.

Morality is essential to productivity. It creates in people a social sense for channeling their useful force into work and innovation rather than into theft or bribery. With morality, efficiency becomes the norm and not an exception. Both politicians and the clergy serve the basic interests of the State. The former ensures that policies and programs are designed that benefit the people, while the later ensures that people are accountable to their actions for the good of all.

Zambia is a democratic Christian State. However, the Declaration can only help if the Zambian leaders do not infringe on the rights of the people and standards are set that prohibit immoral practices among national leaders, especially while they serve in the public sphere. A commitment must also be made to line up all national businesses in accordance with moral values.

Neo-Morality comprises seven tenets: Accountability, investment-orientation, bottom-up prioritization, value-based approach, integrity, liberal democratic principles, and free-market verses Welfare State. Three of the seven Neo-Morality tenets essential to the fight against corruption in Zambia are discussed below. They include accountability, value-based approach, and integrity. *Accountability* is necessary for a society that desires to move away from corrupt practices. Neo-Morality ensures that there is accountability in public offices for public affairs. Moral leaders are those who take

responsibility for success as well as for failure. They understand that they are not the masters but custodians of public interests. They dispatch the duties of their jurisdiction with prudence and care knowing that they will be held accountable. Moral leaders have a sense of responsibility on the overall approach to public governance. They are ready to account for their actions because they know that they are only care-takers, and not owners, of the public interest.

The second tenet of Neo-Morality applicable to the question of corruption in Zambia is a *Value-Based Approach* to public business. Values of hard work, honesty, and so on, set standards by which public business is conducted. They are essential to the goal of a sound and progressive society. Neo-Morality is a value based ideology which seeks to inculcate honesty and integrity in its adherents. If from the outset the governments favor hard work, equality and fair distribution of national wealth, they will have less trouble in satisfying the needs of the people.

But, as is often the case in many African governments, once these governments take over power, the first thing you see them doing is changing the public wardrobe, buying expensive cars, making costly and frequent trips abroad and getting flamboyant allowances on irrelevant assignments. Neo-Morality demands that value precedes self-indulgence and the people are more valuable than bureaucracies.

Integrity is the last Neo-Morality tenet applicable to the question of corruption in Zambia. Corrupt people, it can be argued, lack the inner sanctity of integrity. It is a quality all national leaders must possess. It is inexcusable for the leaders of the people not to be governed by integrity. Neo-Morality is anchored on people-centered leaders who are keen on displaying the inner quality of integrity. Integrity is both a moral and political issue. Political, because the leaders represent the people and are put in charge on a contract. The people come first before the leaders. The people are the reason why there is government and government is a representative of the wishes, dreams, and aspirations of the people. Integrity ensures that there is efficiency and effectiveness in the handling of public business.

In all three schools of thought, *viz.*, the personal integration, the commitment and finally the identity views,¹⁵⁹² a central concept is that of wholeness in personal, relational and social matters. Integrity is integral to curbing corruption as it purveys the wholehearted pursuit of a peculiar moral end. Integrity builds strong nations, and Zambia

¹⁵⁹² See Charles Mwewa, *Laws of Influence: 7ven Lessons in Transformational Leadership* (Ottawa: ACP, 2021), pp. 169-170

must strive to elect and maintain people of integrity in political offices.

Neo-Morality is political ethics. It is concerned with the leaders of the nation as well as with the individual citizen. It is not a religious infiltration into public affairs. It presupposed integrity as a prerequisite for national governance. For Zambia and its challenge of corruption and undemocratic tendencies, there can never be a substitution for a politically moral leadership.

For many a politician, integrity only becomes an issue during election times. The position of this book is that leaders are prone to err from time to time, and this is a normalcy in human relations. However, they must have a standard of leadership that sets a tone for a politically moral administration. Neo-Morality is not a political ruse for winning votes, but a key fundamental of pure political maturity. Mature politicians are those who choose to pursue integrity in good faith. Although they may falter from time to time, their commitment to integrity should be evident to all. Neo-Morality is not religious infiltration into politics, but a foundation upon which any thriving political system must be based.

Chapter 31 The Chiluba Matrix

*Advocates of our legal system and enforcers of our laws
Are they trained to pursue or denigrate our earthly
rights? Do they defend or defeat law?*

BRIEF INTRODUCTION

This chapter is a detailed look at what is called the Chiluba Matrix. The author provides a dual approach to discussing the Matrix. The prosecution's side is explored and the defence's side is discussed later. The author draws upon the reasoning of the two camps to give an objective analysis of the Matrix. The chapter assuages that post-Chiluba presidents may have done worse than the Chiluba administration in the fight against corruption in Zambia. History shall be the judge.

≈ Politics ≈ Law ≈

AT THE END OF THIS CHAPTER:

1. You will learn about the three political myths;
2. You will appreciate the reason why the Chiluba corruption case drives the point home on how Western banks and governments may hoard corrupt money until their interests are threatened; and
3. You will understand that, despite allegations to the contrary, Chiluba remains the symbol of multiparty politics in Zambia.

MAJOR THEMES:

Corruption;
Sovereignty

§31.1 History the Judge

The so-called *Chiluba Matrix* gives us both an open window into the legacy of corruption – and argument shall be made that corruption was not only in the Chiluba regime, but it was also rampant in the New Deal administration as well¹⁵⁹³ – and in the continual dominance of the donor governments in Zambia’s internal affairs.

The tendency of most African journalists is to advance a thesis they barely have any idea how it originated. In the *Chiluba Matrix*, for example, most of the *googleable* news and information surrounding it is written from the Western point of view. It is suspect that, in view of Afrophobic thesis which postulates, and there are some provable excerpts, that most former colonial powers would implicate African governments into corrupt practices so as to justify the idea that on their own African governments are devoid of the necessary competence to run their own affairs. It is a thesis that invests into fault-finding rather than truth-telling. Whenever, and wherever corruption is traceable, it gives the donor countries tremendous leverage over trade, investment and diplomatic issues.

This background is necessary if objectivity in the *Matrix* is to be secured, otherwise, from the outset, we would be perpetuating a self-fulfilling prophesy, becoming in the end a society of story tellers rather than critical thinkers. It is important to understand that corruption, however unpalatable and retrogressive, is rampant both in Africa and in the developed countries. Corruption scandals are not only a quintessence of the developing countries, but they are also malignant in powerful and rich countries, too.¹⁵⁹⁴

The above, having been taken care of, it is right at this juncture to establish that the *Chiluba Matrix* was tried from both civil aspect in London, and the criminal vantage in Zambia itself. It is now public record and as a matter of objective

¹⁵⁹³ The Mwanawasa administration was also known as the New Deal Administration

¹⁵⁹⁴ See Chapter 29 for a sustained discussion on international corruption

analysis, weight will be given to proffered evidence in terms of the statements made from both sides and a tit-for-tat approach will be pursued to allow the vanquished and the victors say it from their own mouths. History shall be the judge.

§31.2 Neo-Patrimonialism

Jan Kees van Donge postulates that a controlled-use of corruption has been a feature of most African governments including Zambia. The controlled-use of corruption, also known as *Neo-Patrimonialism*, is said to have been at the center of what is called the *Chiluba Matrix*. In its simplicity, Neo-Patrimonialism invites patrons, or political elites, to recruit clients with state resources in order to maintain power. Jean Francois Medad asserts that it is, “a mode of socio-political regulation which can be qualified as a patrimonial mode of regulation. This supposed controlled-use of corruption, and a politically rational particularistic mode of redistribution through patronage, allowing for a middle-term reproduction of the regime.”¹⁵⁹⁵

One writer has called African leaders who hang on to power for the sweet of it and nothing else as “Big Men.” In fact, he considers such African leaders as captives of their sycophants or flatterers. When applied to corruption, this sycophantic system develops into symbiotic liaisons and becomes a patron-client relationship where favors are advanced to the client in order to maintain the patrons in power.

A Neo-Patrimonialism regime is said to be a norm in Zambia where political supporters access national resources by supporting politicians. This may be construed as political support. The supporters’ patrons do not attach the word corruption to predatory behaviors assumed in the process of

¹⁵⁹⁵ Jean Francois Medad, “Corruption in the Neo-Patrimonial of Sub-Saharan Africa,” in Arnold J. Heindenheimer and Michael Johnston (eds.), *Political Corruption: Concepts and Context* (New Brunswick: Transaction Publishers, 2002), p. 386

offering support for a candidate. As a result, politicians may see the use of national resources as a normal way of politicking as long as the proceeds are shared with their clientele.

There is, thus, a chain-reaction created in Zambia where, “political supporters often obtain access to state resources in return for helping patrons obtain access to public office itself. An understanding of the nature of graft should illustrate much about all the ways in which state resources are accumulated as political spoils.”¹⁵⁹⁶ In other words, Zambian politicians in power see the state itself as a resource, leveraging their own political continuity by bribing supporters to keep them in power. As argued in §10.10, this practice has been partly perpetuated by the *Leader Principle*, whereby political cadres see their political leaders as some sort of saviors or infallible sources of economic sustenance.

§31.3 London Judgment

The London civil court judgment in 2007 was a case brought by Zambia’s Attorney-General. According to the *Globe and Mail* of Canada, Zambia turned “to civil courts, where the burden of proof is lower, rather than lengthy criminal proceedings.”¹⁵⁹⁷ Regardless, in 2009, the same case was tried in a criminal court in Zambia. In fact, later, it will be argued that London was chosen as a venue for the civil trial principally because of what the Chiluba camp claimed was foreign interference into the affairs of a sovereign state.

In civil case in London, Justice Peter Smith ruled that the former president owed Zambia US\$57 million for, among other things, expenditures from a ZAMTROP bank account in London that was allegedly set up primarily to steal government

¹⁵⁹⁶ Morris Szeftel, “Political Graft and the Spoils System in Zambia – The State as a Resource in Itself,” (1982), *Review of African Political Economy*, Vol. 9, No. 24, p. 5

¹⁵⁹⁷ Tonia Cowan, Trish McAlaster and David Pratt, “How to Steal Millions from State Coffers,” *The Globe and Mail*, (Wednesday, March 2nd, 2011), p. A8

money. In his conclusion, Justice Smith ruled that though Chiluba had a salary of only about US\$10,000 a year during his decade in office, he spent more than US\$500,000 in a single shop. The shop was mentioned as the Boutique Basile in Geneva. The shop owner was called as a witness. Antonio Basile testified in 2008 that payment for the clothes sometimes arrived in suitcases stuffed with cash.

§31.4 Acquittal of President Chiluba

On August 17th, 2009, Chiluba was cleared of corruption charges after a magistrate ruled that funds could not be traced to government money. Magistrate Jones Chinyama acquitted Chiluba of all criminal charges. Consequently, Chiluba and others who were found liable in the London court challenged the registration of the London judgment in Zambia.¹⁵⁹⁸

The acquittal of Chiluba impelled anti-corruption watchdogs and civil society organizations in Zambia to question the magistrate's decision. The Zambian government's interference in the case was not ruled out. On August 25th, 2009, Secretary to Cabinet Joshua Kanganja terminated the contract of TFC Executive Chairman Maxwell Nkole. Nkole was replaced by former DEC Director General, Godfrey Kayukwa.

Some international sectors and local interests believed that Nkole was dismissed because he announced that the case would be appealed. This was justified because after the dismissal of Nkole, the TFC was disbanded, and the Zambian government announced that it would not appeal the case. Whether it was a matter of coincidence or a deliberate move by the MMD government, history shall be the judge.

¹⁵⁹⁸ After the Zambian High Court granted an order in favor of the Attorney-General to register the London judgment in Zambia pursuant to *Foreign Judgments (Reciprocal Reinforcement) Act*, Chapter 76 of the Laws of Zambia, Chiluba and others (including Stella Chibanda, Faustin Kabwe, Aaron Chungu, and others) applied to the High Court to have the order set aside.

§31.5. “Precedential” Immunity

The case for the prosecution was tabled in the National Assembly of Zambia by the late President Mwanawasa on July 11th, 2002. It began with four accusations. The first accusation involved illegal payments of over US\$1.8 million to Chiluba and his friends.¹⁵⁹⁹ The second accusation involved, “a large sum of transactions that have to do with privatization, especially of the mines. For example, properties of the mining companies in Europe and East Africa disappeared into dubious trusts and companies whose ownership is difficult to trace.”¹⁶⁰⁰ The third accusation involved the so-called mysterious payment of US\$20.5 million to Katebe Katoto. The last accusation involved the disappearance of petrol tankers.

The West’s argument is that leaders who plunder their nations’ coffers prefer to channel the money into foreign accounts. Chiluba is mentioned among dictators like Col. Gaddafi of Libya and former Peruvian President Alberto Fujimori as a kleptocrat: “What Col. Gaddafi did with his fortune likely follows the same lessons kleptocrats and corrupt officials from Peru to Zambia have drawn over the years.”¹⁶⁰¹

It is important to clarify that although Chiluba is named both as a dictator and a kleptocrat;¹⁶⁰² the former Zambian leader is very far away from being a dictator. In fact, as will be argued later in this chapter, Chiluba gowned Zambia in a democratic cloak and gave to Zambia a liberal framework from which future Zambian presidents will be judged.

Chiluba was accused together with other high-ranking government officials and political operatives. Among these

¹⁵⁹⁹ This was broken down as US\$1.1 million to Chiluba’s tailor; US\$90,000 to Chiluba’s daughter, Helen Chiluba; US\$352,000 to Chiluba’s wife, Regina M. Chiluba; US\$168,000 to former Chief Justice Matthew Ngulube; US\$70,000 to American fundraising churches; and all these amounts were said to have been processed from the ZAMTROP Account in London.

¹⁶⁰⁰ Jan Kees van-Donge, *supra.*, p. 76

¹⁶⁰¹ See *The Globe and Mail* of Wednesday, March 2nd, 2011, on p. A8

¹⁶⁰² See Chapter 30 for a lengthy discussion on Kleptocracy.

were Stella Chibanda,¹⁶⁰³ director in the department of loans and investments of the Ministry of Finance; Aaron Chungu, Executive Director for AFS; Faustin Kabwe, Chief Executive Officer for AFS; Xavier Chungu, former director of Zambia Security Services; and Atan Shansungu, former Zambian High Commissioner to Britain. Others were Georjago Musengule, former Zambia Army Commander; Lt. Gen. Christopher Singongo, former Zambia Airforce Commander; Gen. Sande Kayumba, former Zambia Airforce Commander; Gen. Funjika, former Zambian National Service Cammandant; and Richard Sakala, former press aide in the Chiluba administration.

Others implicated in the *Chiluba Matrix* include former Chief Justice Matthew Ngulube, politicians Katele Kalumba and Vernon Mwaanga, and Shimukowa. Urbano Mutati, and former Ministry of Finance Permanent Secretary Boniface Nonde among others, grace the list.

AFS was the chief facilitator of loan funds received from Meer Care and Desai.¹⁶⁰⁴ These loans were destined for interrelated companies including Roan Investments and Dulatite Properties Limited and Bobat Brothers. Bobat Brothers held about 50.4 percent in Shego Holding Limited. Edward Shamutete held about 50 percent of shares in Shego Holding Limited.¹⁶⁰⁵ Edward Shamutete was a director in AFS.

¹⁶⁰³ Stellah Chibanda was later posted to work as adviser to one of the Executive Directors at the World Bank.

¹⁶⁰⁴ Iqbal Meer, Richard Care and Naynesh Desai constitute a three-person legal partnership believed over the years to have been paid almost US\$9 million from the ZAMTROP Account. The law firm is based at 97-99 Park Street, Mayfair in London. All the three partners have roots in Zambia. Iqbal Meer had also helped to manage Polythene Products and ran a law practice in Lusaka between the 1970s and 80s. Meer was also involved with the Meridien Bank and is known to be Faustin Kabwe's personal lawyer. Richard Care was an adjudicator for GRZ during the 1960s.

¹⁶⁰⁵ Edward Shamutete was once chairman of the board of ZCCM Investments Holdings Plc. ZCCM-IH is a Zambia-based investments holdings company. The majority of the company's investments are held in the copper mining sector of Zambia. The company's subsidiaries include Chambishi Metals Plc, Noda Lime Company, Equinox Minerals, Copperbelt Energy Corporation Plc, Chibuluma Mines Plc, Kansanshi Mining Plc, Konkola Copper Mines, Luanshya Copper Mines Plc, Mopani Copper

AFS¹⁶⁰⁶ was started by Aaron Chungu and Faustin Kabwe after the folding up of Zambia Meridien BIAO Bank of Zambia Limited, a part of an international merchant bank based in the Bahamas and controlled by a company in Luxemburg. Zambia Meridien BIAO Bank of Zambia Limited was founded by Andrew Sardanis, a Zambian nationalist of Greek Cypriot origin. From the profit of the liberalization of the banking sector in the 1970s, Andrew Sardanis set up Zambia Meridien BIAO Bank of Zambia Limited.

Following the Mulungushi Reforms of April 1968, the Zambian economy was restructured, and the government acquired equity holdings of 51 percent in a number of key foreign-owned firms. The government's holdings were controlled by a parastatal conglomerate called INDECO. By January 1970, Zambia had acquired majority holding in the Zambian operations in Anglo American Corporation (AAC) and the Rhodesia Selection Trust (RST).¹⁶⁰⁷ AAC and RST became the Nchanga Consolidated Copper Mines (NCCM) and Roan Consolidated Mines (RCM), respectively. The Zambian government then created MINDECO and FINDECO. FINDECO allowed the Zambian government to gain control of insurance companies and building societies. However, foreign-owned banks successfully resisted the takeover.¹⁶⁰⁸

In 1971, INDECO, MINDECO, and FINDECO were merged into ZIMCO. In 1982, NCCM and RCM were merged into Zambia Consolidated Copper Mines Ltd (ZCCM). ZCCM emerged from the gradual process of nationalization which began in January 1970. Francis Kaunda, who was a director and chairman of Access Group of Companies under which AFS

Mines Plc and NFC Africa Mining Plc. In January 2008, the Government of Zambia transferred its 100 percent stake in Maamba Collieries Ltd. to ZCCM-IH. As a result, ZCCM-IH controls the Maamba coal mine, a supplier of coal to Mopani Copper Mines and Konkola Copper Mines.

¹⁶⁰⁶ AFS was located in Mambilima House at the time of the *Matrix*.

¹⁶⁰⁷ The two major foreign mining corporations at the time

¹⁶⁰⁸ Like the Barclays, Standard Chartered and Grindlays banks

operated, was the Chief Executive Officer of ZCCM.¹⁶⁰⁹ Francis Kaunda was also the chairman of the Privatization Negotiation Team (PNT) which was set up under the Chiluba administration between 1993 and 1997. Francis Kaunda was convicted of unlawful transfer of a primary school owned by the mines to private group in the London court. He appealed the conviction.

Donge has observed that, “Chiluba [was] the main accused, but his name is mentioned among many when charges [were] laid.”¹⁶¹⁰ There is no denial; therefore, that Chiluba is both the protagonist and villain of the *Chiluba Matrix* corruption scandal. However, as is argued in this book, the late Frederick Chiluba may enter history books as the greatest president Zambia has ever produced. This is despite the *Matrix*, because, *imprimatur*, Chiluba brought down a regime that diminished the political competitiveness of the Zambian people and gave back to the people their power.

§31.6 Chiluba Vindicated

Western hypocrisy showed itself in September 2020 when UK banks were accused of offering their services to those with money to hide there.¹⁶¹¹ Some of the world’s largest financial firms did facilitate criminals and fraudsters in processing dirty cash in UK banks.¹⁶¹² The amount involved was astronomical, in excess of \$2 trillion’s worth of transactions. The shocking news was that “banking officials allowed fraudsters to shuttle

¹⁶⁰⁹ In relation to the *Chiluba Matrix*, the biggest scam at ZCCM is alleged to have involved procurement, property and commissions from the sale of cobalt and copper. Over US\$80 million is alleged to have been missing from the sale of cobalt and US\$60 million from copper. Edward Shamutete is alleged to have been involved in this fund disappearance.

¹⁶¹⁰ Jan Kees van-Donge, *supra*, p. 77

¹⁶¹¹ See Vincent Wood, “UK banks accused of facilitating fraudsters and criminals after financial documents leaked,” *Independent*, September 21st, 2020

¹⁶¹² *Ibid.*

money between different accounts after being made aware the profits were from multimillion-pound scams or crimes.”¹⁶¹³

It is important to note that all along the UK newspapers and governors were indicting Chiluba for a small Ammoun they claimed was in the ZAMTROP account, their banks were holding insurmountable amounts for crooks, thieves, corruptors and fraudsters in those banks. No-one should be excused for stealing the people’s money, however, meagre it might seem. However, it should be stated for historical record, that the West has, historically, looked at “the speck of sawdust in your brother’s eye and pay no attention to the plank in your own eye.”¹⁶¹⁴

This has had repercussion on Zambian, and by extension, Africa’s development, trade and debt management. Both the World Bank and IMF have attached austere conditions to lending to Zambia because preemptively, they believe that Zambia is corrupt. The truth must be told, Western formations are repeatedly showing that they are as corrupt. In an article,¹⁶¹⁵ the author surmises, “Before 2016 — before Trump’s election and presidency flipped assumptions about America’s liberal democratic project on its head — the word, which literally means ‘rule of thieves,’ was mostly only used by academics and foreign policy wonks.”¹⁶¹⁶ The article reveals that the US had fast been advancing with kleptocracy, and was “having an unprecedented moment.”¹⁶¹⁷ The West is equally to blame on the state of universal corruption.¹⁶¹⁸

¹⁶¹³ *Ibid.*

¹⁶¹⁴ Matthew 7:3

¹⁶¹⁵ Casey Michel, “How the US became the center of global kleptocracy,” *Vox*, February 3rd, 2020

¹⁶¹⁶ *Ibid.*

¹⁶¹⁷ *Ibid.*

¹⁶¹⁸ See Chapter 29

§31.7 A True Democrat

When compared to the generation of the freedom fighters, the so-called *Big Men* and the *Big Men Syndrome*, Chiluba was a true democrat. Big Men continue to hold on to power even if violence is eminent. For example, Uganda’s ruling party endorsed Yoweri Museveni’s fourth run for president in quest to rule for 30 years.¹⁶¹⁹

African leaders, albeit justified for a few bad eggs, have been called names by the politics of vendetta since they began to demand for their own independence.¹⁶²⁰ As shown in this book, Zambia’s independence was not given on a silver platter; it had to be gained behind the bars of prison and through the gashing of crimson blood. As Zulu assesses, “The struggle for freedom ought to be determined by the oppressed themselves, and not by the oppressor.”¹⁶²¹ Ian Smith did not even dream of a day when the Africans would be free, while Welensky vowed never to see Northern Rhodesia become Zambia.¹⁶²² It will be a betrayal of *Ubuntu*¹⁶²³ to speculate that media houses from the former colonial master or its allies will plead journalistic integrity and objectivity in its reportages about former colonies. Former president Kaunda admonishes Western media to report on “a lot of positive things [that has] happened on the continent [Africa] that deserve their coverage.”¹⁶²⁴ But there are exceptions, and not everyone in the Western media is anti-African progress.

After independence when Kaunda chose Pan-Africanism at the expense of *realpolitik*, he was hounded as destroying his own

¹⁶¹⁹ *CP24 News*, September 13th, 2010

¹⁶²⁰ A few who have proven that power is both sweet and addictive may include Robert Mugabe of Zimbabwe, Yoweri Museveni of Uganda, Charles Taylor of Liberia, Daniel Arap Moi of Kenya, and Robert Guéi of Cote d’Ivoire.

¹⁶²¹ Zulu, *Memoirs of Alexander Grey Zulu*, p. 1

¹⁶²² *Ibid.*

¹⁶²³ See §32.12

¹⁶²⁴ Brighton Phiri, “Western Media Painting Africa with Doom – KK,” *The Post*, (Friday, June 24th, 2005), p. 5

people. Whatever he did was condemned.¹⁶²⁵ The media only loves a newsworthy character but only for a short time. In the modern era, more people's careers and reputations have been destroyed by the media than because of their own follies. Even a devil can gain ascendance and become a Pope when another champion the media judge unworthy ascends to glory.

Some analysts would then blame Chiluba for what became of Zambia. They claimed that for one, despite being promoted as a new-styled African leader, Chiluba began to show some decidedly old-fashioned traits.¹⁶²⁶ Within a year-and-a-half, he had sacked independent-minded colleagues from his Cabinet, and began to surround himself with "yes" men and women. Corruption flourished. Matter of factly, Chiluba's regime was considered by many to be more corrupt than Kaunda's.¹⁶²⁷

Most analysts argue from a prejudicial point of view in which they pair Chiluba and Kaunda on the scale of failures alone, completely disregarding their probative worth relative to

¹⁶²⁵ For example, in an interview with David Martin of the *New Internationalist* of March 1973, Martin asked if arising out of the Rhodesian blockade Kaunda believed that there was anything that the British government could or should do. In response Kaunda said, "I have always said that the right thing for the British government to do when UDI was declared was to move in troops and this would have avoided bloodshed. *I am afraid I have been misunderstood. People thought I was bloodthirsty and I wanted to see bloodshed in Rhodesia.* In fact, I have said that it's better if a legitimate government takes over control and uses a small clique of rebels and establishes its authority and develops Rhodesia towards a nonracial society, rather than allowing a situation to develop in which the Rhodesian Africans will become so annoyed that they will begin to behave in such a way that Mau Mau will look like a picnic. I am afraid we may be witnessing now the beginning of a racial confrontation in Southern Africa, not only in Rhodesia." The reaction of the British in Malvinas (the Falkland Islands) by the use of force in 1982; the US invasion of Grenada in the so-called Operation Urgent Fury in 1983; and the US invasion of Iraq in 2003; now viewed retrospectively, justify Kaunda's fears.

¹⁶²⁶ Chiluba's many critics say that his fall was brought on by the usual sins of the powerful, namely greed, vanity and pride, and a major tactical blunder believed to be an underestimation of Mwanawasa whom Chiluba had handpicked in 2001 to succeed him as president.

¹⁶²⁷ This is punctuated by a famous *Zambian* quote that, "Kaunda's men were pickpockets, but Chiluba's lot [were] thieves."

Zambia. Chiluba is very important to the democratic process of Zambia both as a hero and a villain. As a hero, in the time when Kaunda wielded so much power, Chiluba was the only one who stood up to him in his capacity as President-General of ZCTU and as the presidential candidate for the MMD.¹⁶²⁸

Despite being found liable in a London court, Chiluba still remains the most decorated leader Zambia has ever produced. Chiluba, and not Kaunda or Mwanawasa or Banda or Sata or Lungu, garbed Zambia in a democratic cloak and gave Zambia a permanent democratic and economic reference framework from which present and future regimes will be judged. Moral failure on its own will not negate the democratic and economic inventiveness Chiluba brought to the Zambian political quadrant. In the wake of priest sexual scandals, Pope John Paul II told the American cardinals summoned to the Vatican, “A great work of art may be blemished, but its beauty remains; and this is a truth which any intellectually honest critic will recognize.”¹⁶²⁹ Success and failure by future Zambian political administrations, therefore, will be measured on whether they exceeded or came short of Chiluba’s sweeping changes.

There are two reasons why this is so. First, Chiluba changed a system that had come to define Zambia’s political psyche, a system that had reduced Zambia to the *Majority of One*.¹⁶³⁰ In the

¹⁶²⁸ Hamalengwa has documented the strategic importance of ZCTU and Chiluba’s struggles in *Class Struggles in Zambia 1889-1989 & The Fall of Kenneth Kaunda 1990-1991*, *supra*.

¹⁶²⁹ Susan Sontag, “An Argument About Beauty,” *Dadalus*, Fall 2002, p. 21

¹⁶³⁰ In essence, the conduct of elections in the Second Republic constituted the *Majority of One*. Candidates competed among themselves from a single party, UNIP, and the process was believed to be a democratic exercise. In fact, candidates had to be vetted first through the General Conference which reduced the entire process to hand-picking candidature. There is also a view of the *Majority of One*, imbued in government itself. Government is constituted, allegedly, from different people from different constituencies. Government is, indeed, the largest “business” of the nation, employing tens of thousands of people, regulating the economy, providing welfare, and more.

The *Majority of One* is compared to the *Tyranny of the Majority*. The latter, also known as *Tyranny of the Masses*, is used in discussing systems of democracy and majority rule, is a criticism of the scenario in which decisions

First and Second Republics, Kenneth Kaunda was both the soul and spirit of the *Zambian brand*. He had taken from the *Zambians* the will to rise beyond an MCC. Kaunda was by his political tactics, the decider of people's fate, for better or worse. Chiluba gave back to the people the power to determine their own destinies. This is the reason why the *Matrix* makes so much sense. Because of Chiluba's courage and political posture, the prosecution of the *Chiluba Matrix* was made possible. Because he gave back freedom to the people, the people were able to use it to deny him a third term bid and to eventually bring him to court. Under Kaunda all these would not have been possible. In a twist of fate, Chiluba created a democratic system that would bring *anybody down*,¹⁶³¹ even if that *anybody* was Chiluba himself. This is where Chiluba and Kaunda are different; Kaunda created a punitive system that induced trepidation in everybody except Kaunda! In essence, Chiluba gave Zambia back to the *Zambians*, and in such strong terms that not even Chiluba's machinations could reverse it. Indeed, of Chiluba it is said, "In office, he allowed greater political freedom and moved to aid the ailing economy, steering toward a free-market system and promoting foreign investment."¹⁶³² However, of Kaunda, it is written, "Kenneth Kaunda was a bad *Zambian* leader but a great ex-president."¹⁶³³

made by a majority under that system would place that majority's interests so far above a dissenting individual's interest that the individual would be actively oppressed, just like the oppression by tyrants and despots.

¹⁶³¹ In this the essence of the meaning of the Rule of Law comes to the fore. No-one should be above the law, even if this means a Head of State. In Zambia, mostly supported by the democratic system Chiluba created, the law ruled, and even brought Chiluba to answer for his alleged corrupt behaviors.

¹⁶³² "Chiluba, Frederick Jacob Titus," <

<https://www.encyclopedia.com/reference/encyclopedias-almanacs-transcripts-and-maps/chiluba-frederick-jacob-titus>> (Retrieved: October 2nd, 2021)

¹⁶³³ In Obituary: "Kenneth Kaunda was a bad *Zambian* leader but a great ex-president," < <https://www.economist.com/middle-east-and-africa/2021/06/18/kenneth-kaunda-was-a-bad-zambian-leader-but-a-great-ex-president>> (Retrieved: October 2nd, 2021)

Second, although Chiluba may not have left office a popular leader,¹⁶³⁴ Zambia changed greatly under his tenure, and a lot of it, for the good. Chiluba gave Zambians their freedom of speech; this would have been unthinkable in Kaunda's rule. Even print media such as *The Post* are all brainchildren of Chiluba's liberal democratic ideals. In Zambia, more than anywhere else, one can insult the seating president and go away free.

Chiluba and Kaunda are like the two competing characters in the *Tom and Jerry* cartoon movie. On one hand, both seemed more interested in securing their own positions than improving the lot of their people. On the other, both believed what they did as presidents were in the interest of the Zambians. Kaunda hounded his rival Kapwepwe, and in turn Kaunda was hounded by Chiluba. Kaunda's project of Zambianization in the 1970s tarnished his reputation with the international community, and Chiluba's unwillingness to sell all the mines did the same for him against the international community. In 1980, Kaunda accused Chiluba of using the labor force to remove him from power. In 1997, Kaunda was accused of conspiring in a failed coup plot and was imprisoned. Kaunda strategized the downfall of all those whom he thought were becoming more popular than him. Many people, likewise, saw the hounding of Kaunda by Chiluba as spiteful and malicious, by a leader who felt jealous of the older man's popularity.

In contrast, whereas Chiluba has been described as a "natty" dresser, with a fondness for expensive, monogrammed clothes, and built-up shoes, Kaunda "was not carried away by new fashions. He continued to wear some of his oldest trousers."¹⁶³⁵ However, both former presidents claimed to be Christians.

Despite being a hero, others also see Chiluba as a villain. Chiluba has surely revealed the workings of the inner circles of most governments on the planet. Through him, the cleansing

¹⁶³⁴ That also depends on whose political philosophy one considers. In Zambia both Kaunda and Chiluba are still very popular, notwithstanding the former's longevity in power and the former's implication in a corruption scandal.

¹⁶³⁵ Chisala, *The Downfall of President Kaunda*, p. 53

process has just begun in Zambia. For posterity, there is provided an opportunity to subject incumbents to a stricter moral and political standard akin to democratic politics. Hopefully, for Zambia, there is a precedent by which upcoming regimes will “not just read history, but learn from it as well.”

§31.8 Defence Case

For the record, on May 4th, 2007, London High Court Justice Peter Smith found Chiluba and others liable for having misappropriated over US\$40 million belonging to the government of Zambia. On August 17th, 2009, Chiluba was cleared of corruption charges after Magistrate Jones Chinyama of the Ndola High Court ruled that the funds could not be traced to government money. In law, Chiluba may be a thief,¹⁶³⁶ but he is not a criminal. Chiluba, and by extension, all the other accused, cited three defences: that Mwanawasa was using the accusations to prove that he was, in fact, not a “cabbage” but a meat; that the TFC was an illegal entity; and that there was massive foreign influence in his trial.

President Mwanawasa may go into history as the president who launched a vicious war against corruption and bad governance in Zambia. But he may, as well, be archived as the person who used his power to punish those he thought stood between him and his wishes. There is no doubt that Mwanawasa was hand-picked by Chiluba to become Zambia’s third Republican president. Mwanawasa both admits and testifies that Chiluba deserved his appreciation because in all fairness, Mwanawasa’s political career was a blessing from Chiluba: “In 2002, shortly after becoming President of Zambia, I had fallen out with my predecessor Dr. Chiluba. It was a very painful thing. Let me say that despite all his shortcomings, Dr. Chiluba was and still is a very close friend of mine.”¹⁶³⁷ But the fundamental question is: what led to the “fall-out” that pained

¹⁶³⁶ In Zambia, there is an unwritten law that all Bembas are thieves by tribe.

¹⁶³⁷ Malupenga, *supra.*, p. 147

Mwanawasa so much? Mwanawasa himself answers that question: “I suspected that [Chiluba] was organizing articles and adverts in the press against me.”¹⁶³⁸

Naturally, politicians have things said against them in the papers all the time. What made a supposedly “very close friend” and the man who handed Mwanawasa power in the middle of the night to be stripped of his immunity and to stand accused in one of Zambia’s greatest political prosecutorial melodramas? Moreover, Mwanawasa did not only strip his predecessor of immunity, he, all of sudden, seemed to partner with *The Post*, which was one of the papers that published the supposedly “articles and adverts against me.”

§31.9 True Chiluba’s Legacy

Naturalists argue that the role of the judge is not to interpret the law in abstraction. Rather, it is to tie it to the prevailing moral code and adduce the appropriate judgment in the interest of right or wrong. Realists argue that judges should focus on substantive law and interpret it as they find it. In other words, justice is what the Legislature says it is. Yet, even in the most democratic of systems, some judges would just be biased. Governor Dewey, commenting on Stanley H. Fuld, CJ., said: “Some lawyers become judges because they have worked hard enough and long enough in the political vineyards to persuade the dominant political party to nominate them. Some judges, like ambassadors, arrive at their destination by the route of heavy political contributions. Then there are some lawyers who become judges because they were born to be judges.”¹⁶³⁹

The “born judges” may recuse themselves from the bench where they judge it would not advance the ends of justice. However, others may continue to adjudicate even if they know they are themselves under investigation for judicial misconduct.

¹⁶³⁸ *Ibid.*, p. 148

¹⁶³⁹ Thomas E. Dewey, “The Making of a Judge,” (April 1971) *JSTOR: Columbia Law Review*, Vol. 71, No. 4, p. 537

Justice Peter Smith, the judge who handed a corruption sentence in Chiluba's *Matrix* civil case in London in 2007 was himself investigated for misconduct in 2008. Following investigation under the Judicial Discipline Regulations 2006, their Lordships the Chancellor and the Chief Justice of UK considered the Court of Appeal's comments on the conduct of Mr. Justice Peter Smith in the case of *Howell and Others v. Lees-Millais and Ors*¹⁶⁴⁰ concluded that the conduct in question amounted to misconduct.¹⁶⁴¹

Besides Justice Smith's behavior, it is also the debate about the City of London's role as a center for international money laundering. Britain is a signatory to Organization for Economic Co-operation and Development (OECD) and the United Nations Anti-bribery conventions. However, the OECD has criticized Britain for failing to devote sufficient resources to the fight against corruption. Everyone seems to be concerned about the allegations of corruption by the Zambians but few seem to notice that the said ill-gained moneys were held in British bank accounts.

Just like the Swiss Bank's policy of *Ask-No-Questions*, London continues to be the center for stolen money.¹⁶⁴² The so-called thieves have found London, and indeed, some other European cities, a haven for hoarding money that belongs to the developing governments. Indeed, "part of [the *Chiluba Matrix*]'s ill-gotten gains was laundered through two London law firms, Care & Desai and Cave Malik and Company, [which] were part of the conspiracy."¹⁶⁴³

London's quest to rid the world of corruption is commendable. However, this fight should be pursued reasonably bearing in mind the fact that some of the

¹⁶⁴⁰ (2007) EWCA Civ 720 (July 4th, 2007)

¹⁶⁴¹ Office for Judicial Complaints, "Statement from the Office for Judicial Complaints – Mr. Justice Peter Smith," (April 2008)

¹⁶⁴² See Aimee Donnellan, "Breakingviews - Review: London is global corruption's top offender," *Reuters*, October 2nd, 2020

¹⁶⁴³ *Africa Image*, "Sharp-dressing Ex-Zambian President Stole £23m," (Monday, June 29th, 2009, <<http://iloveafrica2.blogspot.co.uk/2009/06/sharp-dressing-ex-zambian-president.html>> (Retrieved: July 6th, 2010)

perpetrators it looks for abroad, especially in former colonies, may be laying and hatching eggs right in Central London. Moreover, those who judge others must remember that in the same way they judge, they will be judged as well.¹⁶⁴⁴

Corruption, admittedly a menace in some African governments, should not be over-appraised in the developing countries. Predatory behaviors are unpalatable anywhere in the world. For Africa, and the developing formations, the consequences are pernicious. Emerged Zambian Leaders must abide by sane principles of honesty, hard work and integrity in the transaction of national affairs.

Regardless of all that has been said, Chiluba died an honorable man of an apparent heart attack on June 18th, 2011, and received a state funeral. The author picked up the sentiments of many media outlets across the globe within 24 hours of his death, and all but a few agreed that Frederick T. J. Chiluba was, “The first democratically elected leader of [Zambia].”¹⁶⁴⁵

¹⁶⁴⁴ Matthew 7:2 (Bible)

¹⁶⁴⁵ “Former Zambian President Frederick Chiluba, the first democratically elected leader of his country, has died of a heart attack in his Lusaka home. He was 68” (*BusinessWeek*); “When Chiluba took over the country as president in 1991, ending the 27-year rule of Zambia’s founding president, Kenneth Kaunda, he was hailed for saving the country from one-party rule” (Aljazeera); “Mr. Chiluba was hailed as Zambia’s “liberator” by his supporters when he came to office in 1991 after 27 years of single party Socialist rule. He won praise for his economic and political reforms” (BBC); “The Lusaka magistrate’s court in August 2009 ruled that Chiluba was of no guilty of all charges against him” (*Xinhua News Agency*); “The former president of Zambia, Frederick Chiluba, once hailed as a hero of democracy, died on Saturday aged 68” (*France 24*); “[State Funeral] Government has since constituted a committee to be chaired by Defence Minister Dr. Kalombo Mwansa that will handle the funeral procession and burial arrangements for the Second Republican president” (*Zambia Post*); “[President Chiluba] was hailed as ‘the black Moses’ and ‘the liberator’ by his supporters, he...introduce[d] political freedoms and replace[d] Kaunda’s debt-ridden, centrally planned economy with a free market” (Yahoo News); “Zambia’s former president Frederick Chiluba, credited with turning the page on the autocratic rule of founding father Kenneth Kaunda...died on Saturday” (*Modern Ghana*); “Chiluba died at 0:05 am” (ZNBC); “It is unknown yet what caused the death of the former president, who was in

power from 1991 to 2002” (*Global News*); “Under Mr. Chiluba, Zambia was considered to be a model of African democracy and his presidency was welcomed in the West” (*Billionaire Forbes*); “In his bid to free up copper-rich Zambia’s economy, Chiluba slashed import duties and abolished currency controls. He sold state owned enterprises to private buyers, many of them from Europe or South Africa” (*The Independent*); “[President Chiluba]... was welcomed by the West who had struggled to get on with the leftist Kaunda and he won praise for his emphasis on democracy, human rights and governmental transparency” (*AllAfrica.Com*); “Chiluba ruled Zambia from 1991 to 2001. He came to power after 27 years of Socialist rule of former president Kenneth Kaunda. Chiluba was ... praised for his economic and political reforms” (*Press TV*); “Chiluba, a trade union leader, won the country’s multi-party presidential election in 1991 as the candidate of the Movement for Multiparty Democracy (MMD), defeating long-time President Kenneth Kaunda. He was re-elected in 1996” (*Lusaka Times*); “Chiluba... claimed to be the victim of a political witch-hunt backed by Britain, Zambia’s former colonial ruler” (*The African Report*); and “The first democratically elected president of Zambia, who became the focus of a lengthy corruption trial during his retirement, died at his home early Saturday, his spokesman said. Frederick Chiluba was 68. He ruled the nation from 1991 to 2001. ‘The death was a surprise for us because he was normal during the day,’ spokesman Emmanuel Mwamba said by phone from Lusaka. ‘He met some people, had appointments and consulted. It was a normal day’” (CNN).

Chapter 32 Politics of Culture

*Big nations will someday collapse
Just like Rome and Egypt did
And smaller nations will rise
Just when they least expect it.*

BRIEF INTRODUCTION

This chapter discusses the politics of culture. The author contends that Zambia needs an authentic, original culture to diffuse an imported value system that has come to define Zambia's cultural expression. The highlight of this chapter centers on the contributions of culture to democracy and, indirectly, to enslavement. The chapter concludes by looking at "Standards" as a tool of both colonialism and Neo-colonialism.

≈ Politics ≈ Culture ≈
Imperialism

AT THE END OF THIS CHAPTER:

1. You will understand the reason why Zambia needs to protect and sustain its culture;
2. You will appreciate the importance of cultural respect, the equality of cultures, cultural democracy and *Ubuntu*, among others; and
3. You will learn about one of the last two surviving tools of colonialism: Standards.

MAJOR THEMES:
African Renaissance;
Black Consciousness;
Humanism and *Ubuntu*;
Standards.

§32.1 Dignity and Decency

The culture of Zambia is as Grant has said one of “impressive dignity.”¹⁶⁴⁶ This can be seen in the rituals, rites of passage, moral ethics and responsible education. For example, politeness is a norm in Zambia, respect for adults and other people’s property, are fundamental protocols. Morality has been the mainstay of life in Zambia from childhood. Zambians, like Africans in general, understand the value and importance of family.¹⁶⁴⁷ And through their cultural practices, they transmit “history and identity.”¹⁶⁴⁸ Zambians have always treated one another with candor, basing their relationships on “merit and not race.”¹⁶⁴⁹

Grant has admitted that, in Zambia, the “ideals of morality [are] firm.”¹⁶⁵⁰ This observation is important because it speaks volumes in the light of HIV/AIDS scourge. There is a presumption that HIV affects more Africans than any other people on the face of the earth. In fact, that assumption is false. As early as the 1940s, Europe had been exposed to the use of condoms. If sexually transmitted diseases were a menace, they had been ravaging Europe for a long time. When Zambians had no idea of the use for condoms, for they had little use for it, the British public was not only exposed to it, but was, “Throwing condoms and other unmentionables down...toilets.”¹⁶⁵¹

This revelation is material to the analysis of the entire claim that AIDS could have originated from chimps in Africa. AIDS by definition is a human disease and there is no basis that African chimps could have invented it without some mistaken help. It has made some people come up with a Conspiracy Theory which blames the origin of HIV on the CIA.

British people had been using condoms as early as the 1940s, Africans were not. Even if the disease had been in existence then, it would do less damage to the Britons as preventive measures were in abundance. For Africans, it would only take a single infection to jeopardize the entire village. In certain villages, polygamy was a virtue and a man with the disease and many women at one time, portended

¹⁶⁴⁶ Grant, *Zambia – Then and Now*, p. 92

¹⁶⁴⁷ See Barack Obama, *Dreams from My Father* (New York: Three Rivers Press, 1995), pp. 429-30

¹⁶⁴⁸ Edwin Zulu, *Living with Dignity: African Perspectives on Gender Equality* (Stellenbosch: Sun Press, 2015), p.81

¹⁶⁴⁹ Grant, *supra.*, p. 9

¹⁶⁵⁰ *Ibid.*, p. 85

¹⁶⁵¹ *Ibid.*, p. 23

both a moving fatality and potential mass infections. The fact that these African communities were, and are still, intact, is testament that their moral fiber is strong.

It is evident that the ancestors of the modern-day Zambians did not wear clothes as we know them today. In fact, Africans seemed to have resented European clothes, opting, instead, for skins.¹⁶⁵² However, this does not prove that they did not adhere to the ideals of decency. Clothes were not completely non-existent. Forms of dressing were available such as special leaves, animal skins and specialized tree barks, and in contemporary era a *Chitenge*¹⁶⁵³ is used. In Zambia, for example, certain parts of the body were and are still venerated. A woman's bosom was, and still is sacred: Her buttocks, thighs, upper calves and private parts were supposed to be covered at all times. It was, and is still, ignominy to expose genitalia in public view of everyone in Zambia. Even before the advent of modernism and sophisticated means of clothing, men and women found ways of covering their genitalia.

Grant who lived and served as a District Officer in colonial Zambia agrees: "An African always had to dress decently, as well as he or she could afford."¹⁶⁵⁴ African women covered everything but breasts, a habit most Europeans find repugnant. For even in cohabitation, African men are more likely to gain an arousal from exposure to a woman's buttocks than to her breasts. Moreover, the sexual act itself, in the typical context of the Zambian traditional life, is an extremely secretive affair. Kissing came very late in the Zambian concept of lovemaking, and sex for the Africans was strictly restricted to vaginal penetration, rather than to anal or oral sex.

The concept of village in Zambia is part of the African milieu. It is based on extended families living together.¹⁶⁵⁵ The grandfather headed the village according to *Imikowa* (clans). These clans operated in partnerships or *Bungwes* based on joking relationships. For example, Bembas are cousins with the Ngonis, and Tongas with Ndebeles.¹⁶⁵⁶

¹⁶⁵² The Africans found the clothes introduced by Europeans very inconveniencing especially when they had to answer the call of nature. See Firstbrook, *The Obamas*, p. 126

¹⁶⁵³ A *Chitenge* is essential female clothing of two-meter length of cotton print wrapped around the waist and over a dress or skirt. It conceals the knees and the upper calves. Its purpose is primarily for modesty.

¹⁶⁵⁴ Grant, *supra.*, p. 85

¹⁶⁵⁵ See Sally Aldridge, *The Peoples of Zambia* (London: Heinemann Education Books, 1978), p. 83

¹⁶⁵⁶ These cousin-relationships or joking relationships usually developed after the

Social intercourse was based on certain prescribed rules. These were usually of two natures: Matrilineal and patrilineal. The former is where the blood of a family is passed from the mother to the children; the latter is where the blood of the family is passed from the father to the children.¹⁶⁵⁷ Children have always been special in Zambia. Their souls are believed to be protected by the clan's ancestors. Thus, "It was necessary for the parents to give the baby the name of their ancestors. The baby cried when they said the name of the protecting ancestor, and this became the baby's name."¹⁶⁵⁸

The child was considered to have become an adult at *Chisungu* (puberty) and "most Zambians people had special [initiation] ceremonies and education for children at [puberty]."¹⁶⁵⁹ *Chisungu* was indispensable because without it the woman was not considered capable of being a good wife or mother. Ironically, *Chisungu* was very comprehensive, and it was not limited to the first menstruation. A girl began to be a woman after the development of breasts.¹⁶⁶⁰

In Zambia, birth and death are complementary; each death needs to be filled in by a birth. Spirits of dead persons did not believe the person they protected had gone after death. Therefore, funerals were instances of both appeasing these guardian spirits and to "persuade the spirit to go."¹⁶⁶¹

§32.2 Impact of Colonialism

There is a presumption that when West meets African, the Western brand must win. Indeed, even in the great emancipation of

ancient wars these tribes engaged in.

¹⁶⁵⁷ Under matrilineal arrangements when a man dies, his sister's son usually takes over his possessions and place in society. Under patrilineal, the man's eldest son does the same. Most of the clans in Zambia are matrilineal; the Lozis have a mixed heritage.

¹⁶⁵⁸ Aldridge, *supra.*, p. 88

¹⁶⁵⁹ *Ibid.*, p. 99

¹⁶⁶⁰ Zambian boys were wired to be men from birth and, therefore, there was no single event that determined their manhood, and not even their first ejaculation. There were exceptions, such as among the Luvale of North-western Province who practiced *Umkanda* (circumcision). Marriage in Zambia came in three ways. The first was forced marriages. However, this was considered a cheap marriage and it did not confer honor on the girl's parents. The second way was through elopement. Elopement was both expensive and portended trouble for the couple and its parents. The third and most popular way of marrying in Zambia is Bride-Wealth.

¹⁶⁶¹ Aldridge, *supra.*, p. 90

the US, the tension between these two dialectics loomed large. Thus, some Africans embraced, “The accommodationist philosophy of Booker T. Washington.”¹⁶⁶² However, the more moderate intellectuals led by W. E. B Dubois, “insisted that it was Whites who needed to adapt to full Black citizenship.”¹⁶⁶³ Although the Africans did not acquiescent to colonialism, they, nevertheless, were powerless to counteract Western influence.

When the nation of Zambia was born in 1964, it was a completely new nation, different in history, organization and socio-cultural outlook. The meaning of the way of life as its ancestors envisioned it had drastically changed. Colonialism transformed the social and cultural structure of the nation that came to be known as Zambia. As intimated by Chinua Achebe, when the colonialists invaded Africa, *things* indeed *fell apart*.¹⁶⁶⁴ There are two fundamental factors that necessitated the change.

First, before independence, the territory known as Zambia was a complete and autonomous society. Pre-colonial Zambia, “was a complete society as well as an autonomous one; it was this completeness as well as its autonomy which was taken away.”¹⁶⁶⁵ This completeness and uniqueness was taken away by two agents of colonialism, British colonial administration and the introduction of the Christian religion.

Religion was “very influential in undermining the pattern of tribal life.”¹⁶⁶⁶ Christianity, like many other religions, does not allow for a compromise, nor did it do so in the case of the African indigenous religion. It did not allow for the mutual exchange of those values which were common to both societies, either. On the contrary, the Christian religion “required as complete a renunciation of the African traditional spiritual beliefs and values as possible so that subverting and replacing these was fundamental for early missionaries.”¹⁶⁶⁷ Missionaries were inspired by the Biblical doctrine of world evangelism, which permits no middle ground for the conversion of

¹⁶⁶² Douglas A. Blackmon, *Slavery by Another Name* (New York: Anchor Books, 2008), p. 270

¹⁶⁶³ *Ibid.*

¹⁶⁶⁴ Chinua Achebe, *Things Fall Apart* (New York: Knopf Doubleday Publishing Group, 1958)

¹⁶⁶⁵ A.J. Wills, *Introduction to the History of Central Africa: Zambia, Malawi and Zimbabwe, 4th Edn.* (Oxford: Oxford University Press, 1985), p. 22

¹⁶⁶⁶ William, *supra.*, p. 78

¹⁶⁶⁷ *Ibid.*, p. 78

the gentiles.¹⁶⁶⁸

What the missionaries believed was that the Africans in Northern Rhodesia would be converted to the Kingdom of Heaven when what, in fact, happened was that the Africans became converts of the United Kingdom! Missionary work in Northern Rhodesia not only destroyed tribal culture, but also paved the way for the incursion of European traders and administrators. Clearly, a sense of cultural and spiritual superiority influenced the reshaping and subsequent erosion of the African culture in Northern Rhodesia.

The most caliphate Khalifatul Masih IV, Hadrat Mirza Tahir Ahmad, has lamented the dreary naïvety of Africa and Africans to allow imperial powers to advance colonialism in a Christian disguise. He argues that Christianity has become an “inseparable part of Western civilization and has played an important role in their colonization and imperial conquests.”¹⁶⁶⁹ Accordingly, all that is known about Western civilization has, in the main, been “pervaded with some Christian elements.”¹⁶⁷⁰ Now as in the 19th Century, Christianity became a weapon for servicing the “material causes of the West better than its spiritual causes.”¹⁶⁷¹

However, Ahmad has nodded that like any exception to every rule, there are still Christian elements which are unscathed by what he refers to as Christianity’s “split identity and inherent hypocrisy.”¹⁶⁷² In fact, he cautions that “[imperial] Christianity... is very distant from the Christianity of Jesus Christ.”¹⁶⁷³ In colonial literature, imperial Christians are those who came to Africa with the Bible in one hand and a gun in the other!

On the whole, nevertheless, Christianity has, historically, enhanced Western imperialism and colonialism. This follows the premise that imperial conquests are meaningless without an economic subjugation of the people. Thus: “When colonial rule subjugated almost the entire continent of America and tied Africans from crown to toe in the chains of political bondage, they did not

¹⁶⁶⁸ The Holy Bible instructs the Christians in Matthews 28:20 to “Go into the world and make disciples of all peoples.” Those who believe in Jesus Christ become saved from impending judgment. However, those who do not believe are forever lost, and are generally referred to as gentiles or pagans.

¹⁶⁶⁹ Mirza Tahir Ahmad, *Christianity: A Journey from Facts to Fiction* (Surrey, UK: Islam International Publications, 2006), p. 145

¹⁶⁷⁰ *Ibid.*

¹⁶⁷¹ *Ibid.*

¹⁶⁷² *Ibid.*, p. 149

¹⁶⁷³ *Ibid.*

have to wait until they were bound, hand and foot, in the chains of economic slavery as well.... It is surprising that the Africans did not question this purportedly noble intention.”¹⁶⁷⁴

It was questions like these which paved the way for the Africans to seek for political emancipation in the 1960s. Notable Black Americans like Malcolm “X” and Muhammad Ali rebelled against surnames of their former slave masters and sought new identities akin to the theorization of Ahmad. This so-called *Rights Movement* could not have been possible without the radical questioning of the capricious invasion of Africa through imperial Christianity.

Despite the aforesaid, Africans showed tremendous sense of adaptability - not willingly or because they deemed European way of life as finer - but because they had no other recourse. In 1924, the BSAC had given way to the British government to administer the territory of Northern Rhodesia. If the missionaries had destroyed the African society and culture, the colonial administration completely changed the political and economic patterns of African traditional establishment.

To do that, and this is the second factor, the colonial administration introduced a hut tax. According to Ndabaningi Sithole, the radical changes brought about by colonialism including the hut tax, “awed [the Africans] into submission.”¹⁶⁷⁵ For instance, due to the poverty of information about the European settlers generally and the myth of the unknown, the Africans’ awesome reverence for the Europeans definitely advantaged the later who took advantage of the “ignorant” Africans and utilized them as servants and lowly paid menial workers.

It was the custom of the colonialists to abandon one brutish system only to substitute it with another more cynical one. The hut tax was not any different. For example, in 1906, the BSAC imposed the Abolition of Slavery Proclamation in Barotseland. On July 16th, 1906, the Resident Magistrate Frank Worthington of the BSAC “forced the Ngambela to read the [Abolition of Slavery Proclamation] aloud to a crowd of several thousand gathered in Lealui.”¹⁶⁷⁶

Thus, all the workers who were required to assist the *Indunas* and headmen to build the *Indunas*’ and headmen’s homes or cultivate their fields were “freed.” However, this only freed the Africans to “work

¹⁶⁷⁴ *Ibid.*, p. 146

¹⁶⁷⁵ Ndabaningi Sithole, *African Nationalism, 2nd Edn.* (Oxford: Oxford University Press, 1991) as quoted in Grant, *supra.*, p. 77

¹⁶⁷⁶ Grotperter *et. al.* *Historical Dictionary of Zambia*, p. 20

for Europeans in order to pay the hut tax to the Company.”¹⁶⁷⁷

Britain required every African male to pay a hut tax. “Africans now paid taxes to live in their own homes”¹⁶⁷⁸ which itself was an oxymoron. This completely changed the Zambian political, social and economic life. The tax created a new political economy based on cash. The Africans, who had been used to a simplified economy based on subsistence living, were now required to pay for everything they needed – in fact, *owned*. They were the proud owners of lands, farms, and gardens. Now they had to work for someone else in order to meet basic human needs. Worse still, they had to pay out of their meager earnings a percentage to the colonial officials known as a hut tax.

Contrary to popularized notions that hut tax was imposed because the BSAC needed revenues, records have shown that hut tax was demanded from the Africans because of the infantile belief that the African was too free and too unconcerned about work and yet the Europeans were too burdened with work and taxes.

For instance, in 1899, Robert Codrington claimed that, “The African in North-Eastern Rhodesia was a *freeman*. Indeed, he had never been as free. He *paid no taxes and worked only when his own inclinations so decided*.”¹⁶⁷⁹ Thus, it did not augur to Europeans that anyone could live without paying taxes. Such a person was, accordingly, too free to exist like that. While, historically, the impression given is that Africans wanted to imitate the Europeans’ lifestyles. This view begs to be corrected. It was, matter of factly, the Europeans who had always wanted to take the place of the Africans.¹⁶⁸⁰

The African people were still bitter over the punitive wars waged against them at the turn of the 19th Century. In addition, the imposition of the hut tax, together with forced labor, grieved the Africans and created a *prima facie* enmity against the colonialists. This was, furthermore and as mentioned above, compounded “by the paternalistic attitude of the missionaries.”¹⁶⁸¹

In particular, the Roman Catholics were more reluctant to “train Africans as priests”¹⁶⁸² than any other missionary societies. The

¹⁶⁷⁷ *Ibid*.

¹⁶⁷⁸ Firstbrook, *The Obamas*, p. 123

¹⁶⁷⁹ Michael Gelfand, *Northern Rhodesia: In the Days of the Charter* (Oxford: Basil Blackwell, 1961), p. 147 (Emphasis added).

¹⁶⁸⁰ See a poem from the *Northern Rhodesia Journal* in §7.5

¹⁶⁸¹ Firstbrook, *supra.*, p. 121

¹⁶⁸² L.H. Gann, *The Birth of a Plural Society* (Manchester: Manchester University Press, 1958), p. 31

Catholic policy greatly commended itself to many of the European settlers who later entered the country. This Catholic naïvety was welcomingly acknowledged by the colonialists. Instead of preaching equality of all races, the Catholics reinforced racial inequality by either not deliberately preaching against it or by not appointing the Africans to priestly positions. Apparently, missionaries and churches were instrumental in the deculturalization of the Africans as they did to the Aborigines in North America through residential schools: “The stated purpose of the Indian Residential Schools was to make the Indigenous Peoples of Canada embrace Western values and Christianity (those two sets of beliefs were almost inseparable at the time). In the eyes of many state officials, the agent that could and should bring about such rapid change was the Christian church.”¹⁶⁸³

It has, thus, been asserted that, “Of all the missionaries the Roman Catholics do least harm for they never preach equality, nor allow the natives to approach the level of equality in any way. Therefore, politically as well as socially the Roman Catholic missionaries are to be congratulated.”¹⁶⁸⁴ In essence, the Catholic missionaries, *honoris causa*, together with the colonialists, perpetuated social inequalities.¹⁶⁸⁵

Colonialism even had deeper ethical and moral consequences on Africa than met the ears; it was an instrument for the total extinction of the African race. One called Sir Charles Norton Edgcombe Eliot, once British governor in East Africa vowed: “The sooner [the native] disappears and is unknown, except in books of anthropology, the better.”¹⁶⁸⁶ Eliot called Africans “greedy” and “covetous” and that they were “far nearer the animal world than is that of the European or Arabic.”¹⁶⁸⁷ In short, colonialists desired the extinction of the Africans, and when that was not possible, they resorted to decimating their culture. Thus, “The imposition of colonialism on Africa altered its history forever. African modes of thought, patterns of cultural development, and ways of life were forever impacted by the change

¹⁶⁸³ Facing History and Ourselves, “The Role of the Churches,” <<https://www.facinghistory.org/stolen-lives-indigenous-peoples-canada-and-indian-residential-schools/chapter-3/role-churches>> (Retrieved: October 2nd, 2021)

¹⁶⁸⁴ *Ibid.*

¹⁶⁸⁵ However, 19th Century Catholicism defended itself that its failure to train the Africans as priests was time-related and not racially motivated. In other words, the Catholics felt that the Africans, who had just been converted to Christianity, were still novices to serve as priests.

¹⁶⁸⁶ Neil Sobania, *Culture and Customs of Kenya* (Santa Barbara, CA: CBC/CLIO Greenwood Press, 2003), p. 19

¹⁶⁸⁷ B.A Ogot, *A History of the Luo-Speaking Peoples of Eastern Africa* (Nairobi: Anyangwe Press, 2009), p. 670

in political structure brought about by colonialism.”¹⁶⁸⁸ Africa must rediscover itself.

The traditional African society as they knew it had come to an end. For a life of equality, communal co-existence had been turned into one of unequal consumption, individualism and one which depended on cash. The capitalistic model of cash, wage and compensation had become a norm. All this was perfectly “alien and imposed” on the Africans. This prompted a former director at Multimedia Zambia to charge Zambians to “discover some inner strength and communal guidance in the positive values of [Zambian] cultural heritage.”¹⁶⁸⁹

However, the African inherent joviality is apparent in the way people interact and meet their daily challenges. A visit to one of the African countries changed the way one of North American sports superstars had been made to view Africa. Michael Clemons observed: “The greatest learning is when you go overseas expecting to feel sorry for the conditions people are living in, and you see joy, the sense of community, and how people come together to help each other and to celebrate. You have stories over here [North America] where people live beside each other for ten years and don’t know each other.”¹⁶⁹⁰

What Clemons defined was one of the fundamental elements of the founding principle of *Ubuntu*.¹⁶⁹¹ This is at the very heart of the Zambian culture. In *I Write What I Like*,¹⁶⁹² Bantu Steven Biko comes to an understanding that, “The easiness with which Africans communicate is...inherent in the make-up of African people. Africans [have developed] a sense of belonging to the community.”¹⁶⁹³ It is this aspect of the Zambian culture which is essential to Zambian social solidarity, political solidity and economic robustness.

§32.3 Culture is Specific

International politics classify nations as First World, Second

¹⁶⁸⁸ Joshua Dwayne Settles, “The Impact of Colonialism on African Economic Development” (1996). Chancellor’s Honors Program Projects.

https://trace.tennessee.edu/utk_chanhonoproj/182 (Retrieved: October 2nd, 2021)

¹⁶⁸⁹ Sambwa Gabriel Chifwambwa, “Mwanakatwe,” *The Post*, (December 29th, 2009)

¹⁶⁹⁰ Michael ‘Pinball’ Clemons, “Global Reach,” *Sway*, Spring 2011, p. 43

¹⁶⁹¹ See §32.12

¹⁶⁹² Aelred Stubbs, *I write What I Like* (New York: C. R. HarperCollins Publisher, 1978)

¹⁶⁹³ *Ibid.*, p. 30

World and Third World. The criterion is usually social, military, political and economic but not cultural. Culture is never a yardstick for measuring a nation's greatness. A culture of a nation is the sub-total of all the beliefs and ways of life of that people. This is why it is important to guard one's culture and it is the same reason why the culture of one people cannot be better than that of the other.

By and large, Western culture has permeated the African social mosaic. But Western culture cannot liberate Africa. Western educated elites are essential to the political and economic liberation of Africa, but only if they do not overlook or neglect the cultural heritage of Africa. Otherwise, they have failed to successfully run the economies of Africa. Japan has shown that cultural integration is necessary.

Zambian culture is one of the blessings it has from God. It is neither superior nor inferior to any other cultures because cultures are mutually exclusive. What is good in one culture should be true to others as well. Decent living, respect for order and dignity of the deserved are accepted everywhere as tenets of a good culture.¹⁶⁹⁴

The Zambian culture promotes a sense of community and kinship. Such a culture is a breeding ground for sound economic principles and Zambians can take advantage of that. Zambia ought not to borrow a culture from elsewhere and this is what the peoples of Zambia should teach to their children and their children's children.

It is an anomaly to imitate another culture. It is antithetical to the very concept of independence. It is chauvinistic to the highest ignominy for the progeny of the Zambian ancestors who in the 19th Century were sold as slaves to continue to sell themselves culturally in the 20th Century. African names, music, dressing and traditions should be jealously kept because that is what defines an African. It is, however, not a crime to integrate various cultures for the purposes of harmonious living together.

Zambian leaders have a moral obligation to test foreign theories and assumptions to check whether they agree with cardinal African cultural beliefs, especially if that can help eliminate poverty and disease. The irony is that the missionaries who first brought the Gospel to Zambia also taught that authentic African culture was against the principles of the Bible.

This is only true in so far as it concerned beliefs and practices which bordered on self-destruction, harm to nature or others. For those practices which taught values of hard work, teamwork, cooperation, charity, order, accountability and integrity, there is, as

¹⁶⁹⁴ Such as chiefs, headmen, parents and generally all adults.

there was, need to preserve such. Thus, the early Christian missionaries lacked this sensitivity to authentic African cultural values.

§32.4 Cultural Respect

Comprising over 70 languages or dialects and tribes, Zambia is a quintessential multicultural society. One of the challenges the Zambian fathers had was how to harmonize the diversity of tribal customs, languages and culture into a One Zambia One Nation.¹⁶⁹⁵ A multi-cultural society consists of more than one culture existing side by side. Within a multicultural society there are multicultural persons or individuals who live along side each other. They have usually reached this harmonious state of co-existence by respecting the cultural differences of each other while upholding the qualities that unite them.

Often a multicultural person may try to maintain his or her own culture with all its norms and systems of beliefs or may choose to integrate and acquire another. This is what people experience on the Copperbelt Province of Zambia. Here people from all corners of Zambia came to seek employment in the copper mines and their subsidiaries. They brought with them cultural beliefs and languages.

Culture is central to what we see, how we make sense of what we see, and how we express ourselves. By definition, culture refers to a group or community with which we share common experiences that also shape the way we understand the world. Zambians must endear their cultural heritage because it forms the basis of who they are, and that is priceless.

§32.5 Defining Cultural Respect

Cultural respect is defined as the recognition, protection and continued advancement of the inherent rights, traditions and cultures of a people. It is achieved when cultural differences are respected. It is enshrined in the role that knowledge, awareness and behavior play in underpinning strong relationships between different groups of

¹⁶⁹⁵ “One Zambia, One Nation,” was the UNIP motto towards unity. Old politicians like Alexander Grey Zulu argued that this was a true Zambian motto encompassing all political diversity.

people. Together these three dimensions – knowledge, awareness and behavior – contribute to the achievement of equitable outcomes for the different cultural groups.

The diversity of sub-cultures in Zambia is an irreplaceable source of social and intellectual richness for the nation. The protection and enhancement of cultural diversity should be actively promoted as an essential aspect of human development. Cultural diversity exists in time and space and demands respect for other cultures and all aspects of their belief systems. In cases where cultural values appear to be in conflict, respect for cultural diversity demands acknowledgment of the legitimacy of the cultural values of other people.

Respect for diversity is the hallmark of social stability. The policy adopted by the UNIP government of tribal inclusiveness helped to reduce racialism in Zambia. The first leaders of Zambia wanted, “to build one nation; and move away from tribalism.”¹⁶⁹⁶ Zambia has, thus, evolved into a true multicultural society comprising tribal diversity and over 70 dialects.

Zambia is a shining example of tribal integration. “Zambia is one special country on the African continent that cannot be said to be practicing tribalism in politics.”¹⁶⁹⁷ However, this does not mean that there are no pockets of tribal elements from time to time. These unfortunate episodes have been triggered owing to the political influence of the colonial masters. Tribal politics in Zambia are reminiscently artificial and are more of a “reality of history” than of a lack of cultural respect.

§32.6 Culture and Moral Ethics

Respect for the cultural beliefs of other people is central to ethics. Some theories treat it as the very essence of morality and the foundation of all other moral duties and obligations. Respect, as a moral concept, postulates that members of a multicultural society understand the inevitability of cultural co-existence. As people interact, they diffuse their cultural beliefs and traditional practices akin to them.

Morality helps in the preservation and maintenance of an understanding among different groups. At a glance, morality refers to a set of values that have to do with how humans cooperate and

¹⁶⁹⁶ Zulu, p. 462

¹⁶⁹⁷ *Weekly Angel*, “Tribal Politics,” (March 20th – 26th, 2006), p. 10

coordinate their activities in the service of furthering human welfare. Morality may also touch on how people adjudicate conflict among individual interests.

As ethics, morality seeks to investigate all aspects of human conduct, theoretical as well as practical. Ethics is primarily concerned with the basic concept of morality like *erectus* or rightness, goodness, duty, responsibility, justice, virtue, consciousness, equality, accountability, and etcetera. Ethics presupposes morality which in turn presupposes freedom of the will. Ethics has progressed from people's customs, standards of behavior and cultural preferences. Ethics accelerate our developments in culture by resting under our social relations.

Ethics and morality affect the way we think, develop and interact. Since morality is an individual as well as a social matter, it is also concerned both with the individual within and the society outside. Moral consciousness in any field of human endeavors is an integral part of human survival.

There is a distinction between moral behavior and moral judgment in dealing with matters of respect in cultural perspectives. The former is any course of action that services moral functions in a given situation. Moral judgment, on the other hand, is the cognitive process by which one determines which particular behavior is morally appropriate. In a cultural setting, moral behavior is one that acts in the interests of other groups. It is action that will not infringe on the cultural beliefs of other people. This entails adhering to the principles of respect and goodwill.

The world has dynamic social conditions with increasing awareness of cultural diversity. In this kind of society moral judgment is essential to the peaceful co-existence of different cultures and tribes. Morality as it applies to culture has two faces, the individual as well as the social. It follows that a cultural animal, such as man, is directly influenced by his rightness or wrongness in society. At the individual level, morality demands that as a human being, an individual, is obliged to respect the cultural views of other people. At the social level, co-operation and shared responsibility are essential in fostering cultural diversity and multiculturalism.

Moral judgment will lead to moral behavior. First, individual members of a group need to be sensitive to what kind of behavior are possible in a given situation and how they would affect the interested parties. This will be followed by giving priority to behaving morally as opposed to responding with personal values that may conflict with the cultural or tribal norms of other people. Second, when confronted

with a situation in which different interests are involved, one needs the ability to follow through with the course of action that has been identified as moral.

All cultures have an inherent *purpose*. The purpose of any cultural group is in its goals and objectives which its members must fulfill. Culture is a brainchild of society which creates it and in turn it should act to fulfill the goals of society. Morality will ensure that different cultural groups perform in accordance with the common good of all. Cultural respect, therefore, is inevitable for society as a whole to function.

§32.7 Equality of Cultures

The moral response to cultural diversity is guaranteed as a form of civil rights grounded in the equality of cultures. One international instrument on human rights stipulates that in dealing with the multicultural society, “The significance of ... cultural and religious backgrounds must be borne in mind.”¹⁶⁹⁸ Despite this fact, however, there ought to be caution that this kind of scenario does not compromise or dilute the unquestionably universal standards of human rights. This conjecture is in support of the principle of cultural relativism which asserts all human values, far from being universal, to vary a great deal according to different cultural perspectives.

When meeting with individuals of another culture, cultural sensitivity must be balanced with values, without compromising either. To achieve this, respect of other people’s cultural norms and one’s values is a factor. It is, therefore, appropriate that the Zambian fathers chose to respect the cultural diversity of all the tribes in Zambia. This amplifies Zulu’s contention that Zambia’s “strength lies in the unity of [the seventy-two] tribes.”¹⁶⁹⁹

§32.8 Communication and Culture

The importance of effective communication as applied to cultural harmonization cannot be overemphasized. Becoming more aware of

¹⁶⁹⁸ Vienna Declaration on Human Rights

¹⁶⁹⁹ Zulu, *supra.*, p. 459

cultural differences as well as exploring similarities therein, can help interested groups communicate with each other more effectively.

To do so, people need to know how to communicate effectively with each other. The ability of two or more parties to participate fully and equally in a conversation, and each using their preferred language or symbols of expression in order to communicate in real time expressively, receptively, clearly, and accurately may be considered effective communication.

Pursuant to this definition, two things ought to be taken into consideration. First, it is the idea of participating fully and equally. Where one group feels it is more superior to the other, conflicts are bound to occur. As Zulu accurately framed it, “there is no tribe in Zambia, regardless of its size, that should be considered as more important than others.”¹⁷⁰⁰ In participating fully and equally, members of each cultural group understand that they have a responsibility to the other group members. This will ensure that cultural barriers, such as the disrespect for the other’s manners or customs, are alleviated.

Second, it is the idea of communicating expressively and receptively. For harmony to prevail in the midst of cultural differences, communicating expressively as well as receptively is essential. Where one cultural group feels it has the right to express its norms without being interrupted it should assert so. But this should be understood by the other group. Information or in this case, culture, must be balanced with the fact that such culture is received and understood by the other group. With regard to cultural respect, impromptu in communication might be understood to be a barrier. Hence, the need for an expressive way of asserting one’s cultural sentiments without undermining those of the other groups.

To illustrate the point above, it is necessary to emphasize that the way people communicate varies widely between, and even within, cultures. Across cultures, for example, some words or phrases may be used differently. A simple “yes” may mean “may be” to one group while to another it means “definitely so.” Furthermore, body languages, gestures and postures may mean differently in different cultures. In one culture postures that indicate receptiveness may indicate aggressiveness in another.

Different people, within their cultural context, have different styles of communication. Learning about different ways that people communicate can enrich people’s lives. These differences reflect

¹⁷⁰⁰ *Ibid.*, p. 464

deeper philosophies and worldviews which are the foundation of their culture. Understanding these deeper philosophies will broaden the picture of what the world has to offer. In this regard, culture is central to what we see, how we make sense of what we see and how we express ourselves.

In an atmosphere of more than one culture, there are bound to be challenges. When we learn about other people's culture and begin to understand the differences, it gives us the mirror image of our own. We have the opportunity to challenge our assumptions about the right way of doing things, and start to consider a variety of approaches. A chance is, thus, provided to learn new ways of solving problems that were not previously envisaged. We start to understand that what makes sense to one group of people may not make sense to another at first sight. Through communication, however, these differences can be used for the good of everyone which could help to unite society rather than to divide it.

§32.9 Behavior is Cultural-Specific

Sometimes cultural norms may not apply to the behavior of any particular individual. Several factors such as ethnic backgrounds, family, education, personality, and so on, can play a role in determining the way one behaves. Medical research has discovered that, "Language, values, beliefs, symbols and history shape the way in which people respond to trauma,"¹⁷⁰¹ for example. This is why it is arbitrary, even dangerous, to attempt to evaluate very diverse cultures by reference to a fixed value system. Culture consists of patterns, explicit and implicit, of and for behavior acquired and transmitted by symbols, constituting and distinctive achievement of human groups, including their embodiments in artifacts.

Culture is a distinctive achievement of particular human groups. It is a symbolic product of group activity. The postulation here is that what has been produced by a group is much more superior to an individual achievement. Hence, cultural respect follows that culture is sustained through shared symbolic experience. Emphasis should be placed on the nature of symbolically meaningful experiences.

People as members of society have invested into their culture which in turn has preserved them. Cultural respect is a prerogative

¹⁷⁰¹ Nadine Valcin, "CAMH: Transforming Lives," *Sway*, Spring 2011, p. 10

that humans should be appraised for. Culture is a complex whole which includes knowledge, belief, art, morals, laws, customs, and any other capabilities and habits acquired by humans as members of society. Culture is, thus, wealth. One's culture is a wealth of investment which ought to be protected. This protection should be based on a clear communication of values that are contained in each culture.

Members of society do not just have the duty to respecting other groups' culture but also to promoting and communicating their own culture as concisely as possible. This will eliminate all misunderstandings and enhance social interaction. Effective communication is, thus, imperative in ensuring that the cultural norms of different groups are respected and understood in a diverse society.

§32.10 Cultural Democracy

Human beings are not predisposed to accepting the cultural views of others. Even in a nation with over 70 languages like Zambia, it is not automatic that people will respect others' cultural norms and behavior. People and societies seem to progress through four stages before they become what may be termed a multicultural person or society.

The first reaction always seems to be one of intolerance towards other people's culture and beliefs. With patience and effective communication, intolerance leads to tolerance, which may lead to dialogue. The last stage is one of becoming a multicultural person.

Intolerance stage is an antagonism stage characterized by invasion and subsequent killing of one culture by an invader.¹⁷⁰² Tolerance, on the other hand, is better than intolerance, but only a peaceful co-existence, essentially signaling that "I am so generous that I tolerate that you exist." Tolerance stage is not good enough in a world where different cultures will have ever broader and deeper contact.

Dialogue as a third stage is based on mutual respect and curiosity like, "how wonderful that you are different from me, and then we can learn from each other and maybe develop something new." The dialogue stage, despite being a verbal warfare stage is a major step towards becoming a multicultural person. A multicultural stage

¹⁷⁰² This happened in the later part of the 19th Century when the early Christian missionaries to Zambia frustrated and discouraged the Africans from taking pride in their own culture and traditions.

happens when group members see each other as sources of mutual enrichment.

Becoming a multicultural person or society is the essence of democracy. Cultural respect reaches its peak in a transition from merely multiculturalism to multicultural personality. This is not simply an active co-existence of more than one culture inside one person, but also inside a society where that person is respected for what he or she is and in turn he or she has respect for the convictions of others. An appreciation of patterns of cultural difference can assist in processing what it means to be different in ways that are respectful of others, not faultfinding or damaging.

§32.11 Cultural Generalizations

It is important to learn from generalizations about other cultures, but not to use those generalizations to stereotype or oversimplify one's ideas about another person. The best use of a generalization is to add it to one's storehouse of knowledge so that one better understands and appreciates other interesting, multi-faceted human beings.

Appreciating another culture in this way eliminates all forms of stereotypes and oversimplification of ideas about other people. In the end it results in respecting the cultural views of the other group. Democracy is founded on this principle that people who may belong to different socio-economic stratum, learn to find commonality in each other's ways of doing business. In the nation like Zambia, this means respecting tribal nitty-gritty and learning to appreciate the views of others.

Zambians have, historically, followed on a democratic path. The concept of *insaakas*¹⁷⁰³ both promoted and advanced democratic ideals, especially the need to communicate effectively to resolve conflicts. Zambians have never assumed that there is one right way to communicate. As members of a multi-tribal, multicultural society, Zambians have frequently questioned their assumptions about the right way to communicate. In the Zambian society, language has always included non-verbal means. For example, Zambians think about their body postures as language and postures that indicate receptivity in one culture might indicate aggressiveness in another.

¹⁷⁰³ In tribal Zambian settings, especially in villages, elders gathered at special places called *Insaakas*, to moot and discuss pressing public issues. In this way, although democracy was not yet defined in Zambia, it was applied.

Zambians have regarded the cultural diversity of theirs and that of the other groups as distinct but mutual. They have not assumed that breakdowns in communication occur because other people are on the wrong track. They have always searched for ways to make communication work, rather than searching for who should receive the blame for the breakdown.

There ought to be an effort on the part of the multicultural person to listen actively and empathetically. Trying to put oneself in the other person's shoes is an empathic way of treating others with respect. Especially when another person's perceptions or ideas are very different from one's own, one might need to operate at the edge of one's own comfort zone.

Listening actively can enable one to see as the other person sees. Usually, people who react to situations according to their preconceived ideas undermine communication. Reacting with preconceived ideas will hinder effective communication and defeat the ideals of multi-tribalism. Similarly, a multicultural society, which is an antithesis of mono-culturalism, advocates for a society which allows and includes distinct cultural groups to exist with equal status.

There must be some preparation for a discussion of the past. This opportunity should be used to develop an understanding from the other's point of view, rather than getting defensive or impatient. To acknowledge historic events that have taken place, especially those events which have disadvantaged others, is vital to diffusing inherent tensions in communication.

It is crucial to remember that cultural norms may not apply to the behavior of any particular individual. Individuals are shaped by many factors which are more complicated than any cultural norm could suggest. As a member of a culturally diverse society and one who is keen at becoming a multicultural, democratic person, it is vital to gain correct interpretations if one is uncertain of what is meant by the other person before they react according to their own set of beliefs and norms.

§32.12 Ubuntu and the Zambian Culture

On October 21st, 2007, Kaunda was honored by the NHC for demonstrating the values of *Ubuntu* through the Humanism philosophy. The NHC itself is a South African council for the preservation of the authentic African heritage. In South Africa,

shortly after the attainment of Black rule in 1994, a deafening debate ensued on how to preserve African culture through the founding principle of *Ubuntu*. In March 2004, for example, the *Ubuntu* Project organized a conference for the “feasibility of translating *Ubuntu* into law.”¹⁷⁰⁴ It is, however, important to note that the *Ubuntu* philosophy is inherent in African customary law, although it has not evolved into “a nuanced constitutional jurisprudence”¹⁷⁰⁵ in many African countries, Zambia included.

Bhengu¹⁷⁰⁶ defines *Ubuntu* as “a way of life [a culture].”¹⁷⁰⁷ It is a part of culture that sustains the well-being of the entire community. Broodryk¹⁷⁰⁸ sees *Ubuntu* in terms of the values it oozes. Thus, *Ubuntu* is the preservation of the “ancient African worldview based on the values of intense humanness, caring, sharing, respect, compassion and associated values.”¹⁷⁰⁹ And Shutte¹⁷¹⁰ glorifies *Ubuntu* in that magnificent Zulu maxim of “Umuntu Ngumuntu Ngabantu.”¹⁷¹¹ In all the three sets of definitions, *Ubuntu* is construed to be a community and value based African philosophy.

In Zambia, the principle of *Ubuntu* is presumed, and even taken for granted. It is inherent in the Zambian culture, and in honoring Kaunda, the NHC correctly understood that the concept of humanity is, in Darrida’s theorization,¹⁷¹² an *African gnosis*.¹⁷¹³

¹⁷⁰⁴ Drucilla Cornell and Karin van Marle, “Exploring *Ubuntu*: Tentative Reflections,” (2005) *African Human Rights Law Journal*, p. 195

¹⁷⁰⁵ *Ibid.*

¹⁷⁰⁶ M.J. Bhengu, *Ubuntu: The Essence of Democracy* (Cape Town: Novalis Press, 1996)

¹⁷⁰⁷ *Ibid.*, p. 5

¹⁷⁰⁸ J. Broodryk, *Ubuntu: Life Lessons from Africa* (Pretoria: Ubuntu School of Philosophy, 2002)

¹⁷⁰⁹ *Ibid.*, p. 26

¹⁷¹⁰ A. Shutte, as cited in D.J. Louw, “*Ubuntu*: An African Assessment of the Religious Other,” (1998) *Proceedings of the Twentieth World Congress of Philosophy*, available online at <http://www.bu.edu/wcp/Papers/Afri/Afrilouw.htm>; also see A. Shutte, *Philosophy for Africa* (Rondebosch, South Africa: UCT Press, 1993); *Ubuntu: An Ethic for a New South Africa* (Pietermaritzburg: Cluster Publications, 2001)

¹⁷¹¹ Translated as “A person is a person through other persons” (Abraham Modisa Mkhondo Mzondi, “*Two Souls*” *Leadership: Dynamic Interplay of Ubuntu, Western and New Testament Leadership Values*, PhD. Thesis, University of Johannesburg, March 2009)

¹⁷¹² Jacques Darrida, *Archive Fever: A Freudian Impression* (Chicago: University of Chicago Press, 1996)

¹⁷¹³ *African Gnosis* is defined as “African Knowledge.” It is differentiated from *doxa* or opinion, and from *episteme* or general intellectual configuration. *Gnosis* is, thus, “A structured, common and conventional knowledge, but strictly under the control of specific procedures for its use as well as transmission” (See D.Y. Mudimbe,

Admittedly, the African society is “inherently patriarchal and conservative.”¹⁷¹⁴ However, the value and meaning of *Ubuntu* are encapsulated within an interactive ethic or ontic orientation in which who and how we can be as human beings is always being shaped in our interaction with each other.¹⁷¹⁵ There are eight elements that constitute the African philosophy of *Ubuntu*.

First, *Ubuntu* is enshrined in the idea of communalism or communitarianism. The Theory of Communalism divides society into several small, independent communes and the State is just a confederation of these communes. Communitarianism, on the other hand, balances individual rights and interests with that of the community as a whole. The Theory of Communitarianism, thus, places individual persons, the citizens, at the very center of the dominant culture and it is these individuals who shape the values of their communities.

Second, *Ubuntu* is inherently empowering. The Zambian community shapes itself by relying on the collective ingenuity of each member of the community. The community is a living thing; it is always being formed through the morality of being with others. And “this ethic [or morality] is in turn evaluated by how it empowers others.”¹⁷¹⁶

Third, *Ubuntu* defines individualism through the engagement of others. Unlike the Western society in which an individual is detached from the concerns of others,¹⁷¹⁷ *Ubuntu* defines individuals by their ability to live with others. In Zambia, “The oneness of community...is at the heart of our culture.”¹⁷¹⁸ Social responsibility, therefore, institutes the Zambian *Ubuntuism*.

Fourth, *Ubuntu* harnesses the group creative force into a vehicle for serving the interests of other members of society. In other words, being together is in itself part of a creative communal force. The central theme in *Ubuntu* is that, “The whole is greater than the sum of its parts.” Life is created in common with each other. And this is not the same as Communism. *Ubuntu* is not a socio-political movement; it is primarily a founding principle. *Ubuntu* favors communality but not common ownership. It does not advocate for a

“African Gnosis Philosophy and the Order of Knowledge: An Introduction,” (1985) *African Studies Review*, Vol. 28, No. 2/3, p. 149)

¹⁷¹⁴ Cornell and Marle, *supra.*, p. 196

¹⁷¹⁵ *Ibid.*

¹⁷¹⁶ *Ibid.*

¹⁷¹⁷ See Stubbs, *supra.*, p. 30

¹⁷¹⁸ *Ibid.*

classless and stateless society. The concept of togetherness under *Ubuntu* is formulated on the precept that economic and political success is only possible through engagement with other people.

Fifth, *Ubuntu* regards freedom as indivisible. Mandela writes, “Freedom is indivisible; the chains on any one of my people were the chains on all of them, the chains on all of my people were the chains on me.”¹⁷¹⁹ *Ubuntu* considers the freedom of one as of all, and the freedom of all as of one. Thus, when one member of society is under bondage or oppressed, it impacts negatively on the whole society.

It is the same reason why in Africa and Zambia in particular, people are not oblivious to describing themselves as poor, even if some of them may be extremely rich. Under *Ubuntu*, the view of the majority is taken. This, too, informs the idea of *Insaaka*. Therefore, whereas in Western society the poor are hidden from the lens of the camera, in Africa, the people are compelled by the feelings of *Ubuntu* not to hide the pains and poverty of their comrades. It is for this reason that Capitalism proper in Zambia may not produce the same results it does in the West. This is because Capitalism is inherently anti-*Ubuntu*. It creates a society of *haves* and *have-nots*, concepts that are very inimical to the fundamental idea of *Ubuntu*. A modified form of Capitalism, akin to what Yunus calls Social Capitalism, comes much closer to this important *African gnosis*.

Moreover, in Western society, freedom is mostly defined from what one is free *from*. Freedom is pegged on liberalism. The word *liberal* comes from the Latin *liber*, meaning “free.”¹⁷²⁰ Thus, Western citizens are said to be free from something, and personal freedom is itself understood as the “absence of coercion in the various realms of life.”¹⁷²¹

Under the principle of *Ubuntu*, freedom is said to be freedom *to*: “freedom as understood by *Ubuntu* thinking, then, is not freedom from; it is freedom to be together in a way that enhances everyone’s capability to transform themselves in their society.”¹⁷²² *Ubuntu* transforms the idea of freedom to the benefit of the community. This is one explanation why individual rights such as those of the gays and

¹⁷¹⁹ Nelson Mandela, *Long Walk to Freedom* (Boston: Little, Brown and Company, 1995), p. 624

¹⁷²⁰ Mark O. Dickerson and Thomas Flanagan, *An Introduction to Government and Politics*, p. 129

¹⁷²¹ *Ibid.*

¹⁷²² Cornell and Marle, *supra.*, p. 207

lesbians, and issues of death penalty, usually find Africa a very hard ground on which to sprout.¹⁷²³

Sixth, the hallmark of *Ubuntu* hinges on humanity itself. Mandela refers to the word “humanity” as an ideal in that *Ubuntu*, as it is associated with justice and freedom, is something to live up to.¹⁷²⁴ This, too, is the basis on which Kaunda was honored by the NHC. However, as argued in this book,¹⁷²⁵ Kaunda’s conception of Humanism only remotely resembled the principle of *Ubuntu*. In fact, Kaunda’s was not a founding principle; it was “a political philosophy which endeavor[ed] to devise a social, political and economic order which [was] based on Man’s truth rather than on Man’s untruth.”¹⁷²⁶ In other words, his was “a radical revolutionary political program.”¹⁷²⁷

In another voice, Kaunda wrote about Humanism as, “The commonness of humanity that Humanism is getting at.”¹⁷²⁸ Although this articulation brings Humanism much closer to *Ubuntu*, it, however, differs fundamentally in principle. Kaunda’s Humanism centered on Man; *Ubuntu* is focused on the community. Kaunda’s was a political philosophy; *Ubuntu* is a founding principle under which the Zambian operating principles of justice, equality, democracy, and so on, are based.

Ubuntu shapes humanity on the modality of togetherness. This is the dominant thesis in *Ubuntu*. Thus, to be *Umuntu* (singular) is to be moral, just and tolerant, concepts which are themselves very fundamental to the dictates of a functional and democratic society. By its nature, *Ubuntu* is predisposed to preserving peace and order, values that are seen as cementing forces of society. As a result, “One’s humanness can be diminished by the violent actions of others, including the violent actions of the State.”¹⁷²⁹ *Ubuntu*, therefore, promotes group solidarity, national unity through peace and redistribution of wealth to the socially disadvantaged of society.¹⁷³⁰

¹⁷²³ See a detailed discussion on Same-Sex Marriages in Chapter 15

¹⁷²⁴ Cornell and Marle, *supra.*, p. 206

¹⁷²⁵ See “Humanism” in Chapter Eight

¹⁷²⁶ Kenneth D. Kaunda, *Humanism in Zambia and A Guide to Its Implementation*, p. 65

¹⁷²⁷ *Ibid.*, p. 63

¹⁷²⁸ *Ibid.*

¹⁷²⁹ Cornell and Marle, *supra.*, p. 207

¹⁷³⁰ See Y. Mokgoro, “*Ubuntu* and the Law in South Africa,” (1998) *Potchefstroom Electronic Law Journal*; in Chapter 28, a Welfare State is discussed. In principle as in practice, a Welfare State is pegged on the notion of *Ubuntu*, a feeling of equality and social responsibility.

Despite the fact that *Ubuntu* is a founding principle of the *law of law*, rather than an operational principle, *Ubuntu* can be operationalized by relating it to the dignity of a people. It is in this vein that *Ubuntu* puts premium on Zambian culture, and in this way, can be constitutionalized so as to return to the purest form of African identity.

In literature as well as in civil agitations, the Africans have exerted their *Ubuntu*. French African writers referred to it as *Négritude*¹⁷³¹ in their poetry; Biko called it *Black Consciousness*.¹⁷³² In whatever form it has manifested, it is the definitive magnification of the inherent pride and dignity of the African people.

Seventh, *Ubuntu* is preserved in customary law and sanctioned by the *African Charter on Human and Peoples' Rights (African Charter)*. In these instruments, it symbolizes collectivism, restorative justice, notions of belonging and the value placed on the extended family. Otieno¹⁷³³ goes even further and operationalize *Ubuntu* as the “love and care for others.”¹⁷³⁴ Ntuntu adds, “There is a call to the African peoples to recapitulate their *Ubuntu* and re-affirm themselves in order to regain their lost identity. There is also a call to the foreign powers who have for so long dehumanized the African peoples to practice *Ubuntu* towards the people of Africa.”¹⁷³⁵

¹⁷³¹ Négritude is a literary and ideological movement, developed by francophone black intellectuals, writers, and politicians in France in the 1930s by a group that included the future Senegalese President Léopold Sédar Senghor, Martinican poet Aimé Césaire, and the Guianan Léon Damas. The Négritude writers found solidarity in a common black identity as a rejection of French colonial racism. They believed that the shared black heritage of members of the African diaspora was the best tool in fighting against French political and intellectual hegemony and domination. They formed a realistic literary style and formulated their Marxist ideas as part of this movement (Source: Wikipedia)

¹⁷³² Bantu Steven Biko idealized, thus, “All in all the Black Man has become a shell, a shadow of man, completely defeated, drowning in his own misery, a slave, an ox bearing the yoke of oppression with sheepish timidity.” Then Biko adds that if the Black Man has to see freedom, he has “to come to himself; to pump back life into his empty shell; to infuse him with pride and dignity. This is what we mean by an inward-looking process. This is the definition of ‘Black Consciousness.’ Black Consciousness seeks to show the Black people the value of their own standards and outlook. It seeks to give positivity in the outlook of the Black people of their problems.” (See Stubbs, *supra*, pp. 29-31)

¹⁷³³ Nicholas Otieno, *Journey of Hope* (Geneva, Switzerland: WCC Publications, 2005)

¹⁷³⁴ *Ibid.*, p.26

¹⁷³⁵ Jacob Ntuntu, “Affirming the ‘Ubuntu’ of the African Peoples, Undergraduate Thesis, 2008, p. 32

Eight and last, to define *Ubuntu* is to define an African person. In Zambia, every human being is a *Muntu* (person; singular), a human person with inherent dignity and natural rights. All Zambians are *Bantu* (people; plural)¹⁷³⁶ as opposed to animals or inanimate things. But *Bantus* are even more; they are free people. Thus, slavery and colonization undermined the very ethos that formulates the *Ubuntunes*.¹⁷³⁷

Zambian *Ubuntu* is a state of spiritual correctness. Ironically, the first missionaries to Zambia did not have patience to study and appreciate the interrelationships between the teachings of Jesus and *Ubuntu*. *Ubuntu* promulgates the beatitudes of mercy, love, peace, spiritual purity, humbleness, justice, contriteness, righteousness and regard for other people's property.¹⁷³⁸

Thus, Kaunda remarked, "Leave out the religious dimension of the African tradition, art, custom, language and law and there is precious little left of our past, and the bits and pieces which remain form an unpromising foundation for the future."¹⁷³⁹ The African person yearns for the re-discovery of *Ubuntu*. It is this facility that has been lost through slavery, colonialism, Neo-colonialism and the injection of foreign-designed ideologies into the African socio-political order.

To discover this facility, Zambians will have to believe in the values of *Ubuntu*, and transmit such values to their children and their children after them. This re-discovery of the lost beauty of Africa, the lost facility of *Ubuntu*, is dubbed African Renaissance. Ntuntu pens, perhaps, the most ingenious re-discovery of *Ubuntu*. "The African Renaissance is calling Africans to re-read the past objectively without wearing the spectacles of the colonial master."¹⁷⁴⁰

Indeed, "Every person's impression of the external universe is different from that of others."¹⁷⁴¹ For Africans in general and Zambians in particular, that universe can only be appreciated from the point of view of *Ubuntu*. *Ubuntu* invites us all to regroup; to

¹⁷³⁶ *Bantu* also is used as a general label for 300-600 ethnic groups in Africa of speakers of Bantu languages, distributed from Cameroon east across Central Africa and Eastern Africa to Southern Africa. They form about one-third of Africa's total population (Source: Wikipedia)

¹⁷³⁷ *Ubuntunes*: the state of being a *Muntu*

¹⁷³⁸ See Matthew 5:3-11 (Bible)

¹⁷³⁹ Clive Dillon Malone, *Zambian Humanism and Social Morality* (Ndola: Mission Press, 1989), p. 17

¹⁷⁴⁰ Ntuntu, *supra*, p. 38

¹⁷⁴¹ Mirza Tahir Ahmad, *Revelation, Rationality, Knowledge and Truth*, p. 29

reconsider and to advocate for an African heritage we have given away cheaply. It challenges us to value our common humanity and believe in our inherent goodness. *Ubuntu* is *us*; our human soul united with our ancestors and enjoins with our destiny. *Ubuntu* calls us to a jamboree of human achievement - lost but not yet extinct.

The *us* of *Ubuntu* is distinctive from the separatist view as is rife in other cultures. *Ubuntu* considers, “Everybody, regardless of color, living in Africa...as an African without any discrimination.”¹⁷⁴² *Ubuntu* is, thus, “Non-racial and non-discriminatory”¹⁷⁴³ in nature. In Africa, community comes before individualism,¹⁷⁴⁴ and works of benevolence to others are synonymous with *Ubuntu*.¹⁷⁴⁵ *Ubuntu* attempts to vanquish racial animus and tribal affinities.

An aspect of *Ubuntu* of historic paramountcy is the way the elderly must be respected, in life and in death: “Displaying respect particularly towards the elderly, is the ultimate standard against which to measure one’s *Ubuntu*. Showing others respect is an outward expression of honor and dignity.”¹⁷⁴⁶

Ubuntu is not mystic; however, *Ubuntu* considers life as a whole. That is, in *Ubuntu*, the dead as well as the living are one. In *Ubuntu*, “The spiritual and the material are intertwined.”¹⁷⁴⁷ Thus, *Ubuntu* is a philosophy that is deeply religious and spiritual. The divine, especially through the ancestors, play a significant role in the African society. An African is, therefore, thought of as exhibiting a triangular relationship with “God at the apex and gods and ancestors at the base of the triangle.”¹⁷⁴⁸ It is for this reason that an African is expected to live in harmony not only with themselves, but with nature as well. An observable pattern is clear on how Africans have been, as Biko frames it, squeezed into a cultural, economic or political shell. It has always been to blame them for their own misery, poverty or oppression.

¹⁷⁴² Broodryk, *supra*, p. 18

¹⁷⁴³ Mzondi, *supra*, p. 44

¹⁷⁴⁴ See L.J Sebidi, “Towards a Definition of *Ubuntu* as African Humanism,” in M.G. Khabela & Z.C. Nzoneli (eds.), *Perspectives on Ubuntu: A Tribute to Fesden* (Alice: Lovedale Press, 1998)

¹⁷⁴⁵ Mzondi, *supra*, p. 45

¹⁷⁴⁶ *Ibid.*, p. 48

¹⁷⁴⁷ See A. Anderson, *Zion and Pentecost: The Spirituality and Experience of Pentecostal and ZionZionist/Apostolic Churches in South Africa*, Ph.D. Thesis, University of South Africa, 2000;

¹⁷⁴⁸ Mzondi, *supra*, p. 45

In *Cry Freedom*,¹⁷⁴⁹ a 1978-movie directed by Richard Attenborough, the apartheid government of 1970s South Africa, bluntly murders Black Nationalist Steven Biko (played by Denzel Washington) for Biko's beliefs in *Black Consciousness* against injustice in South Africa. Before his fateful demise, Biko had said that the oppressors, "Constantly urge the people to find fault in themselves."¹⁷⁵⁰ Nyerere called it, "Our inherited backwardness."¹⁷⁵¹ Admittedly, Africans and in particular Zambians themselves are to blame for some of their troubles. However, for the most part, they have inherited a large chunk of that trouble.

One of the sub-headings in Timothy Shaw's article is appropriately titled, "The Growth of Inherited Inequalities."¹⁷⁵² This is neither a farce nor an understatement. It is a truism in every sense. To the largest extent, the dilemmas of the governors in Zambia are inherited from the colonial past. Dependence, for example, did not begin after 1964 when Zambia acquired political independence. Northern Rhodesia was already "dependent on two centers – the imperial metropole in Britain and the sub-imperial cores of South Africa and Southern Rhodesia; copper profits went to Johannesburg and Salisbury as well as to London."¹⁷⁵³

Inequalities and underdevelopment were inherent in the structures the new UNIP government inherited in 1964. And as observed above, they have simply grown with time. There has been, therefore, a battle on two fronts in Zambia. The first battle has been the inheritance of an already fractured society, "Characterized by a variety of inequalities – racial, ethnic, regional and class."¹⁷⁵⁴ The last front has been an inherited pessimism towards market forces characterized by the "absence of an industrial development strategy"¹⁷⁵⁵ that permits free-market competition. Zambia has been attempting to diffuse both at the same time.

The Zambian social order has always been a natural adaptation to the tribal amity that has existed since the 4th Century. Tribes in Zambia are not an epitome of inequalities as they are a matter of social organization. Zambians have found commonality through the

¹⁷⁴⁹ This movie was based on Donald Woods' two books, *Biko* and *Asking for Trouble*. In the movie, Woods was played by Kevin Kline.

¹⁷⁵⁰ Stubbs, *supra.*, p. 31

¹⁷⁵¹ Nyerere, "Is Africa Responsible?" p. 7

¹⁷⁵² See Timothy M. Shaw, "Zambia: Dependence and Underdevelopment," p. 11

¹⁷⁵³ Shaw, *supra.*

¹⁷⁵⁴ *Ibid.*

¹⁷⁵⁵ *Ibid.*, p. 14

philosophy of *Ubuntu*. Tribes simply serve as a means of community organization. As a consequence, when those unfamiliar with the African social mosaic see a countless number of tribes, they are mesmerized. If tribal difference were a source of conflict, that conflict could only have risen naturally like when a brother turns against a brother. It could not have arisen as a result of an inherent state of conflict.

§32.13 Tools of Colonialism: Standards

It is amazing that the elephant is always in the room, when it comes to pinning the real African issues. So, we gloat over everything in snippets of fear to offend, but how then can we heal the wounds of the past? Africa has been invaded, and this has not only been through military and the economy, for such invasions are predictable and short-lived. But Africa has been invaded through two tools that define cultural imperialism: Language and names, and standards. Standards are discussed below.

To advance the author's analogy to a wound, bandaging is only useful if the wound is first cleaned. But to cover a wound with the virus or bacteria on it, is to encourage it to fester with horrible infections. And that is what has been done for Africa, where there has been failure to address real effects of colonialism.

After slavery and colonialism and since Neo-colonialism, Africa and Africans have to measure up to Western standards. This includes culture, lifestyle, technology and even humanity, to select only four.

When Europeans first came to Africa, they denigrated everything African. There was nothing "civilized" or "advanced" or "holy" in the practices and customs of Africa. A strong message was sent to Africans, "Don't worship your gods; they are idols," "Consider changing your birth, marriage and death customs to ours; yours are primitive," and so on. In the end, Africans began to pour scorn on their own ways of life and started to anchor for Westernism. In other words, anything that was not Western, was either evil, backward, unpolished or could not patently measure up to the authentic European standards. Western standards became African standard.

Thus, colonialism changed everything naturally to Africans – how they arrange their homes, conduct their marriages, bury their dead or even celebrate childbirth or childhood – it's all pegged upon how "they," in the West, did things.

The author, for example, does not miss the West much when he travels to Africa; but he cannot say the same when the Africans visit the West. In Africa, everywhere one looks, are presentations of Western conceptions and lifestyle. In the West, it is not the same, unless one travels to the low-income areas usually “towned” according to particular ethnicities that may predominate there, say, “Chinatown,” “Nigeriatown,” and etc. The story is different in Africa – from the billboards at the airports, to the media, to the news, to politics, to education, and to culture – it is as if one is back to Toronto or Chicago, all over again. Africa seems to have been made to forget its own value system. Somehow to be considered un-Western may also seem to be untrendy. Africa seems to have no culture at all, and if it does, it is a modified form, tilting heavily towards a Western blueprint.

African lifestyle is overtly westernized. Somehow to look, feel or behave like a Westerner seems to be more authentic than being African-like. So, the clothes’ labels, make-up type, and size and weight of the body are all standardized upon a westernized body or feel or make or behavior. Thus, some of African women may want to be “just a bit light”, “less black”, or “a little bit of straight hair” — without knowing that they have imbibed into Westernism. The same may be true with height. If one is shorter and a little bit fatter, they might have missed the standard.

It is because the reality is different from the standards set by the media, Hollywood and fashion or beauty industry in the West. Barbie-type body are the intrinsic standards young girls aspire to, even at the expense of personal comfort. Black was considered to be “ugly,” unless it was the color of shoes. Thus, German sociologist Max Weber wrote in September 1917, that there “stands a dross of African and Asiatic savages and all the world’s rabble of thieves and lumpens.”¹⁷⁵⁶ Sarah Baartman was paraded around “freak shows” in London and Paris, with crowds invited to look at her large buttocks. “Today she is seen by many as the epitome of colonial exploitation and racism, of the ridicule and commodification of black people.”¹⁷⁵⁷

The world is made up of big and small people, White and Black people, light and dark people, tall and short people, brown and yellow people, and large-breasted and small-breasted people, butt-protruding and butt-flattened people, and everything in between.

¹⁷⁵⁶ Pankaj Mishra, “How colonial violence came home: the ugly truth of the first world war,” *The Guardian*, November 10th, 2017

¹⁷⁵⁷ Justin Parkinson, “The Significance of Sarah Baartman,” BBC, January 7th, 2016

None of these is superior to others or more preferable than others or more beautiful than others. Beauty is personal; it has never been cultural. Thus, beauty cannot be judged objectively, for what one person finds beautiful or admirable may not appeal to another.¹⁷⁵⁸ Colonialism robbed Africa of its own perfection. Kinky hair does not make an African ugly, and neither is her skin color or height or weight. Like everywhere else, “Beauty is in the eye of the beholder.”¹⁷⁵⁹

Third, technology, and this may upset many and chaff others, yes, indeed, Africa had and continues to have, its own version of technology. If there is any race of people on earth (probably, with the exception of the Jews), Black Africans have survived extinction. Every calamitous event, such as slavery and colonialism, were meant to wipe Africans out of the face of the earth. At the Congress of Berlin in 1884/5, fifteen European powers divided Africa among themselves. By 1914, these imperial powers had fully colonized the continent, exploiting its people and resources.¹⁷⁶⁰ But Africa, and the Black people of Africa, survived. They did so, partly, because of technology, albeit very simple technologies. This enabled them to cross ravaging rivers and dangerous lakes, manipulate dense and hazardous forests, tame wild and vicious animals, till arid and hostile lands and conquer natural disasters, and indeed, even survive the horrendous Transatlantic Hell of untold human abuses at the whim of White-European human enslavers. The Industrial Revolution and the Internet ages are not the only technology-shapers in history; though they are, and were, arguably, superior. But this does not mean that Africa did not have, and cannot have, authentic technologies.

Fourth, humanity. This was at the heart of both slavery and colonialism. African-descended people were not considered humans at all. Thus, “Slaves were considered property, and they were property because they were black. Their status as property was enforced by violence – actual or threatened.”¹⁷⁶¹ The modern rendition of this deals a dearth of justice to history; African people (especially Blacks)

¹⁷⁵⁸ See < <https://languages.oup.com/google-dictionary-en/> > (Retrieved: October 3rd, 2021)

¹⁷⁵⁹ An English Proverb

¹⁷⁶⁰ Facing Our History, “Colonial Presence in Africa,” <https://www.facinghistory.org/resource-library/image/colonial-presence-africa> (Retrieved: October 3rd, 2021)

¹⁷⁶¹ PBS, “Conditions of Antebellum Slavery 1830 – 1860,” < <https://www.pbs.org/wgbh/aia/part4/4p2956.html> > (Retrieved: October 3rd, 2021)

were considered less than property. Because, sometimes, one might have golden property and might have kept it in a safe, not Africans, they were up for abuse. They were not “cheap labor”; they were “free, available, expendable, labor.” They had no soul; they were only a conglomeration of flesh and sinews and tendons and bones and muscles. They were not humans; they were only glorified beasts – at least, in the minds and attitudes of the colonialists.

Let the truth be told, it was mostly because they were deemed not to measure up to European or American standards of humanity. It is more onerous to be considered un-human than it is to be considered not a person. In Canada, on October 18th, 1929, women were finally declared “persons” under Canadian law.¹⁷⁶² And these were mostly White women. This angered Lord Sankey, the then Lord Chancellor of England’s Privy Council, who called his predecessor’s colonial days, “...more barbarous than ours.”¹⁷⁶³ However, the 1920s were also the years of grave colonial invasions in Africa. So, while Lord Sankey cogitated that he and his people were less barbaric in North America in the 1920s, they were, in fact, worse in Africa. For First Nations women in Canada, they could only vote in band council elections after the 1951 amendments to the *Indian Act*.¹⁷⁶⁴ And generally, until 1951, women were not considered persons, in the context of equality before the law. When Britain left Northern Rhodesia (Zambia) in 1964, those who were at the level of civil clerks became new leaders of the new nation.

Post-Berlin Congress, Britain was reluctant to give independence to the Black Africans, somehow because Britain judged, “They cannot rule themselves.” At the heart of this *agenda* was the idea that Black Africans were devoid of intellectual, social, and political competence to rule themselves. Self-rule, was, thus, a derogatory, pejorative, bigoted theory. There is no question that Britain had a Western-European standard of leadership, and by extension of humanity, in its mind. It was forgotten that Blacks had ruled themselves way before colonialism. Neo-colonialists, like Donald Trump, in the 21st Century, still referred to Africa and the African people as “shitholes.” So, this humanity issue is not moot.

¹⁷⁶² CBC Digital Archives, “1929: Women Become Persons,” <
<https://www.cbc.ca/archives/entry/1929-women-become-persons>> (Retrieved:
 October 3rd, 2021)

¹⁷⁶³ *Ibid.*

¹⁷⁶⁴ The Canadian Encyclopedia, “Women and the Indian Act,” May 11th, 2021, <
<https://www.thecanadianencyclopedia.ca/en/article/women-and-the-indian-act>>
 (Retrieved: October 3rd, 2021)

Chapter 33 The Language Debate

Language sustains cultural identity. A people who forfeits their own language for another, elope against normalcy, and destroy the essence of the feelings of group identity and solidarity. Language is, thus, the last defence of a decorous existence of a people anywhere.

BRIEF INTRODUCTION

This chapter brings the language debate to the fore. The author contends that culture and language are peoples' symbols of quintessential social and human identity. As far as Zambia is concerned, that identity has been contaminated, and Zambia has, thence, become what Hamilton describes as, "The foreign territory of the homeland ruled by the familiar other language [English]."

Politics ≈ Culture ≈
Education

AT THE END OF THIS CHAPTER:

1. You will learn that language is basic to peace, development and national building;
2. You will appreciate the reasons why the prioritization of indigenous languages and language planning must go hand in hand; and
3. You will recognize the debilitating effects of colonialism on language and identity in Africa and Zambia.

MAJOR THEMES:

Language Decolonization;
Language in Zambia.

§33.1 **Zambian Languages**

There is a “connection between the themes of cultural identity, language, and colonialism... [and as it was] part of Britain’s renaming and remapping...”¹⁷⁶⁵ of places and peoples wherever they colonized. And their *modus operandi* followed the pattern explained by Bradley: “Europeans named places after their monarchs or saints; they reused the surnames of prominent families or the names of meaningful places back in Europe; they sometimes created French or English versions of Indigenous place names; or they used descriptive names to emphasize topographical features... These place names and their histories became invisible following the arrival of settlers, who had their own uses for the land.”¹⁷⁶⁶

At the height of political independence, most countries, including Zambia, danced around the issues of names and language. They justified the adoption of English and Anglo-Judeo names for national unity. They deliberately omitted to understand that names and language are the most permanent and durable instruments of enslavement and domination. A people may be freed politically and economically but may still remain under bondage if they are culturally-dependent. Some African countries realized this and acted. For example, Namibia renamed the Caprivi Strip to Zambezi Region “to further restitution of culture and land recognition for tribal people of southern Africa.”¹⁷⁶⁷

On April 1st, 2010, a group calling itself *Zambian Languages* successfully got more Zambians to freely use the Zambian languages on Facebook.¹⁷⁶⁸ This was part of an event called *Speak Zambian on Wise People’s Day*. Members were required to post comments in Zambian languages either on their Facebook walls or the group’s wall. A good number of people were able to express themselves in their Zambian mother tongues.

Zambia has “seventy-two ethnic and minority groups. Though language is not synonymous with tribe and many tribes share a

¹⁷⁶⁵ Kaleigh Bradley, “What’s in a Name? Place Names, History, and Colonialism,” *Active History*, February 2nd, 2015

¹⁷⁶⁶ *Ibid.*

¹⁷⁶⁷ David Smith, “Namibia wipes colonialism off the map,” *The Guardian*, August 9th, 2013

¹⁷⁶⁸ This report was submitted in 2010 by Sande Ngalande, founder of Language Solutions.

common language, each tribe generally has a dialect of its own.”¹⁷⁶⁹ Zambian language groups are not usually cramped in one place; they tend to scatter all over the nation. There are seven official local Zambian languages: Bemba, Kaonde, Lozi, Luvale, Nyanja and Tonga. These seven local languages are used for “the purposes of official dissemination of information such as broadcasting.”¹⁷⁷⁰ English is both the national official language and the language of instruction in schools.

Sande Ngalande argued that writing in Zambian languages was more challenging than speaking in them. He added that the event revealed a number of important lessons that could be learnt from the activity that should serve as a wakeup call to all forward-looking Zambians. First, it showed that there were many Zambians of various educational backgrounds and from various disciplines that wanted to freely use their Zambian languages. Many of them appreciated the need to not only use Zambian languages in any situation but also to speak in them proudly.

Second, Ngalande discovered that there were Zambians who did not see sense in speaking Zambian languages on Facebook. According to Ngalande, such people could not be blamed because they had generally grown up with a mentality adverse to their own languages. There was a time in Zambia when Zambian educators and teachers would punish pupils and students for using any language other than English. Ngalande blames this mentality on that practice.

Third, Ngalande was of the view that writing in Zambian languages had not been emphasized enough in Zambia. There were many reasons for this observation. Zambia did not have a standard orthography¹⁷⁷¹ for writing Zambian languages. As a result, almost everyone wrote using their own styles.

Not every Zambian language had been reduced to writing. In such instances, people had difficulty in choosing what writing system to use. Most written communication was part of the usual languages that were also taught in schools as subjects. “The reality is that this group of languages does not in any way represent Zambia’s language situation.”¹⁷⁷²

¹⁷⁶⁹ Government of the Republic of Zambia, *Interim Report of the Constitutional Review Commission*, p. 14

¹⁷⁷⁰ *Ibid.*

¹⁷⁷¹ Writing System

¹⁷⁷² Sande Ngalande, *supra*.

Moreover, there was no Zambian language with a script that could be used on social networking sites like Facebook, Instagram, Twitter, and etc. Ngalande observes that, “This creates problems especially when people have to write special characters or symbols that represent special sounds in their languages.”¹⁷⁷³ The lack of script was not the only deficiency in writing using Zambian languages, vocabulary was another. A necessary vocabulary to handle specialized discussions such as those in economics, governance, education, or even a common subject like HIV/AIDS or Covid-19 was essential to the popularization of written Zambian languages. The result was that “people only express themselves in Zambian languages when they are casually speaking in everyday conversations.”¹⁷⁷⁴ There was no standard vocabulary in Zambian languages. Each person referred to certain concepts or objects using different words. That tended to creating problems when handling specialized subjects or topics.

§33.2 National Language Planning

Zambia has ten administrative provinces: Central, Copperbelt, Eastern, Luapula, Lusaka, Northern, North-western, Southern, Western and Muchinga. But Zambia has only seven official¹⁷⁷⁵ local languages out of 72 languages,¹⁷⁷⁶ and noticeably, three of those official languages are spoken in one province. These are Luvale, Lunda and Kaonde. All three are spoken in North-western Province.

There is, historically, a reason why three official languages are spoken in one province. Most provinces in Zambia like Northern, Luapula and Central provinces comprise people who speak Bemba or a dialect of Bemba. Southern and Western provinces are composed of people who share one or two dialects of Tonga and Lozi. Eastern and Lusaka provinces share the Nyanja, a dialect of the Chewa group of languages. Although Bemba or its dialects are mostly spoken on the Copperbelt, other languages are spoken there as well.

The first leaders of Zambia were faced with linguistic challenges. “Before independence there were tribal disagreements in many provinces. North-western was one of them. Government..wanted to have one official language per province. [But] this was difficult to

¹⁷⁷³ *Ibid.*

¹⁷⁷⁴ *Ibid.*

¹⁷⁷⁵ English was adopted as the official language used for business, government, commerce, and educational instructions.

¹⁷⁷⁶ As of 2018, Zambia was divided into ten provinces with a total of 116 districts.

achieve. [Government] had to recognize three languages as official in North-western Province.”¹⁷⁷⁷ This decision was reached in the interest of national unity as noted before.

There were also others who felt that Tumbuka and Namwanga ought to be recognized as official languages in Zambia. A campaign was launched by Anold Simuchimba and Nephus Tembo to create a tenth Zambian province. The duo wanted the new province to be created from Northern and Eastern provinces to include five districts, *viz.* Chama, Isoka, Lundazi, Mbala and Mpika. This motion was defeated. However, Muchinga was created as Zambia’s tenth province under the administration of President Sata in November 2011 with its administrative capital at Chinsali.

Despite the aforementioned, Zambia, generally, lacks a comprehensive system of national planning for languages.¹⁷⁷⁸ In the absence of planning, nothing happens systematically. Language is supposed to be a highly systematic entity. Zambian languages are a marginalized entity. “This means that there is nobody anywhere in Zambia deliberately making decisions meant to improve Zambian languages or communication in Zambian languages. It is also correct to regard all Zambians that cannot express themselves in English as marginalized Zambians. These people need help.”¹⁷⁷⁹

§33.3 National Language Management

National development includes the development of every individual. It also means that every individual must participate in that development. To Mwaanga, “development is about people.”¹⁷⁸⁰ How many Zambians can truly participate in national development activities? Zambians need to be mindful of their fathers, mothers, brothers and sisters whose only means of communication are the ill-equipped Zambian languages. Ngalande asked: “Think of it this way: How many developed countries have developed using a borrowed language? I do not know of any yet. Countries that value their citizens invest in those citizens. One such investment is to equip people with

¹⁷⁷⁷ Zulu, p. 460

¹⁷⁷⁸ According to 2000 Census, Zambia’s population was divided as follows: Bemba 30.1 percent, Nyanja 10.7 percent, Tonga 10.6 percent, Lozi 5.7 percent, Chewa 4.9 percent, Nsenga 3.4 percent, Tumbuka 2.5 percent, Lunda 2.2 percent, Kaonde 2 percent, Lala 2 percent, Luvala 1.7 percent, English 1.7 percent, other 22.5 percent.

¹⁷⁷⁹ Ngalande, Facebook, “Speak Zambian on Wise People’s Day,” (April 1st, 2010)

¹⁷⁸⁰ Mwaanga, *The Long Sunset*, p. 82

communication skills necessary for taking part in the governance of the nation. I am sure almost everyone knows that the true Zambian identity lies in its indigenous languages.”¹⁷⁸¹

Ngalande’s thesis was important for two reasons. First, all developed nations have leveraged the use of their indigenous languages for development. This is true of English in Britain, the US, Australia or Canada. Germany with its superior engineering has done the same. France has used French and so are Russia and China with Russian and Chinese, respectively. Japan is a model of and is one of the largest economies on earth. Language has played a key role in its development.

Second, although English¹⁷⁸² has been a tool of national unity in Zambia, in all honesty, it has not helped much in terms of development. “Zambians need to wake up and emulate other nations that see the value of investing in their languages.”¹⁷⁸³ One way of doing this is through language planning. It is difficult for people who are born with a certain language, or a Language Acquisition Device (LAD), to think productively in a second language.¹⁷⁸⁴ This has relegated most Zambians to secondary-best in technology, science, and mathematics or even in language itself.

Zambia can exist for another one thousand years, but without investing in its own languages, development will be elusive. Thus, development has not been attained in Zambia partly because, “It can be argued that the contributing factor has been the neglect of or failure to address the language factor in education, science and technology and its crucial role in national development.”¹⁷⁸⁵ The future of the Zambian children needs a better tool for development. Language is that better tool. Many linguists and anthropologists claim that the language one learns has a profound influence on how one thinks.

“Many developmental psychologists have been struck by the correlation between language development and cognitive development – a 12-month-old has fewer words and a limited mental life; a 24-month-old has many words and a much richer mental life – and see this as showing that language development has profound

¹⁷⁸¹ Ngalande, *supra*.

¹⁷⁸² Albeit, *Zambian English*

¹⁷⁸³ Ngalande, *supra*.

¹⁷⁸⁴ LAD was popularized by Noam Chomsky

¹⁷⁸⁵ Beban Sammy Chumbow, “The Language Question and National Development,” in Thandika Mkandawire (ed.), *African Intellectuals* (Dakar: Codesria Books, 2005), p. 165

influence on cognitive development.”¹⁷⁸⁶

Zambians need language planning because for, “Whatever economic paradigms that are postulated for African development, they need to integrate the language issue, with all its ramifications, in order for them to succeed.”¹⁷⁸⁷ It is prudent that every Zambian citizen leverages what is naturally available to them; their native languages.

UNZA has tied language development to culture itself: “Language is a nation’s most important heritage. People can lose everything except their language. Most important is the language in which every citizen can freely and competently communicate anything with anybody anywhere at any moment. Usually, such a language is the indigenous tongue. Above all language is cultural identity.”¹⁷⁸⁸ And on July 5th, 2010, the UNZA Council approved a Language Center for the first time. That move might have been small, but it was a necessary step towards language management and development in Zambia.

§33.4 Zambian Languages in Education

China, Russia and Japan are not technologically advanced in a vacuum. One thing is common to all of these three countries. They conduct their education in their own native languages. They have a first rate understanding of technological concepts in their own Mother Tongue. They can easily form associations from what is familiar to what is unfamiliar.

There are three advantages of using the Zambian languages in education and the reason why these are necessary to national development. First, the development of Zambian languages in education will ensure that the Zambian children are able to cope with the challenges of modern thought, science and technology. Language will hence become a vehicle through which to exploit the titivations of modernism, science and technology. This is not always possible where one first needs to master the English language and then develop competence to use in applying scientific and technological

¹⁷⁸⁶ Paul Bloom & Frank C. Keil, *Thinking Through Language* (Yale University: Blackwell Publishers Ltd., 2001), p. 1

¹⁷⁸⁷ Chumbow, *supra*.

¹⁷⁸⁸ Zambian Languages, “Language Center Established in Zambia,” <www.zambianlanguages.com> (Retrieved: February 6th, 2011)

concepts to simple tasks. This, as it were, make easy tasks seem challenging.

Second, it leads to greater participation by the citizens in national development. Imagine our own uncles and aunties in the villages. Then imagine our grandmothers and grandfathers. Now imagine them being aware of all that is happening around them, and then not being able to contribute because all the debates are conducted in English in which they have no competence! This is the travesty of our adoption of foreign languages as mediums of national consensus.

A traditionally informed constituency is left out in the “conflicts of the nation” because only the young are well vested in the intricacies of the Queen’s Language. Notwithstanding its unifying role in the nation, the adoption of English has robbed a large section of Zambia the ability to make positive contribution to development. As a consequence, “The domination of a people’s language by the languages of the colonizing nations was crucial to the domination of the mental universe of the colonized.”¹⁷⁸⁹

Third and last, local languages are better placed to transmitting and preserving cultural values and identity. It is the “Collective memory bank of people’s experience in history.”¹⁷⁹⁰ Most of the talk of illiteracy in Zambia is only so because they measure who is literate and who is not in terms of the mastery of English. Many of the people in the villages are literate in their spoken Mother Tongues, and they can compete more effectively using their languages. By insisting that English dominates, those whose command of English as a second language is not good are excluded. Hamilton,¹⁷⁹¹ thus, argued that “Language [is] a device for communication as well as carrying culture.”¹⁷⁹²

§33.5 A Return to Zambia’s Native Languages

The language debate seems to have ended in as far as the adoption and promotion of African languages as means of national identity and

¹⁷⁸⁹ Ngugi wa Thiong’o, *Decolonizing the Mind: The Politics of Language in African Literature* (London: James Currey, 1986), p. 16

¹⁷⁹⁰ *Ibid.* pp. 15-16

¹⁷⁹¹ Alissa Hamilton, “The Construction and Deconstruction of National Identities through Language in the Narratives of Ngugi wa Thiong’o’s *A Grain of Wheat* and Joseph Conrad’s *Under Western Eyes*,” 1995) *African Languages and Cultures*, 8, 2, pp. 137-151

¹⁷⁹² *Ibid.*, p. 138

communication is concerned. It is being proposed in this book that, like China, Korea, Japan, Russia and other countries that have stayed with their native languages, Zambia should do the same. The challenge of adopting English and French as official or national languages, while serving as a unifier, does not lead a country to development.

Most of the children of Zambia grow up speaking and thinking in their native languages. In Grade One, they are introduced to English, which in all ways is a “second language.” They continue to struggle, first, to conceptualize concrete ideas, and second, to think or reason and articulate in a language that is not native to them. This hinders development. Efforts must be made by successive governments to adopt native languages as languages of commerce, education and political discourse. A criterion must be crafted that minimizes wrangles among tribes, but which at the same time infuses notions of nationhood, patriotism and mental agility.

§33.6 Tools of Colonialism: Names and Language

Africa has been invaded, and this has not only been through military and the economy, for such invasions are predictable and short-lived. But Africa has been invaded through two tools that define cultural imperialism: Language and names, and standards. Language and names are discussed below. Africans say that they have achieved independence, but habits and practices do not approve.

First, name change is considered. When the colonists invaded Africa, they changed African names, globalized African heritage and culturized African formations into Western authenticities. Thus, for Zambia, for example, the name Chuma is least heard of or written about, although without him, Dr. David Livingstone could not have traversed the African dense forests.

David Livingstone is written about more than Chuma who assisted him to “discover” a great waterfall. Livingstone is dubbed the discoverer of Mosi-oa-Tunya Falls, which he conveniently renamed Victoria Falls after an English Queen in the far West in England. The author is called “Charles,” a royalty name in England. A majority of Africans are named after Europeans. Their own heritage is forgotten.

Like in the US where former slave masters still live in the psyche and mentalities of their Black slave progenies, they still are remembered through their names which they had bequeathed to them through

their names. In short, their legacy, which, apparently, was enslaving, degrading, humiliating, abusive and name it all, is preserved through names. It is the same in Africa. Africans are still called by their former colonial masters' names.

Surely, Africans should ponder more on this than simply brushing it aside as insignificant. In future, shouldn't Zambians be thinking of having more of "Chibesa Kundas", "Mwansa Malamas", "Mpezeni Ndhlovus", "Milupi Phiris," "Chavula Ngoyis," and etc.? Shouldn't they be thinking of renaming some (if not, all) of their streets, clubs, animals, forests, and, indeed, national monuments by their own unique African quadrisyllabics? By naming a Zambian child, "Smith Mbewe," or "Sarah Nkonde," whose heritage does it glorify or preserve? The philosophy of names is such that, names submit to whoever calls on them.

Second and last, language is discussed. The Bible provides a clue: "And the LORD said, 'If they have begun to do this as one people speaking the same language, then nothing they devise will be beyond them. Come, let Us go down and confuse their language, so that they will not understand one another's speech.'"¹⁷⁹³

There are three benefits of language highlighted above, namely: Language unifies; language breeds success; and language is a weapon of either enslavement or liberation. Whose language one speaks, that one they would always obey. It is just that simple. Africans may be proud of articulating foreign accents, but the glory is not, eventually, theirs. It goes back to the one who owns it.

Those who conquered Africa, did it in four ways: Through language, guns, the Bible, and intrigue. Of all the four, intrigue was the most effective – because it made use of the other three. Intrigue may be called machinations or diplomacy; it carries the same venom.

Africa and Zambia in the 21st Century still use their former colonial masters' language and names, and even go to the extent of justifying their naturalization and nationalization. It would be highly injurious for a woman to continue to use her former abusive spouse's last name. It would only serve as a reminder to her of the old, obnoxious days. Africa and Zambia have done so without infamy or recrimination.

A second language is just so, second. Everything one does with it will be second. Her best effort will remain second. Her greatest theories will continue to be second. Her best minds are second. Her greatest ingenuities, still second. And even her most eloquent orators,

¹⁷⁹³ Genesis 11:6-7 (Bible)

will just be second.

So, why not capitalize on your first, Zambia? Why not speak, write and think in Bemba, Nyanja, Lozi, Luvale, Tonga, and etc., and be first? No European or American power has ever, even remotely, contemplated making an African language its first, though Mandarin, Cantonese, Spanish, French, some may. But in Zambia, the schools and libraries are filled with second-baked enchanters learning to think, believe, behave and act, second. This might explain why Africa is still a “third” world, rather than first. Language conquers everything.

§33.7 Slavery, Racism and Colonialism

Slavery, racism and colonialism were unified in the theory that Black Africans were subhuman, an inferior race. The imposition of language on Africa was an attempt at “civilizing” the Africans, and so was the imposition of names and standards. The passage below is self-explanatory:

Africa has had a long, troublesome history with European powers. The greatest calamity that Africans have faced is the Atlantic slave trade beginning around the 16th Century. An estimated 15 million Africans were taken from their homes to serve as slaves to Europeans. Africa was looked to for slave labor for a few reasons. The first: Europeans were unwilling to have European slaves. They did not want to have their own people serving them. The second reason for African slavery: There were not enough people resources in the Americas. The major European powers in the Americas, Britain, France, and Spain, could not find enough labor there. The lack of great quantities of Native Americans forced Europeans to look for slaves elsewhere. This does not mean, however, that the Native Americans were not coerced into slavery. The third: Africans were convenient and inferior. The idea of an inferior race of humans suited slavery well. Europeans felt that they were helping a lower race become more civilized when they took African slaves. The Europeans removed tens of thousands of skilled African workers from their homes. The location of Africans did not stop Europe. Slave traders searched far inland for skilled slaves. They shipped slaves to coastal prisons. Davidson’s video showed a church with a prison underneath. Many of the Africans were waiting in

captive underneath the church in the prison. At any given time, there were up to ten thousand slaves there. Many clergymen knew of the slave warehouse beneath their place of worship. Some even participated in the trade. According to Basil Davidson, "... racism grew out of slavery." The Europeans treated their slaves as subhuman. Other Europeans then assumed that slave, hence Africans, were an inferior race of people. Africans were almost a different species, somehow closer to apes than the fair skinned people of Europe.¹⁷⁹⁴

Thus, the motivations for slavery, colonialism, racism or the holocaust might have been diverse. However, their debilitating effects remain. No amount of reparation or the sincerity of any truce and reconciliation can cure the injustices of the past. For Black Africa, Zambia included, the way forward is also the most divine one; record history in the native languages so that it may not be repeated, and forgive unconditionally.

¹⁷⁹⁴ Basil Davidson, Cosmo Learning, Africa: A Voyage of Discovery (1984), "The Bible and the Gun," < <https://cosmolearning.org/documentaries/africa-a-voyage-of-discovery-with-basil-davidson-1402/5/>> (Retrieved: October 3rd, 2021)

Chapter 34 Media in Zambia

The science of media is the greatest art ever invented by humankind.

BRIEF INTRODUCTION

This chapter traces media development in Zambia to independence. It discusses the impact of literacy on media in general. Democracy, press freedom, and media independence are discussed in the context of competing historic rivalry with the State.

The resurgence of new- and social media is reviewed while noting that media must play an adjunct role in addressing poverty and enhancing democracy.

Politics \approx Media \approx
Social Media

AT THE END OF THIS CHAPTER:

1. You will follow the history of media in Zambia from 1964; and
2. You will learn about the nexus between media and literacy, media laws and press freedom, State-press relations and media independence, as well as the role of social media in the democratic process.

MAJOR THEMES:

Democracy;
Literacy;
Media Independence;
Press Freedom.

§34.1 Fourth Estate

Media is, and can be, powerful. It has been called the Fourth Estate or a *de facto* fourth branch of government, following the Executive, the Legislature and the Judiciary. Despite the more liberalized conditions since the return to multiparty politics

in 1991, the Minister of Information and Broadcasting Services in Zambia, and by extension the Zambian government, still has substantial control over the country's broadcasting industry.

There are different forms of media existing in Zambia. Printed media include the press, newspapers, magazines and book publishing. Electronic media include television and radio. New media, as opposed to traditional media, include social networking sites like Facebook, Instagram, Twitter, blog-talk radios, etc.

All forms of media are shaped by political, economic, educational, and social conditions. However, media can shape itself, and in turn shape other things. Autonomy is the word associated with most media establishments. Autonomy means that media can exist on its own apart from the control of government. It also means that for media to be seen to be performing a neutral role, it must be independent and free of government interference.

§34.2 Sources of News

The Zambia News Agency (ZANA) was created in 1969. It was the main provider of domestic news in Zambia until 2005. It gathered and distributed news and information to the country's media outlets. ZANA worked with the Pan African News Agency (PANA). PANA gathered and redistributed news from other African countries to Zambia. ZANA did not have the resources and personnel to reach its potential as the country's domestic news agency. Thus, "[ZANA] ended operations in 2005 when it was merged with another government service, the Zambia Information Services (ZIS) to create the Zambia News and Information Services (ZANIS). ZANIS is a public relations operation wing of the Zambian government under the Ministry of Information, Broadcasting Services."¹⁷⁹⁵

The media in Zambia can be divided into multiple categories, such as television, radio, magazines, newspapers, and the Internet.¹⁷⁹⁶ In 2020, there were about 36 newspapers and news websites operating in Zambia.¹⁷⁹⁷

¹⁷⁹⁵ *Mondo Times*, "Zambia News Agency (Zana)," <
<https://www.mondotimes.com/1/world/zm/343/5095/14763>> (Retrieved:
October 3rd, 2021)

¹⁷⁹⁶ Mediabuzz.org, "Zambian Newspapers and Zambian Newspaper List," <
<https://www.mediabuzz.org/newspapers/zambia/>> (Retrieved: October 3rd, 2021)

¹⁷⁹⁷ *Ibid.*

Some of the popular radio broadcasting channels, newspapers and radio stations in Zambia are: 96.5 Rock FM 96.5; Afrol News; Afrozam Radio; AllAfrica: Zambia; Breeze FM 89.3; Chikuni Community Radio Station. FM 91.9; *Daily Mail*; *Daily Nation*; *Daily Revelation*; Flava FM; *Globe Online*; Hot 87.7 FM; *Independent Observer*; iWave FM Radio FM 90.1; JeuneAfrique [In French]; *Kachepa*; *Kitwe Times*; *Koswe News*; *Lusaka Star*; *Lusaka Times*; *Lusaka Voice*; Metro 94.5 FM 94.5; *Mining Mirror*; *Modern Voice* FM 99.5; Money FM; Zambia FM 93.7; Muvi Television; *Mwebantu News*; *New Vision*; *News Diggers*; *Nkani*; One Love Radio FM 104.1; *Open Zambia*; *Partners Guide*; QFM; Radio Christian Voice, FM 106.1; Radio France Internationale; Radio Icengelo FM 88.9 / 102.9; Radio Phoenix FM 89.5; *Sub-Saharan Informer*; Sun FM; *Sunday Mail*; *The Lowdown Magazine*; *The Mast*; *The Seal Newspapers*; *The Zambezian*; *Times of Zambia*; *Tumfweko*; *Tech Trends*; Utuntu FM.; *Worldfolio Zambia*; Yatsani Radio FM 99.1; Zambezi FM 107.7; *Zambia 24*; *Zambia Daily Mail*; *Zambia Invest*; *Zambia News 365*; *Zambia News*; *Zambia Online*; *Zambia Reports*; *Zambian Business Times (ZBT)*; *Zambian Eye*; *Zambian Football*; *Zambian Guardian*; *Zambian Observer*; *Zambian Politics*; *Zambian Watchdog*; *ZamFoot*; *Lusaka Voice*; *ZBC News*; *Zed Extreme*; *Zed Gossip*; ZNBC - Radio 4 FM 88.2; ZNBC R1 - ZNBC One FM 93.1. This list is not exhaustive.

From independence in 1964 until 1991, Zambia's media industry could not be said to be independent. The *Times of Zambia* was originally owned by UNIP. UNIP had owned *Times of Zambia* through its company called National Holdings Limited after purchasing it from Lonrho at K4 million. This was shortly after independence.

The *Zambia Daily Mail* is state-owned under the Ministry of Information and Broadcasting Services. Initially, *Zambia Daily Mail* operated under the guise of the Zambia Publishing Company Limited. The Editors-in-Chief of *Times of Zambia* and *Zambia Daily Mail* were appointed by the president.

When the National Media Corporation (NAMECO) was created in 1988, it solidified government press control. NAMECO was basically State House-controlled which also meant that it only existed to serve the whims of the president. "It was deliberate policy those days for the state-controlled daily newspapers, the *Zambia Daily Mail* and the *Times of Zambia*, to carry the president's stories on the first pages."¹⁷⁹⁸

New media has revolutionized the freedom of the press. It is no longer the monopoly of the media owners or governments to dictate

¹⁷⁹⁸ Beatwell Chisala, p. 44

when and how the people access information. It is a matter of time before Zambians begin to own non-traditional media as is already happening through Internet radio: “Also coming up are Internet-based radio stations called BlogTalkRadio (BTR). There are three stations run by Zambian citizen broadcasters. Brain Drain and ZBTR are talk show stations on which various national matters are broadcast once a week while the latter is primarily a music station. Occasionally, it broadcasts interviews of Zambians discussing various issues about the country.¹⁷⁹⁹

§34.3 Media Development

By the year 2002, there were four newspapers in Zambia: The state-owned *Zambia Daily Mail* and the *Times of Zambia*, *The Post*, and the UNIP-owned *Sunday Times of Zambia*. Of the four only *The Post* was truly independent. All the newspapers in Zambia are published in English and have circulations ranging from 25 thousand to 50 thousand. All the newspapers have online presence as well.

The *Zambia Daily Mail* was initially called the *African Mail* in 1960.¹⁸⁰⁰ In 1962, its name was changed to *Central African Mail*. Because it published stories critical to the federal government, the *Central African Mail* became very popular among the Black Africans. But the paper was only published weekly.

In 1965, the new Kaunda government bought the *Central African Mail*. Two years later, it became a semi-weekly circular called the *Zambia Mail*. In 1970, the *Zambia Mail* became the *Zambia Daily Mail*, a state-owned daily. Its main rival was the *Zambian Times*, founded in 1962 by a South African named Hans Heinrich.

The *Zambian Times* started its life in Kitwe. Heinrich, however, soon sold the paper to a British firm called London and Rhodesia Mining, which owned other newspapers in the region. Argus Company, another owner of newspapers in Central and Southern Africa, started a White-community-tailored newspaper called the *Northern News* in Ndola.

The *Northern News* included foreign news from Britain. Argus later sold the *Northern News* to London and Rhodesia Mining. Upon the

¹⁷⁹⁹ Gershom Ndhovu, Global Voice, “Zambia: Meet Zambian Citizen Broadcasters” (July 20th, 2010)

¹⁸⁰⁰ David Astor, then editor of the London *Sunday Observer*, and Dr. Alexander Scott were the original owners of the *Central African Mail*.

purchase of *Northern News*, London and Rhodesia Mining shut down the *Zambian Times* and renamed its new property the *Times of Zambia* with Richard Hall¹⁸⁰¹ as its editor.

In 1975, the Kaunda government took over the *Times of Zambia* and relocated its offices from Ndola to Lusaka. At the time of the purchase of the *Times of Zambia*, the daily was owned by Lonrho and “through it, Tom Mtine (the local chairman) [who] had problems with the Party [UNIP] and Government because the party stalwarts were convinced that the *Times of Zambia* was an imperialistic newspaper hell-bent on destabilizing the policies of the Party and Its Government.”¹⁸⁰²

Apart from the *Zambia Daily Mail* and the *Times of Zambia*, other newspapers emerged. One such was *The Post*, which began as the *Weekly Post*.¹⁸⁰³ It became popular among those who disagreed with the Chiluba government. It regularly attacked the government, made fun of its leaders, and scrutinized its actions. It started doing to Chiluba and the MMD what Kaunda and UNIP had done to the MMD in the days before multiparty politics became a major political player.

Other newspapers which became critical of the new government included the church-owned *National Mirror* and the privately owned *Sun*. They regularly ran stories and columns ridiculing the new government and its leaders. This, however, was a positive development in the history of democracy in Zambia. In the Kaunda era, something like that could not be tolerated.

Despite the mushrooming of independent newspapers in Zambia, the government-owned papers continued to serve the whims of the State. The *Zambia Daily Mail* and the *Times of Zambia* continued to defend the MMD government from attacks in the private media. They continued to project the viewpoints of the government of the day. Opposition views rarely, if any, found open pages on the government-owned papers.

The MMD governments under presidents Chiluba and Mwanawasa were comparatively more tolerant of criticisms than the UNIP government under President Kaunda. They also eschewed censorship, even when the media published articles and photos that

¹⁸⁰¹ Richard Hall is the author of *Zambia* (1965) and *Zambia, 1890-1964: The Colonial Period* (1965 & 1976)

¹⁸⁰² Mwaanga, *Looking Back: An Extraordinary Life*, p. 160

¹⁸⁰³ This was akin to the *African Weekly* and *Mutende* which were widely read by the Africans in Northern Rhodesia.

some considered to be of questionable taste. Ironically, some of the tactics that the MMD used to discredit the UNIP government were also used against it.

In the 1990s, the MMD published ads in the independent media attacking the UNIP government and its policies. Opposition parties used the same ad tactics against the MMD. It calls for future politicians to bear in mind that whatever they may be critical of, may be used against them in subsequent administrations.

§34.4 The Role of Media

Media plays an indispensable role in a nation. It forms the core of national informational system. Media shapes ideas which in turn shape the image of the nation. The media is supposed to be the collective voice of the people. This principle is what necessitates the freedoms and liberties inherent in all peoples. Where the media are controlled by one entity at the expense of the citizens, democracy and development are jeopardized. Zambian media have, historically, been dominated by a single player, usually, the government.

Media should endeavor to serve as a watchdog to the three organs of government by providing checks and balances that are necessary for democracy to thrive. Apart from serving as a medium of communication, media influences public opinion through “impartial, balanced and fair analysis of issues that are of national interest.”¹⁸⁰⁴ Traditionally, media have informed on issues pertinent to national awareness and had provided avenues for free and open deliberation among the citizenries. Through mass communication and new media, the world of commerce, trade, sourcing and informational exchange has become intertwined with the day-to-day experiences of the people.

A relatively new factor which helped to bring down the One-Party State in Zambia was the emergence of privately owned and relatively independent newspapers. The new media voices became partners with those forces that were struggling for democracy in Zambia. In this vein, media, especially the privately-owned, have been an important factor in the re-introduction of plural politics in Zambia. Media accord the opposition front a ready tool for communicating its aspirations for the Zambia of now and tomorrow. In many African

¹⁸⁰⁴ Henry Kyambalesa, “MMD’s Quest for Statutory Media Regulation,” *Zambia News Features* (August 29th, 2010)

nations, Zambia included governments’ tendency to use state media as a propaganda tool diminishes democratic competition.

§34.5 Media and Literacy

The influx of media sources in Zambia is testament to the soaring rates of literacy. As of February 19th, 2010, Zambia was ranked 150th on the world literacy list. Zambia was pegged at 86.75 percent in 2018.¹⁸⁰⁵ By literacy in Zambia is meant the percentage of people aged 15 and over who can read and write in English. This number has been pegged at 80.6 percent.¹⁸⁰⁶

Information on literacy is not a perfect measure of educational results. But it is, probably, the most easily available and valid information for international comparisons. Low levels of literacy and education in general, can impede the economic development of a country in the current rapidly changing and technology-driven world.

In addition, literacy affects newspaper readership. The more educated members of the population are, the more likely they are to read newspapers. Readership is also affected by the fact that when families need to decide whether to buy newspapers or food, they are more likely to opt for food.

§34.6 Media Law

Some pieces of legislation which provide regulation of media operations in Zambia include¹⁸⁰⁷ the *Theatres and Cinematograph Exhibition Act* (1929), *Criminal Procedure Code Act* (1933), *Zambia National Broadcasting Corporation Act* (1987), *Printed Publications Act* (1994), *Radio Communications Act* (1994), *National Broadcasting Corporation (Amendment) Act* (2002), *Independent Broadcasting Authority*

¹⁸⁰⁵ “Zambia Literacy Rate 1990-2021,” <

<https://www.macrotrends.net/countries/ZMB/zambia/literacy-rate>> (Retrieved: October 3rd, 2021)

¹⁸⁰⁶ In 2007/2008 Zambia was listed at 142nd with a percentage of 70.6. By February 2010, Zambia had improved to 80.6 percentage ranked at 150th. The discrepancy in ranking could be because other countries are improving as well. In 2008, Georgia ranked number one at 100 percent.

¹⁸⁰⁷ See also Youngson Ndawana, Joanne Knowles & Christopher Vaughan (2021) *The Historicity of Media Regulation in Zambia; Examining the Proposed Statutory Self-Regulation*, *African Journalism Studies*, DOI: 0.1080/23743670.2021.1939749

(IBA) Act of 2002, *Independent Broadcasting Authority (Amendment) Act*, 2017, *Information and Communications Technologies Act* (2009), *Electronic Communications and Transactions Act* (2009), *Electronic Communications and Transactions Act*, No. 4 of 2021. Generally, in Zambia, the hopes of the 1991 multiparty framework, did not translate into media freedom: “The media in Zambia have been in a state of uncertainty since Zambia reinstated democratic governance in the early 1990s.”¹⁸⁰⁸ Accordingly, the Zambian media industry has become more polarized in the last decade (2010 – 2020), which has further weakened their collective position of challenging any arbitrary state threats of legislation or regulatory measures.¹⁸⁰⁹

The *Penal Code* (introduced in 1931 and amended in 1990), defines the following as criminal offences: Sedition and defamation (Chapter 191), defamation of the president (Chapter 69), and defamation of foreign princes and the publication of false news that incites fear or violence or damages the national security (Chapter 67).

The question many people ask in Zambia is: Does Zambia need more laws to regulate the media? The current laws seem adequate to deal with any media-related query in Zambia. Chansa Kabwela agrees, however, she argues that what is lacking is implementation: “There are some good laws in place such as the *Zambia National Broadcasting Corporation (Amendment) Act* and the *Independent Broadcasting Authority (IBA) Act* of 2002, but the lack of political will to implement them results in selective justice which protects the strong preying upon the weak.”¹⁸¹⁰

The proposal by the government to introduce the Freedom of Information (FoI) Bill was, therefore, worrying to many people in Zambia. It was seen as a “characteristic of socialist states and dictatorships.”¹⁸¹¹ Kyambalesa, for example, advocates for media self-regulation. He conceives that this standard adequately meets the stipulation of international law: “In fact, self-regulation is the best form of regulation which can promote high standards in the media that is recommended under international law, not statutory regulation.”¹⁸¹² Self-regulation is not only appropriate but is also necessary in the context of Zambia’s historical thingamajigs.

¹⁸⁰⁸ *Ibid.*

¹⁸⁰⁹ *Ibid.*

¹⁸¹⁰ Ernest Chanda, “Introduction of Public Interest Disclosure Bill Long Overdue – PFC,” *Post Online*, (Wednesday, March 3rd, 2010)

¹⁸¹¹ Kyambalesa, *supra*.

¹⁸¹² *Ibid.*

Since independence, the Zambian government has regulated media, and with it, a hold on what the masses should know and hear.

§34.7 State -Press Relations

State-press relations in Zambia follow through a historical path. The media were used in colonial days as a weapon of discrimination and domination against the Black Africans. They were basically set up to promote the welfare of the White colonialists and settlers, and not to conduct fair journalism. For the most part, Black Africans were demonized and depicted as ignorant, criminals, scalawags, rascals and rabble-rousers.

Things began to change in the 1950s. By the 1960s, African nationalists were agitating for independence, and this was extended to press freedom as well. African nationalists had realized early that they could not rely on newspapers, radio, or television to tell their story.

The Federation of Rhodesia and Nyasaland was the amalgamation of three territories with most administrative functions conducted in Southern Rhodesia. This ten-long period was also the most atrocious against the interests of the Black Africans. During the Federation, the federal government-controlled radio and television outlets.

ZNBC was formed at independence. It had only one channel outlet. It was loosely patterned after BBC. In principle, it was supposed to be autonomous, nonpartisan, and objective. In practice, however, ZNBC became a state-run institution that served the caprices of the Party and Its Government. It had been transformed into a weapon against opposition views.

§34.8 Press Freedom

The shift from UNIP to MMD in 1991 signaled both a symbolic and philosophical change. A new media mantra was in the offing. It was called Press Freedom. For close to thirty years, Zambians had not known what freedom of the press meant. Media and government were intertwined. Late president Kaunda appointed all the Editors-in-Chief at both media corporations.

Everything that went into the daily newspapers was carefully vetted to ensure that nothing offended the president. Anything that possibly “contained...sensitive and contentious points which were

blatantly directed at the ruling party,”¹⁸¹³ could not find a light of day in the dailies. Government grip on the free media transcended mere politicization of the press; it had become an operational wing of the state.

Press Freedom is the freedom of communication and expression. This is usually achieved through electronic and published media. In principle, Press Freedom implies the absence of interference from an overreaching state. Usually, Press Freedom is preserved through constitutional and other legal protections.

In deliberating Press Freedom, it is in order to make a distinction between information that is classified and public, and that is newsworthy. With respect to governmental information, certain materials are protected from disclosure to the public based on classification of information as sensitive, classified or secret. It may also be protected and shielded from disclosure in the interest of national security.

More importantly, *sunshine laws* can be enacted to define the ambit of national interest.¹⁸¹⁴ This is necessarily to avoid arbitrariness in the use of privilege by the ruling elites to encroach upon the freedoms of information and expression.

While media can transform society, it should not be an agent of government or an instrument for propagating its policy. To ensure Press Freedom, government should not be in direct charge of all public media. It should not appoint the head of the broadcasting and information facilities directly, either. The president is not the best person to appoint, promote or fire the Editors-in-Chief at the *Zambia Daily Mail* and the *Times of Zambia*, or any national media house that may be created in future.

§34.9 “Agents of Poverty”

Do the media in Zambia effect what Mukanga describes as “transparency and accountability in our society...influence public opinion... [and] act as a mirror of society,”¹⁸¹⁵ or do they serve as “agents of poverty”? Mukanga argues that both the public and private media in Zambia have not been free. He cites rampant corruption as evidence: “The best available evidence shows that corruption is lower

¹⁸¹³ Mwaanga, *supra*, p. 160

¹⁸¹⁴ *Sunshine laws* are legislation bordering on the freedom of information.

¹⁸¹⁵ Mukanga, *supra*.

when the press is free.”¹⁸¹⁶ Through a “contest of narratives,” the media in Zambia have continued to sacrifice truth at the expense of “rogue journalism.” A system akin to Neo-Patrimonialism has emerged in the media rank where media sycophants of the political moguls are rewarded “with cash, or promotions or political appointments for protecting [corrupt politicians] from scrutiny.”¹⁸¹⁷

Thus, media in Zambia contribute to poverty, deviating from a social narrative analogous to people’s daily challenges by focusing only on what the ruling elites or strong business interests want written and broadcasted. Policy *agenda* is said to be set by those who speak loudest, and not by those most affected by the mismanagement of national assets. Media, must, thus, be seen to bring to light the challenges of the poor and insist that government and strong corporate interests steer their *agenda* towards poverty-alleviation. President Banda is on record that government was “considering privatizing some of the state owned media organizations.”¹⁸¹⁸ Many see this, together with deregulation, as the answer to media freedom, strengthened competition in the media marketplace and to consumer sovereignty.¹⁸¹⁹ In the words of Michael Sata, “The *Zambia Daily Mail*, the *Times of Zambia* and the Zambia National Broadcasting Corporation (ZNBC), have simply become the mouth pieces, or as most people refer to them now ‘Vuvuzelas’ for the ruling...party.”¹⁸²⁰ Then Sata, like President Banda conjectures, “I therefore, wish to openly thank the private media in our country both print and electronic,”¹⁸²¹ because these, especially in the wake of the *Post*, have been seen as an effective but *de facto* opposition front.

§34.10 Democracy and Press Freedom

Democracy thrives where there is respect for Press Freedom. Responsible journalism functions better without state interference.

¹⁸¹⁶ *Ibid.*

¹⁸¹⁷ *Ibid.*

¹⁸¹⁸ *Ibid.*

¹⁸¹⁹ Mukanga places consumers on the throne of a thriving free-market and liberalized system. Media is not an exception. Accordingly, consumers should dictate, through purchasing power, the direction of production in the country. Government should do so in moderation.

¹⁸²⁰ George Chellah, “Stand Up and be Counted, Sata Urges Zambians in the Diaspora,” *Post*, (Monday, May 2nd, 2011)

¹⁸²¹ *Ibid.*

Press Freedom should be extended to the members of the public who are able to own print and electronic media outlets. Those interested in starting private radio and television outlets should be encouraged to apply for licenses.

The enactment of sunshine laws should be balanced by enshrining a freedom of the press clause in the *Zambian Constitution*.¹⁸²² Government should not be afraid to be criticized, albeit objectively and with a civil sense of integrity. Doing so, in addition to holding government accountable for its actions, it is in line with the principles of a free and democratic society.

The introduction of the Zambia Community Media Forum (ZaCoMeF) on the Zambian media landscape has contributed to the enhancement and the improvement of media pluralism and access to information by ordinary Zambians. Through this forum, the people can express their own ideas and views and thereby enhancing democracy in Zambia.

Mapulanga tied Press Freedom to the very ethos of democracy. Commenting on the anniversary of the death of his mother, Gorretti Mapulanga, he mourned: “Whether you were interviewing Gaddafi, the Pope, or Brenda Fassie; you endeavored to bring the viewer closer to the opinion makers. More importantly *you believed freedom of the press* was not only a constitutional issue but a work ethic. Throughout your career you demonstrated that in the absence of laws, even under corrupt and tyrannical regimes a free press could prosper.”¹⁸²³ For more on Press Freedom and Media and Democracy, consult an article by Francis Kasoma titled, “Press Freedom in Zambia,”¹⁸²⁴ or refer to “Media in ‘Democratic’ Zambia: Problems and Prospects,”¹⁸²⁵ by Isaac Phiri.

¹⁸²² For example, in 1993, the MMD government put in place a Media Reform Committee to chart the way forward. And among the committee’s recommendations were to privatize ZNBC and newspapers, and to put a freedom of the press clause in the Zambian constitution.

¹⁸²³ Soyapi Hopkins Mapulanga, *Facebook*, “In Loving Memory of Gorretti Mwiza Mapulanga,” http://www.facebook.com/home.php?#!/note.php?note_id=413972537964&id=1106888610&ref=mf (Retrieved: July 30th, 2010)

¹⁸²⁴ Francis, P. Kasoma, “Press Freedom in Zambia.” In *Press Freedom and Communication in Africa*, eds. Festus Eribe and William Jong-Ebot (Trenton, N J: Africa World Press Inc., 1997)

¹⁸²⁵ Isaac Phiri, “Media in ‘Democratic’ Zambia: Problems and Prospects,” (Spring 1999) *Africa Today*, Vol. 46, No. 2, pp. 53-65

§34.11 Media Independence

Media may not be free where two things are present. In situations where government controls the media, the media cannot independently deliver the truth. This situation has been akin to Zambia for decades. The *Times of Zambia*, the *Zambia Daily Mail*, the *Sunday Times* and the *Sunday Daily Mail*, have all been puppets of government. Until the advent of the *Post*, Zambia could not boast of an impartial, independent and autonomous media. A situation like this undermines democracy and grants the party in power enormous leverage in transacting national resources and instruments especially during elections.

A situation experienced by Zambia in the First and Second Republics could not empower Zambians to truthfully participate in national politics. It was evident that the Kaunda regime wanted to politicize national governance. The UNIP party was superior to the National Assembly and the media was a mere propaganda machine for broadcasting and transmitting party philosophy and activities.

The media was solely a conveyor belt of late president Kaunda's whims and caprice. Success in such an environment meant being submissive to the dictates of the Party and Its Government. Especially if one wanted to rise into the ranks and become a cabinet minister or MP, one needed to sing the tunes of the Kaunda administration. In such context, too, people were no better than slaves, hearing what the master wanted them to hear and dancing to the songs the master wanted them to dance.

The situation did not change much during the Chiluba administration. The MMD's rhetoric on media independence did not translate into practical implementation. The Mwanawasa regime silenced independent journalism by partnering with *The Post* to form a *de facto* alliance, especially in the prosecution of the *Chiluba Matrix*. The Banda administration, through the Freedom of Information Bill, ran the risk of subjecting the nation to angst and to government controls reminiscent of the Second Republic.

The result is the death of independent and innovative thinking. Democracy and freedom suffer, and people cannot question the misdeeds of government or air their voice to rectify illiberal tendencies in the ruling party. For over twenty years, Zambia had no independent voice. The same approaches, the same mentality, the same failures. This is what makes democracy such an attractive political system because it allows for the freedom of expression in

which people are free to dream and see their dreams become a reality. The benefit of this is an enlightened, well-informed and versatile society able to innovate, invent and experiment in technology.

§34.12 Media and Democracy

Developed nations are media mazes. The US, theoretically, the best democracy on earth, has thousands of media outlets. The same can be said about Canada. As far as Canada is concerned, Quebecor Media owns eight dailies and 200 other local and community newspapers.

Democracy in nations like Canada does not thrive by accident; there are forces that shape its size and beat. Canada has myriad of media outlets as mentioned above. The population of Canada is barely twice that of Zambia. Zambia still relies on few national broadcasting newsmakers, ZNBC. This situation is highly injurious to the vision of a free and democratic society.

Freedom of information means that people can easily criticize government, its policies and programs. When they do this, they make government more accountable to its actions. This, indirectly, impacts on the overall development of the nation. For a well-criticized government is in the best position to change or tailor policy towards pragmatism, solving people's daily problems.

§34.13 Social Media and Democracy

In the 1960s and 1990s the *Wind of Change* that saw the emergency of pro-democracy agitations in Africa south of the Sahara and in the former USSR territories missed North Africa and the Middle East. Zambia was doubly caught up into both dispensations culminating into independence and the Third Republic in 1964 and 1991, respectively. In the Arab world, these waves missed largely due to what has been called a "Ph.D. of Stubbornness"¹⁸²⁶ of its leaders, most of whom ruled for decades.

¹⁸²⁶ Michael Hirsh, "Mubarak, the 'PhD of Stubbornness,' Cannot Imagine an Egypt Without Him," *National Journal*, February 10th, 2011

With the resignation of Hosni Mubarak as a dictator military president on February 11th, 2011, there were then eight remaining longest serving presidents in Africa.¹⁸²⁷ Of significance to the recent democratic protestations, is the role that social media has played in removing these longest serving dictators from power. What began with one young man's desperate protest against unemployment in Tunisia, spread quickly to Egypt. Within days of Mohamed Bouazizi's attempted suicide in front of the local government office, students, teachers, lawyers, journalists, human rights activists, trade unionists, and opposition politicians took to the streets in Tunis and other Tunisian cities. They condemned government's economic policies, its repression of all critics, and a mafia-style corruption that enriched members of the president's family.¹⁸²⁸

This revolution was like the Columbian revolution against the FARC started by an individual named Oscar Morales on Facebook. The social network played a significant role. Facebook became a central location for dispatching information about where protests were happening, where government snipers were located, video footage of what was going on in the streets, and plenty more.¹⁸²⁹

For Tunisians, it was another run-in with *Ammar*, the nickname they gave to the authorities who censored the country's Internet. They had come to expect it. *Ammar* was in the process of stealing an entire country's worth of passwords.¹⁸³⁰ Moreover, Twitter helped unleash the massive changes that led Ben Ali to leave office on January 14th, 2011. Even Facebook founder, Mark Zuckerberg, was involved when he held up a sign that read, "Sayeb Sala7, ya 3ammar," the slogan for a freedom of expression campaign late in 2010. Later, Zuckerberg popped up on a sign outside the Saudi Arabian embassy

¹⁸²⁷ These were Muammar al-Gaddafi of Libya who was president from 1969; he died on October 20th, 2011; Teorodo Mbasogo of Equatorial Guinea, president since 1979; Robert Mugabe of Zimbabwe, who was president from 1980 to 2017; he died on September 6th, 2019; Paul Biya of Cameroon, who had been president since 1982; Yoweri Museveni of Uganda, who has been president since 1986; Blaise Campaore of Burkina Faso, who was president from 1987 to 2014; Hassan Omar al-Bashir of Sudan, who was president from 1989 till April 11th, 2019 when he was ousted from power; and Yahya Jammeh of Gambia, who was president from 1994 to 2017.

¹⁸²⁸ Christopher Alexander, "Tunisia's Protest Wave: Where it Comes from and What it Means," *Foreign Policy*, (Monday, January 3rd, 2011)

¹⁸²⁹ Nick O'Neill, "How Facebook Kept the Tunisian Revolution Alive," Facebook.com, January 24th, 2011

¹⁸³⁰ Alexis Madrigal, "The Inside Story of How Facebook Responded to Tunisian Hacks," *The Atlantic*, (January 24th, 2011)

carried by Tunisian protesters demanding the arrest of Ben Ali.¹⁸³¹

It is ironic that during his 30 years of reign, Mubarak claimed he was running a “democratic” government.¹⁸³² This was akin to Kaunda’s claim that a One-Party was a “participatory democracy.” But what Mubarak claimed to be a democratic regime was blocking the citizens’ access to both Facebook and Twitter before eventually shutting down Internet access completely. Social media users found ways to work around the blackout and Internet access was restored. Mubarak and other despotic leaders banked heavily on an Anti-democratic Theory which postulates that, “You need a press system that manipulates people, [to] keep them in their place.”¹⁸³³

In Zambia, social media and the Internet played a key role in improving governance and the democratic process, thus, “On [August 11th, 2016], Zambians elected their president, the national assembly, mayors and municipal councils. Facebook was the main forum Zambians used to discuss campaigns, elections and results.”¹⁸³⁴ However, in 2021, some suspected that the PF government had attempted to utilize the Anti-Democratic Theory but failed.¹⁸³⁵

¹⁸³¹ *Ibid*

¹⁸³² Nadia Ibanez, “Mubarak Steps Down, Waves Made in Social Media,” *Business Review*, Friday, February 11th, 2011

¹⁸³³ Megan Boler, *Digital Media and Democracy: Tactics in Hard Times* (Cambridge, MA: MIT Press, 2008), p.21

¹⁸³⁴ Humphrey Nkonde, “Monitoring Elections Online,” D+C Development and Cooperation, November 7th, 2016

¹⁸³⁵ See Chris Mfula, “Zambia Counting Votes with Internet Restrictions Still in Force,” *Reuters*, August 13th, 2021

Chapter 35 **Zambian Authors**

It is not only GDP which determines the health and wealth of a nation, the undiminished plethora of its authors does, too.

BRIEF INTRODUCTION

This chapter looks at the contribution of Zambian authors to development. It also bemoans the deficiency of authentic Zambian authors. And where Zambians have been documented as authors, the list does not usually consider a growing number of self-published authors. The chapter, further, highlights the parochial nature of reviews showcased as Zambian authorship, which lack a mark of uniqueness and efficacy reminiscent of literature that can develop the nation and its young minds.

≈ Politics ≈ Education ≈
Literature

AT THE END OF THIS CHAPTER:

1. You will learn about some Zambian authors and their works.
2. You will appreciate the fact that Zambia has not prioritized book and eBook authoring like South Africa or Nigeria has done; and
3. You will bemoan the lack of recognition in Zambia of authors who may not be published by traditional book publishers.

MAJOR THEMES:
Development;
Literacy

§35.1 **Zambian Authors**

Zambia, unlike Nigeria or South Africa, has been described as a “Literary and scientific desert.”¹⁸³⁶ Most of the notable Zambian authors heave from the legal, mining and media fields. Zambian authors are few and rare, and the majority is former journalists or media directors. A few politicians have also written books.

“In 1964, a group of young Zambians formed a literary group called The New Writers Group. Together they created and published a literary journal called *New Writing from Zambia*.”¹⁸³⁷ It is believed that this group had published books from at least 150 Zambian authors. However, records are scarce and even non-existent. Zambia has not reached the stage where books not published by traditional publishers are popularized. Most writers do publish good books which may be published by self-publishing facilities, and these do not usually see the light of day in media.

There are few Zambian books that can be popularized to kick-start the culture of authorship. *Africa Social Research*¹⁸³⁸ is a journal from the University of Zambia’s Institute of Economic and Social Research¹⁸³⁹ with essays on the mining sector and poverty reduction, tourism and growth, health and HIV/AIDS, education and governance and poverty alleviation.

Africa’s Troubled Political Disorder: A Case on Zambia analyzes the current and future prospects for Zambian polity. *Aging in Zambian Cities* was written by Ann Schlyter and published in 2006 in Lesotho. It focuses on gender research especially on urbanization, planning and housing. *Aid and Poverty in Zambia: Mission Unaccomplished* by Oliver Saasa and Jerker Carlsson assess the missing link between aid and positive change.

Assessment of Poverty Reduction Strategies (PRSP) in Sub-Saharan Africa: Case of Zambia, an OSSREA project, analyzes the ongoing PRSPs and provides guidance to policymakers and advocacy groups in Zambia. This book was published in Ethiopia. *Beyond Inequalities 2005: Women*

¹⁸³⁶ Sambwa Gabriel Chifwambwa, “Mwanakatwe,” *The Post*, (December 20th, 2009)

¹⁸³⁷ Mazuba Kapambwe, “Eight Zambian Authors You Should Know,” Culture Trip, October 19th, 2018

¹⁸³⁸ This 77-paged journal can be found at the University of Zambia Press. Also, at the University of Zambia’s Institute of Economic and Social Research unit is *Street Children in Zambia: A Situation Analysis* written by Geoffrey Lungwangwa and Mubiana Macwan’gi.

in *Zambia* was edited by Nakatiwa Mulikita and focuses on gender issues. The publication assesses the progress made in Zambia in relation to the implementation of the National Gender Policy, the Beijing Platform of Action and the SADC Gender and Development Declaration. This book was published in Zimbabwe.

Civil Military Relations (CMR) in Zambia: A Review of Zambia's Contemporary CMR History and Challenges of Disarmament, Demobilization and Reintegration is a 120-paged 2004-published volume edited by Gilbert Chileshe, Margaret Chimanse, Naison Ngoma, and Paul Lwando. It presents papers on civil military relations in Zambia, some relating also to economic structures. *Community Radio: Its Management and Organization in Zambia* by Francis Kasoma P. is a discussion of community radio stations and how they can be established and managed despite the difficulties threatening their existence. The author provides valuable information on legal and financial advice as well as perspectives on how to manage personnel and equipment.

Difficult Decisions: Changing a Nation by Richard Sakala¹⁸⁴⁰ is an account of late president Chiluba's economic policy and the background to his often-controversial decisions. *Foreign Aid: Debt and Growth in Zambia* by Per-Ake Andersson, Arne Bigsten, and Hakan Persson compares the impact of foreign loans or grants to the private and the public sectors. *Hour for Reunion* by Akashambatwa Mbikusita Lewanika¹⁸⁴¹ is a review of the founding of the Movement for Multiparty Democracy in Zambia. *Israeli Settlement Assistance to Zambia, Nigeria and Nepal* by Moshe Schwartz is a study highlighting the evolution of Israeli assisted cooperative settlements set up in Zambia, Nigeria, and Nepal in the 1960s.

The Management of Urban Development in Zambia by Emmanuel Mutale focuses on the Copperbelt towns and offers a critical analysis of the development of urban policy in Zambia. *Mineworkers in Zambia: Labor and Political Change in Post-Colonial Africa* by Miles Larmer, is a review of the mineworkers' inability and unwillingness to shape progressive politics in post-colonial Zambia. *Newspapers and Magazines in Zambia: A Question of Sustainability* by Fackson Banda is the historical

¹⁸⁴⁰ Other books by Sakala include *A Mockery of Justice; Beyond Political Rhetoric; A Decade of the MMD; Zambia Entering the 21st Century; Pillars of Democracy; Politics of Poverty and Underdevelopment; Building a Political Culture; and Poverty Eradication.*

¹⁸⁴¹ Lewanika is also the author of *Milk in a Basket: The Political Economic Malaise in Zambia*, a discussion on the economic development in Zambia and the failures in meeting the basic needs of the people despite mineral, agricultural and human resources.

contextualization of the Zambian press and an analysis of the politico-economic factors that have shaped Zambia's media.

Parliament of Zambia by Mwelwa N. Chibesakunda looks at the processes and evolution of the Zambian Parliament. *Political and Economic Liberalization in Zambia* by Lise Rakner focuses on the negotiations between government and the key domestic interest groups, as well as the dialogue between the MMD government and the international donor community. *A Political History of Zambia: From the Colonial Period to the Third Republic* by Bizeck Jube Phiri¹⁸⁴² argues for a post-nationalist revisionist interpretation of both the colonial and post-colonial eras.

Poverty Reduction in a Political Trap: The PRS Process and Neo-Patrimonialism in Zambia by Walter Eberlei, Peter Meyns, and Fred Mutesa argues that the PRS approach reflects in theory a new quality in the relationship between donors and countries like Zambia. While the Zambian government reveals serious weaknesses in the implementation of the strategy, the donor community is also not implementing the new principles adequately. It further argues that the operational basis of many donors is still driven by their own interests and policy *agendas*, and not or only half-heartedly by the Zambian poverty reduction strategy.

Promoting and Sustaining Economic Reform in Zambia, edited by Catharine Hill and Malcolm McPherson, examines why Zambia's attempts at economic reform between 1980 and 2000 met with so little success. *Social Welfare in Zambia* by Ndangwa Noyoo gives a Zambian perspective on social welfare, and social work concerns. This book is set against the backdrop of social work's foreign orientation and its initial reliance on intervention strategies derived from the West.

The Struggle for Control of Education in Zambia: From the Colonial Period to the Present by Dan O'Brien investigates the crucial role that education played in the construction and subsequent life of Zambia, from the perspective of Subaltern Theory and the educational structure from the theoretical perspective of the writings of Michel Foucault. The author argues that by 1924, there were already four clearly defined groups within Northern Rhodesia (the colonial officials; the miners, traders and farmers; the missionaries; and the Africans).

¹⁸⁴² Phiri with Chikomeni Banda and Godfrey Haantobolo also authored *Protecting the Reputation and Standing of the Institute of Parliament: A Study of Perceptions, Realities and Reforms in Zambia* in 2004.

The author further argues that each of these categories of people had their own view of how the territory should be developed. A detailed study of the education provided at both discourse (policy) and discipline (schools and curriculum) levels show, however, that none of the participants took into account the inherent logic of an educational system. The efforts made to manipulate the system has led to results that none of the parties envisaged and has left the Zambian people with major problems at social, political and educational levels.

The Worst of Kalaki and the Best of Yuss by Roy Clarke champions the freedom of the press in Zambia, freedom of expression in general and the cause of Zambian journalism. *Zambia's Stock Exchange and Privatization Program* by Kenneth K. Mwenda¹⁸⁴³ is a classic guide on emerging markets, invaluable to investors, securities regulatory bodies, stockbrokers and dealers, corporate finance lawyers, and financial economists. It identifies both legal and extra-legal constraints on the regulatory framework. It examines activities both on the Lusaka Stock Exchange and under the privatization program. It also makes proposals to introduce a regional stock exchange in Southern and Eastern Africa.

Other Zambian authors include Kenneth Kaunda (*Humanism in Zambia; A Humanist in Africa; Zambia Shall Be Free; Letter to My Children; and Kaunda on Violence*); Kapasa Makasa (*Zambia's March to Political Freedom*); Kapelwa Musonda; Simon Mwansa Kapwepwe (in Bemba, *We Can Forgive But We Cannot Forget*); Wittington Sikalumbi (*Before UNIP*); Sikota Wina (*A Night without a President*); Malama Sokoni and Temple, M. (*Kaunda of Zambia*); Stephen Mpashi (*Betty Kaunda*); Vernon J. Mwaanga (*An Extraordinary Life; The Other Society: A Detainee's Diary*); Andrew Sardanis; Simon Zukas (*Into Exile and Back*); G. Mwangilwa (*Harry M. Nkumbula: A Biography of the Old Lion of Zambia*); Amos Malupenga (*Levy Patrick Mwanawasa: An Incentive for Posterity*); Frederick T.J. Chiluba (*Democracy: The Challenge of Change*); and Alexander Grey Zulu (*Memoirs of Alexander Grey Zulu*).

Henry S. Mebeelo wrote *Reaction to Colonialism*; Beatwell S. Chisala wrote *The Downfall of President Kaunda*; and William Simukwasa wrote *Coup!* Florence Nyondo is the author of *The Cold Hand of Death*,

¹⁸⁴³ Mwenda is also the author of *Legal Aspect of Banking Regulation in Zambia* and dozens other books.

Emmanuel Milingo wrote *The Demarcations: The World in Between*, and Munyonzwe Hamalengwa¹⁸⁴⁴ authored *Thoughts are Free*.

Patrick Wele¹⁸⁴⁵ documented the lives of Zambia's dissidents from Mushala to Luchembe in *Zambia's Most Famous Dissidents*. John Mwanakatwe wrote three books: *Growth of Education in Zambia since Independence*, *End of Kaunda Era* and *Teacher, Politician, Lawyer*. William D. Grant¹⁸⁴⁶ wrote *Zambia: Then and Now*.

Rhoda Namwalizi Lester wrote *Cassava is the Root*. Mubita Nawa¹⁸⁴⁷ is the author of *Why Not Defy the Odds*. Kirbey Lockhart wrote a book about Nevers Mumba titled *Zambia Shall Be Saved*. Dambisa Moyo authored *Dead Aid* and *How the West was Lost*, and Billy Sichone is the writer of *Mwanawasa* among several other books. Another Zambian author, worth mentioning, is Henry F. Mukulu who wrote *Education, Development and National Building: A Study of New Trends and Philosophy of Education*. This book was published by SCM Press in 1971 in London, England.

Elijah Miti has written several books including *Qualities of a Leader*, *The Secret Dream to Your Neighbor's Success*, and *You Have 24 Hours or Else*. Isaac Malenga wrote *Color Your Life* and Mwenya Mukuka is the author of *Basic Guidelines to Environmental Reporting*. Muna Ndulo wrote *The Law of Evidence in Zambia* (with John Hatchard); *A Case Book on Criminal Law* (with John Hatchard); and *Civil Liberties Cases in Zambia* (with T. Turner), among others.

Eric Gondwe, founder of *Zambian.Com* is the author of *Breaking Curses, Including Generational Curses; Hearing the Voice of God and Fulfilling God's Purpose for Your Life; Major Spiritual Warfare Principles: Biblical Do's and Don'ts of Warfare; Breaking Occult Spells: Protection from Witchcraft and Occult Influences; Bible Powered Prayer Guide: Guide for Applying Scriptures to Daily Prayers*, and many more.

Silvest Ochetim wrote *Pig Farming in Zambia*; Kenneth Kangende wrote *Male Superstitions of Sex, Female Superstitions of Sex* and *Zambian*

¹⁸⁴⁴ Hamalengwa is also the author of *Class Struggles in Zambia 1889 – 1989 & The Fall of Kenneth Kaunda 1991 – 1991*, *How are We Gona Win This*, and is a contributor to *The International Law of Human Rights in Africa*, among many published and non-published works he has done.

¹⁸⁴⁵ Patrick Wele is also the author of *Kaunda and Mushala Rebellion*.

¹⁸⁴⁶ Although Grant is not a Zambian, he has written from a more sympathetic and objective perspective very rarely done by Western authors about his experiences as a District Officer at the end of the Federation of Rhodesia and Nyasaland in Northern Rhodesia.

¹⁸⁴⁷ Nawa is also the author of *The Roadmap to True Leadership*, and several other books.

Myths and Legends of the Wild; and Sylvester Musonda Shipolo wrote *Evil Wrapped in Gold – My Side of the Story*.

M. Kenny Makungu is the author of *The State of the Media in Zambia: From the Colonial Era to 2003*; Edem Djokotoe is the author of *An Issue Based Journalism Handbook*; Sylvia C. Banda and Hector H. Banda are the authors of *Zambian Cook Book*; The Bank of Zambia is the author of *Issues in Zambian Economy*; T. Scudder is the author of *The Ecology of the Gwembe Tonga*; and Malumo P. M. Simbotwe is the author of *A Guide to Reptiles Amphibians and Fishes of Zambia*.

A House in Zambia: Recollections of the ANC and Oxfam at 250 Zambezi Road, 1967-97 was edited by Robin Palmer; *In Search of the Central Africa Past* was written by K.K. Das Gupta; *A History of the Tumbuka and Senga in Chama District 1470-1900* and *A History of the Tumbuka from 1400 to 1900* were written by Yizenge Chondoka (with Frackson F. Bota for the latter book); *Nswang – The Heir (The Life Times of Charles Fisher a Surgeon in Central Africa)* was written by Monica Fisher; *Abe Galaun: Tells His Own Story* was written by Jonathan H. Chileshe; *Dreams within Dreams* was written by Silas M. Nagangula; and *A First Guide to Non-Governmental Archives in Zambia* was written by Marja Hinfelaar.

Maliya Mzyece Sililo penned *Picking Up the Pieces*; UNPF documented *Rapid Socio-Cultural Research as a Methodology for Informing Sexual and Reproductive*; Obine Bwalya is the proud author of two books: *Let Us Play HIV* and *Let Us Play AIDS*; David Chisangano has attacked the ravaging AIDS in *The Enraged Vulture*; and Nawa Mwitumwa has dealt a blow to HIV in *The Last Supper*.

The following authors have written on linguistics and languages: John Thomson in *Chitonga – English Phrase Book*; E. Hoch W. F in *Bemba Pocket Dictionary – (Bemba-English and English-Bemba)*; Mubanga E. Kashoki in *Loanwords in Silozi, Cinyanja and Citonga*; C. P. Chishimba in *Perspectives for Teachers of English as a Second Language* and *Zambian Languages*.

Mumba Malila wrote *Commercial Law in Zambia: Essential Texts* and *Commercial Law in Zambia: Cases and Materials*; George Kanja M. constructed *Intellectual Property Law*; Patrick Matibini produced *The Struggle for Media Law Reforms in Zambia*; Mufalo Liswaniso and Alfred W. Chanda put together a *Handbook of Media Laws in Zambia*; and Simon Kalusika E. is the author of *South Sudan Right of Self – Determination and Establishing of New Sovereign State: A Legal Analysis*.

Social Policy and Human Development in Zambia was authored by Ndongwa Noyoo; *Poverty Reduction in a Political Trap? The PRS Process and Neo-Patrimonialism in Zambia* by Walter Eberlei, Peter Meyns and

Fred Mutesa; *University and Society* by Mayunda Mwanalushi; *Social and Political Thought in Zambia* by Romance Chanda Sampa; *The Road to Multiparty Democracy* by T.Z. Tembo; *Secrecy of Corruption* by Capt. J.C. Kasamanda; *The Impact of Corruption on Public Administration in Zambia* by R.R. Majula; *Zambian Democracy Betrayed: Patrimonial Corruption in Zambia* by Tresphor Mutale C.; *A Nation of Cynics?* and *The Constitution Making Process in Zambia* by Alick Banda; *A Guide for Children on the Road* by Mike Kumalo and David Nkolola; and *Challenges in the Mwanawasa Factor-An African Brief* by Obine Kasombe Bwalya.

Other Zambian authors include: Wilbur Smith (*The Gods First Make Mad; When the Lion Feeds*); Mali Kambandu (*Kumukanda*); Ellen Banda-Aaku (*Wandi's Little Voice; Patchwork*); Namwali Serpell (*Muzungu*); Efemia Chela (*Chicken*); Binwell Sinyangwe (*A Cowrie of Hope; Quills of Desire*); Malama Katulwende (*Bitterness*); Sisonke Msimang (*Always Another Country*); Lari Don (*The Tortoise's Gift: A Story from Zambia*); Clemantine Wamariya (*The Girl Who Smiled Beads: A Story of War and What Comes After*); Mubanga Kalimamukwento (*The Mourning Bird*).

The catalogue above is, by no means, conclusive. Among Zambian literature includes: *Zambian Writers Talking* (F. K. M. Sumaili); *Changing Shadows* (H. M. Musenge); *Ticklish Sensation* (Gideon Phiri); *We Fought Wrong Fight – A Historical Novel* (Evans K. Chama); *The Dancing Elephant* (Umberto Davoli); *Night Whispers – A Collection of Short Stories from Zambia* (Kenneth Kangende); *The Mistress* (Kenneth Kangende); *One Day with a Campus Monk* (Kenneth Kangende); *NOMADS: Tales from Africa* (Morgan Chipopu); *Uneasy Yoke* (Sichizya Kachinga); *The Innocence of a Dog: A Collection of Short Stories* (John R Luangala); *No Longer A Hero* (Friday Mulenga); *Pocęza M'Madzulo* (Some Chinyanja radio plays of Julius Chongo with English Translation) (Ernst Wendland); *The Masterminds Coups D'etat in Africa* (Alick F. C. Musonda); *The Stolen Diary of a Military Recruit* (Alick F. C. Musonda); *A Changed Life* (Umba Soko); *The School By the Lake* (Hilda Kafumukache Musunsa); *Stolen Heart* (Geoffrey Musonda); *The Heart of A Woman – Short Stories from Zambia* (Edited by Norah Mumba and Monde Sifuniso); *The Punter* (Iva Lengwe Mumba); *I Married a Stranger* (Umba Soko); *Murder in the Forest* (Grieve Sibale); *A Play the Legendary Story of Chimwinika* (Nyakulo Benjamin); *Endless Road* (Asenath Boleodaga); *The Bridge* (Mwizenge Tembo); *A Woman's Hurt Part-III: A Red Day* (Luo T. Punabantu Sacks); *Some Rain Must Fall* (Gabriel Ellison); *The Tongue of the Dumb* (Dominic Mulaisho); *My Africa Rebirth* (Selwyn Davis); *A Country of the Mind* (Curmie Price); *Songs from My Soul – Poems* (Gankhanani Moffat Moyo); *Down Sunset Avenue*

(Chifumu Chipeta); and *Mulungushi Sounds* (Kwesi Atta Sakyi).

There are many books and Zambian authors who this author might not be aware of, and who deserve to grace this list. To all such authors, and those who will come afterwards, this author is deeply indebted. For to them, posterity will look to tell the Zambian story objectively and with great patriotism. As Ernest Renan said, “A nation is a body of people who have done great things together.”¹⁸⁴⁸

§35.2 Useful Idiots

If the number of current Zambian authors is anything to go by, Zambia is still miles away from literary autonomy. First, Zambia is accurately described as a literary desert. There is a notable dearth of authentic Zambian authors. The few tabulated above and those unknown or whose books have not been popularized and even if another one hundred authors were to be added to this meager list, Zambia would still qualify to be a desert as far as authorship is concerned.

Second, if Zambians are reading books at all, it may mean only one thing. Either they are reading the same books over and over again,¹⁸⁴⁹ or they are reading books written by non-Zambians. The developed nations feed each other with new ideas, progressive views and novice innovations every year; the developing nations do not.

Zambia has to wait until certain ideas have become obsolete or common, and in some instances, irrelevant, elsewhere before such knowledge or information get dumped into the country. In essence, the Zambian readership is exposed to knowledge that can only lead to development that is 50 to 100 years late. Zambia is in a fundamental way, neglecting its own development and enlightenment.

Chifwambwa charges that, “Zambia is ultimately the loser as the wisdom imbedded in its peoples and their collective culture, its soils and artifact, oral and aural memories, remain unnourished and stunted.”¹⁸⁵⁰ He is applauded in this by former president Kaunda who

¹⁸⁴⁸ Famous Quotes and Authors, “Patriotism and Nationalism Quotes and Quotations.”

¹⁸⁴⁹ This in itself will be retrogressive because instead of making technological and intellectual progress, the people remain at the same level year in and year out.

¹⁸⁵⁰ Chifwambwa, *supra*.

posits, “Posterity will judge us harshly”¹⁸⁵¹ if Zambians fail to write books.

Zambia is, hence, only groping in the thick of academic fog and only looking for illusive light at the end of developmental tunnel. There is poverty of pursuit for larger-than-life ideas, a notable deficiency in national building philosophies, and only a stock of quarterly-baked intellectual *bishopyry* in the temples of knowledge.¹⁸⁵² Why Zambia has not developed into a Kenya or Nigeria or a Uganda, or even a Malawi, in terms of indigenous writers, is a question that is beyond the ambit of this chapter.

Books do three things to the nation. They magnify the national brain; they multiply the ways in which a nation exists and expresses itself; and they make a nation significant in the community of nations. Books breed geniuses, inventors and a literate society: “Put books in the hands of intelligent minds, and they breed geniuses. Give a thinker a book, and he becomes an inventor. There is no limit to what books can do. A boy in a village somewhere can break through the labyrinth of ignorance and illiteracy, and wear an aristocratic mind, through books.”¹⁸⁵³

Books do so much for national originality as they do for individual emancipation. Books,¹⁸⁵⁴ and knowledge in general, bridge the gap between the past and the present, and could be instrumental in predicting the future. Historic successes and mistakes can be collected and stored in books for future reference, and those mistakes that were grave could be avoided from repetition. Thus, indigenous books or knowledge is “indispensable as mother’s milk in tackling the problems of under-development because they empower our people to participate in a worldwide process of exploiting scientific and recorded knowledge towards an endogenous form of development.”¹⁸⁵⁵

¹⁸⁵¹ *Zambia Daily Mail*, (July 28th, 2010)

¹⁸⁵² Chifwambwa, *supra*.

¹⁸⁵³ Mwewa, *The Seven Laws of Influence*, p. 147 (Republished as Charles Mwewa, *Laws of Influence* (Ottawa: ACP, 2021)).

¹⁸⁵⁴ For a clear understanding of the value and importance of books, see Ben Carson, *Think Big: Unleashing Your Potential for Excellence* (Grand Rapids: Zondervan Publishing House), especially Chapter 15, pp. 207-218. See also the story of Aminata Diallo in Lawrence Hill, *The Book of Negroes* (Scarborough: Harper Collins, 2007).

¹⁸⁵⁵ Chifwambwa, *supra*.

Chapter 36 Information & Privacy

Defend; defend thee thy privacy as information about thyself
Defend; defend thee thy privacy as required for thy dignity
Defend; defend thee thy privacy, for it's noble to thy intimacy
Defend; defend thee thy privacy, for it secures thy relationships
Mighty privacy, thy only ability to control others' access of thee
Mighty privacy, enhancer of personal expression and choice

<p>BRIEF INTRODUCTION</p> <p>This chapter links information to the privacy of the citizens. In Africa generally, and Zambia in particular, citizenship is synonymous with absence of privacy or the abuse thereof. The author argues that Zambia should strengthen privacy laws and, in the interest of national security and personal information protection, strengthen the mechanisms by which data and information are accessed and managed.</p>	<p>AT THE END OF THIS CHAPTER:</p> <ol style="list-style-type: none"> 1. You will find out the importance of the protection of information and privacy in national development; and 2. You will understand how successive Zambian governments have attempted to thwart their people's freedoms by inhibiting access to information.
<hr/> <p>Politics \approx Information \approx Privacy</p>	<p>MAJOR THEMES: Data Management; Privacy of Citizens</p>

§36.1 Privacy of Citizens

This chapter argues vehemently for a liberal and free media and political system that arbitrarily guard the freedoms and privacy of the Zambians. In the context of the former colonial regime,

privacy of information borders on the doctrine of sovereignty. Information of the citizens is a national security issue and should be protected at all levels.

Freedom of information is not an excuse for the invasion of people's privacy. People have inherent value and right to privacy. There is, however, a thin and delicate line between freedom of information and the protection of the privacy of the citizens. Government, through legislation, should ensure that people's privacy rights are upheld without jeopardizing their freedom of information.

To do so, clear and detailed penalties should be met against those who abuse their freedom of information and who invade into other people's privacy. The media should be schooled into the intricacy of fundamental human rights. The Zambian media should learn to distinguish between genuine invasions of privacy from the abuse of such privacy. Members of society have a right to live peacefully in their private spheres. Deeds which are done in private are usually protected unless they border on criminality. For example, a man cannot defend himself based on privacy laws when he rapes or sexually abuses a woman.

In regard to the police, there are certain boundaries that are set in many pieces of legislation protecting the freedom of information. However, even in developed nations, from time to time, the police go off the fence and abuse those rights. In times of national emergency or for the safety of its citizens, a nation may suspend some privacy rights. But this should be sparsely done, and with restraints. Once perpetrators of injustice have been brought forth, the police have no further right to victimize them.

Both the media and the police cannot harass citizens in the name of the freedom of information without taking into consideration the people's privacy rights. Most countries are toughening such laws in order to protect society. In the wake of Google Street View, some governments are debating the dangers of such technological innovations in the light of citizens' privacy rights. More so for the developing countries, like Zambia, such innovation should be tamed with strong privacy laws so that innocent citizens are not denied their right to privacy. This calls for a clear-cut distinction between what is genuinely in the best interest of freedom and what is purely officious.

§36.2 Information and Development

There is a co-relationship between development and information. The Bemba people of Northern Zambia say, “*Umwana ashenda atashanyina ukunaya.*” (Translated: A child who has never traveled will always think his mother’s dish is the best). In essence, the gist of this proverb is that people will believe only in what they have experienced. This has an impact on development. In this technological era, it is retrogressive not to be made aware, and even to have access, to information tailored towards technology. Development depends on experimenting with new and adaptable innovations. Information is one of the best ways of tapping into technology that leads to development.

Without information, people are stagnated in what they are used to in keeping with *status quo*. Lack of information hinders development. Until Zambians are intelligently informed, they will never appreciate the importance of efficiency and effectiveness in development. Analogous to the aforesaid, is a *Been-to* concept.

Behrent defines a *Been-to* as “An African who travels to the West, usually in the pursuit of education or employment, and subsequently returns to his home country.”¹⁸⁵⁶ The *Been-to* concept was developed in the 1960s in West Africa. During that time, the Africans who had been to Europe and America were referred to as *Been-tos*, because they were exposed to new information. The *Been-tos* were considered superior in intellect and social prowess. In fact, the expectations associated with the *Been-tos* was such high that if a *Been-to* failed to live up to this expectation, they were scorned. This had emerged into a cultural attitude. Of course, now Africans are learning more about Europe and America. They are learning, for example, that dollars do not grow on trees even in rich countries.

To give this cultural attitude the benefit of a doubt, forgive the ignorance of the time, but embrace the idea. There is truth in the concept of *Been-to*. Ideally, in every society, primitive or civilized, people believe in information. They believe that exposure to new and progressive information has the propensity to improving the subject’s life. Moreover, they believe that exposure to innovative information transforms the subject into an achiever. This is so because a person,

¹⁸⁵⁶ Megan Behrent, *Postimperial and Postcolonial Literature in English*, “Immigration, Emigration and Exile : The Figure of the ‘Been-to’ in African Literature,” <<http://www.postcolonialweb.org/aidoo/beento1.html>> (Retrieved: October 14th, 2010)

who has learned other ways of manipulating his or her environment, is far superior to others without the same exposure. This is a truism.

This explains why Asian countries are becoming a force to reckon with in the global sphere. The Chinese, for example can be found everywhere on the globe. They have learned different ways of handling problems from the examples of other countries. They can even manipulate certain technologies to work for them. In the near future, the same will be said about the Nigerians; they are well-traveled.

Human beings are predisposed to think, behave and act in accordance with the level of their understanding. Thus, the more they know, the better they become. The more a nation knows in terms of technology, the more powerful that nation becomes relative to others without the same information. This is the chief reason why the US is such a powerful nation on earth. The US, through the C.I.A, canvasses the globe for information on every nation, small or big.

Emerging Zambian Leaders have a mandate to make information management top *agenda*. This information must be accessible to every citizen. The present generation of Zambians cannot survive without relevant information. The current generation of Zambians cannot compete favorably in regional or international trade without information, either.

Information will enable up and coming Zambians to think creatively and innovatively in fashioning technologies that are crucial to the development of Zambia. Africa in general and Zambia in particular, tends to be on the roof when it comes to modern technology. It is good to use the technologies of other nations. But without trying to create Zambia's own technologies, the nation forever remains on the fence. The time has come for Zambia to begin to think in terms of developing its own technologies for national development.

UNZA should spearhead the next technological revolution in Zambia through R&D. The same goes for other universities in Zambia. There is, however, a problem. And the problem is that UNZA, CBU, Mulungushi, and other open universities may be relying heavily on obsolete information. Japan in the 1940s was devastated by the effects of the bombings on Hiroshima and Nagasaki by the US. Japan urgently needed technology to give the nation a face-lift. History is testament to the ingenuity of the Japanese people. Japan did not only recover; it now presides over the third largest economy in the world.

Japan, like so many other Asian countries, made use of its local technologies and the ones it could borrow from other nations. It does not matter if a nation has to intelligently borrow some technological knowledge elsewhere in order to develop its own. It is like begging for donor support. The nation that borrows in order to stop further begging ultimately wins. Begging cannot be done forever. It must come to an end someday. Similarly, a nation cannot continue to rely on technologies created in other nations. Eventually, such technologies will either become too costly or outdated.

Zambia should invest heavily in problem-solving type of education. Universities and colleges and vocational institutes should begin to experiment within the meager resources available to them. Science and mathematics should be encouraged, if not, given priority in educational development. *Zambian* children should be exposed to abstract thinking at tender ages. This will have the blessing of bringing up a generation keen on attempting great things for the country.

In the West, those who bring about great technological innovations are not super-people, they are common, everyday people. They have one advantage, though, against the *Zambian* people. They have unlimited access to information and resources that allow them to experiment creatively. The author has had the opportunity to study in Canada. He was amazed at how easy it is to access knowledge there. When he was a student at UNZA, he came to grips with the scarcity of textbooks. For example, in one educational administration course, the class had only five textbooks for over fifty students. The class accessed those textbooks through a Special Collections section with a written permission from the lecturer. That was academic travesty.

In Canada, he enrolled in a law program and every year the required textbooks were revised. He discovered that although the textbooks were changed every year, the updates made were minute. However, the West has so many resources that they could afford to revise academic textbooks annually, and, thus, upgrade knowledge, every year. This gives the West tremendous leverage in technological and informational breakthroughs.

§36.3 Post-like Voices

Because, historically, the President of Zambia has controlled both the Judiciary and the Legislature, it has not been uncommon in Post-Third Republic for the president to threaten to sue or even sue those

who prove to be a thorn in his flesh. In the wake of *The Post*, Fred M'membe proved to be a tough nut to crack by the government.¹⁸⁵⁷ The *Zambia Daily Mail* of July 24th, 2010, reported the case in which President Banda applied to the court to commit M'membe to prison for disobeying a court injunction that stopped *The Post* from publishing libel against the president. However, as it has been argued in Chapter 34, the *Post* (now defunct) had vacillated in its independence from one administration in power to another. Part of the solution might be to increase the *Post*-like (or *Mast*-like, as it is currently called) voices through increased media competition.

In most cases, the media has focused on personalities rather than issues. Where this is the norm, there is bound to be vindictive journalism. The people of Zambia deserve access to unadulterated information. This may mean being informed about both the successes and failures of the government in power. The *Times of Zambia* and the *Zambia Daily Mail* may not be objective where government is the culprit. Despite this, it is in order that all media in Zambia return civility, objectivity and an amplification of issues rather than persons, in priming for news and reports.

§36.4 De Facto Opposition

In the Second Republic, the labor movement acted as the unofficial opposition to the omnipotence of the Kaunda regime. In the Third Republic that role was taken by *The Post* newspaper. The arrest of M'membe on June 2nd, 2010, illustrated how disadvantageous it was for only one newspaper to be seen to provide a single voice against government chagrins. For the sake of democracy, Zambia needed more media houses of *The Post* stature and tenacity to provide a strong voice for the people. The number of the *Post*-like media increased tremendously between 2011 and 2021.

However, if such media houses are to have a positive impact on the evolution of democracy in Zambia, they ought to avoid the pitfalls *The Post* had allowed itself to fall in. Journalistic integrity and objectivity should not be sacrificed at the expense of real issues. In democracy, there is room to differ on policy and issues without jeopardizing real relationships. The opposition parties and

¹⁸⁵⁷ *The Economist*, "U-Turn on the Long Walk to Freedom," December 2010

newspapers may scrutinize government performance but with an air of civility and respect.

§36.5 Information Protection and Privacy Legislative Regime

Chisenga¹⁸⁵⁸ identifies four key pieces of legislations regulation data, information and privacy protection in Zambia. The Constitution,¹⁸⁵⁹ the *Data Protection Act*, the *Cyber Security and Cyber Crimes Act*, the *Electronic Communications and Transactions Act* No. 4 of 2021, the *Financial Services Act*, and the *Information and Communications Technologies Act* No. 15 of 2009. These four, in combination, regulate the protection of information and privacy, including information held by government agencies and departments, in commercial activities, in print as well as electronically.

The protection of personal information and privacy legislation in Zambia was slow in coming. Only in 2021 did Zambia enact an omnibus piece of legislation specifically protecting information in the storage or management of government or public bodies, the *Data Protection Act* (DPA). Canada, for example, has a similar legislation called the *Personal Information Protection and Electronic Documents Act* (PIPEDA) which came into force in 2004. And each province in Canada has its own piece of legislation that protects information, such as the Ontario’s *Freedom of Information and Protection of Privacy Act* (FIPPA).

As of 2021, DPA regulates the protection and privacy of information and data. It regulates the “the collection, use, transmission, storage, and otherwise processing of personal data...[and it creates]...the Office of the Data Protection Commissioner...whose responsibility it is to oversee all issues concerning data processing and registration of data controllers and licensing of data auditors.”¹⁸⁶⁰ Zambians, and, indeed, any person whose data or information is in the possession of a governmental entity in Zambia, should be able to know that their personal information and privacy are protected. Contravention of the DPA may attract a fine “not exceeding three 100,000 penalty units (ZMW

¹⁸⁵⁸ Sydney Chisenga, “Zambia - Data Protection Overview,” Data Guidance, <<https://www.dataguidance.com/notes/zambia-data-protection-overview>> (Retrieved: October 4th, 2021)

¹⁸⁵⁹ See Article 17

¹⁸⁶⁰ Chisenga, *supra*.

30,000 (approx. €1,100)) or to imprisonment for a term not exceeding three years, or to both.”¹⁸⁶¹

The year 2021 also saw another stride made in the protection of people’s information and privacy. The enactment of the *Cyber Security and Cyber Crimes Act* (CSCCA). The CSCCA removes the cybersecurity and cybercrime provisions from the repealed *Electronic Communications and Transactions Act* No. 21 of 2009 and brings them into the CSCCA. CSCCA is akin to Part VI of the *Canadian Criminal Code (CCC)* dubbed, “Invasion of Privacy.” For the CCC prohibits the invasion of the people’s private communications, except where a judge’s order upon application permits such information of eave’s dropping to be conducted by the law enforcement authorities for the purposes of national security or other reasons incidental to imminent commission of crimes or terrorism. This part was strengthened in 2015 by the enactment of the controversial *Anti-Terrorism Act*, 2015. In Zambia, CSCCA is similar both in scope and in principle, as explained, thus, “The CSCC Act prohibits the interception of communication. Section 26 provides that any person who intercepts communication commits an offence and is liable upon conviction to imprisonment for a period of 25 years. However, Section 28 of the ECT Act also grants power to a law enforcement officer to make an application for an interception of communication order.”¹⁸⁶²

For information in the possession of banking institutions, the *Financial Services Act* prohibits their disclosure to third parties unless the customer gives consent or is required to disclose by law. It also provides, thus, “...subject to the *Financial Intelligence Center Act* No. 46 of 2020, a financial service provider must maintain the confidentiality of information obtained in the provision of a service to a customer...”¹⁸⁶³

The *Electronic Communications and Transactions Act*, No. 4 of 2021¹⁸⁶⁴ protects information in key holders’ possession. For example, the Act provides that, “... a key holder shall not disclose a record or any other personal information relating to an owner of a key held or managed by the key holder except with the consent of the owner or to a law enforcement officer pursuant to a court order.”¹⁸⁶⁵

¹⁸⁶¹ *Ibid.*

¹⁸⁶² *Ibid.*

¹⁸⁶³ Section 111

¹⁸⁶⁴ Repealed the *Electronic Communications and Transactions Act* (2009)

¹⁸⁶⁵ Section 88(1)

Chapter 37 Information & the Internet

Since October 1969, when researchers at the University of California in Los Angeles experimented to test whether they could link computers over telephone lines to operate as one system, the power to navigate the world at the click of a mouse has become a force that is transforming societies, cultures, politics, business and interpersonal relations like wildfire.

<p style="text-align: center;">BRIEF INTRODUCTION</p> <p>The concept of Collective Political Conscience (CPC) is explored in this chapter, which also brings the Internet into the limelight of modern developmental trends. The chapter further highlights the poverty of Internet reach in Zambia. As the world continues to trend towards globalization, Zambia must haste to link its population to the global community through accessible, reasonably priced and quality Internet service provision.</p>	<p style="text-align: center;">AT THE END OF THIS CHAPTER:</p> <ol style="list-style-type: none"> 1. You will discern about the need for Zambia to improve on data and information accessibility, as well as the need to provide ready and quality access to the Internet, and 2. You will appreciate the reasons why Zambia and the Zambians should be connected more to the global world.
<hr style="border: 0.5px solid black; margin-bottom: 5px;"/> <p style="text-align: center;">Politics \approx Information \approx Internet</p>	<p style="text-align: center;">MAJOR THEMES:</p> <p style="text-align: center;">Collective Political Conscience (CPC); The Internet Revolution; The Power of Information.</p>

§37.1 Information is Power

Information is power, and information is also very lucrative and profitable. For organizations that specialize in collecting HIV/AIDS or Covid-19 data and processing it into useful, profitable information, such information is good news. It means only one thing: Profit. Information to such organizations is an asset. With it, they can raise any amount of money they want. With it, they can convince poorly informed governments to take certain actions. But with such information, the good image of an innocent nation can be distorted irretrievably. With such information, a poor nation like Zambia can continue to be poor – scaring potential investors and becoming a risky zone for needful investment.

The poor nations continue to be poor and weak, among other things, because they do not pay much attention to information. The rich and powerful nations protect information. They turn a flood of data into information and manage that information to their best advantage. Africa has been “destroyed” not only by wars and natural disasters, but also by poor information.

Zambia is one of the world’s largest producers of copper.¹⁸⁶⁶ That is a fact, a raw data. How can Zambia make use of this fact to enhance its economic potential? That becomes a question of information management. Every nation on earth has certain facts pertinent to it. Like individuals, a nation’s facts or data makes that nation unique. Human beings are a sum total of their set of facts or features on or about them, and so are nations.

It may be said for example that Kaunda was Zambian, Black, tall and late president. How useful are these facts? Could they be used to the best advantage of Zambia? If Zambians only knew about this data, nothing useful would come out. If they, however, processed that data and made some useful information out of it, the nation could use that information for some progressive, national-capacity building. The first Zambian president could have been consulted to advise on matters he had himself dealt with before as president.

¹⁸⁶⁶ Second largest producer in the Africa after Congo DR.

§37.2 Collective Political Conscience (CPC)

Like individual politicians, every nation has a *Collective Political Conscience* (CPC). The CPC is the sum of all the information about a nation. The world responds to different nations based on those nations' CPC. So, how successfully those nations manage their CPCs is very crucial. Each nation should have a method of organizing and transforming data pertinent to it into information that can be used for decision-making. Most nations can easily do this through their intelligence agencies. But some nations only limit this to political and security interests. This information can be extended to improve that nation's CPC in terms of its economy, business, manufacturing, and many other sectors.

Nations receive favors or disavors based on their CPCs. Because each nation's CPC is usually translated into that nation's ideology, political philosophy or government policy, other states will usually align or not align with that nation based on its CPC.

The difference between Iran and the US may not be their economic prowess, for example. That is a consequence. Their real difference is in their CPCs. The US is known by the ideology of its leaders – democrats, liberals or conservatives, free-marketers, capitalists, and so on. Iran, on the other hand, is known as autocratic, rule by one supreme religious leader, a volcanic president who is a hardliner, and oil-rich nation. But the personas of the two countries' leaders may rub so closely that they may be known by their adverse characteristics. Thus, former presidents, Mahmoud Ahmadinejad and Barack Obama, might have epitomized the very image of Iran and the US, respectively.

Similarly, leaders of a nation may make a distinction in CPC. Former US President George Bush was a hardliner, a war-seeker, and an instigator against anything Islamic. President Obama, on the other hand, was a peace-lover, level-headed and a seeker of social justice. Despite the personal approaches of the two presidents, the US is fundamentally perceived as a free and democratic nation.

Zambia's CPC can be deciphered from its national leaders. Late president Kaunda propounded democratic Socialism, late president Chiluba, democratic liberalism, late president Mwanawasa was ardent at the Rule of Law and a vigorous crusader against corruption, and President Banda was sympathetic to the diaspora. Put together, these Zambian leaders epitomize the CPC of Zambia – democratic, hybrid of Socialism and liberalism and diplomatically frugal.

Nations respond to each other according to their perceived CPCs. Thus, the US may not disclose certain information to China for fear that China copies it or even uses it against the US in competition and *vice versa*. Nations invest enormously in their CPC and information because it borders on national security and pride.

The C.I.A releases facts and figures about almost every country on the planet. It does so in order for the US government to have access to information on any nation it intends to deal with in trade, military or diplomacy. This gives the US tremendous leverage in global affairs. The US controls the whole world through information. The more one nation knows about the other, the easier it is for that nation to dominate, control and influence the other.

Why should Zambia invest in informational technologies? Information is two things: It is power and a defence. The power of a nation's CPC depends on which information it is willing to devour and which it is not. Powerful nations are partly so because of what they have allowed to be known by and what they have not.

§37.3 Freedom of Information

In the West, freedom of information is a big issue and is closely tied to the privacy of citizens. In Canada, for example, the *Metro* reported of a brawl between the Jewish-Evangelical groups verses the federal government regarding a long census form. Then Industry Minister Tony Clement had said that “Many Canadians, indeed, complained the long-form census violates their privacy.”¹⁸⁶⁷ However, the Jewish-Evangelical group urged the then Conservative government of Steven Harper to reverse its decision to scrap the long census. The two organizations indicated that, “they rely on the census data to help target services and charitable activities in their religious activities.”¹⁸⁶⁸

People in the West are reluctant to give away information. They risk being targeted for products and services, usually through tele-marketing activities. They may even risk identity theft and related crimes. Guarding information in such context is not only necessary; it is personal protection as well.

¹⁸⁶⁷ The Canadian Press, “Clement Ready to Testify over Census,” (*Metro*, Weekend, July 16th -18th, 2010)

¹⁸⁶⁸ The Canadian Press, “Jewish, Evangelical Groups Urge Feds to Keep Long Census,” *Metro*, (Weekend, July 16th -18th, 2010)

Developing countries, like Zambia, lack the capacity to prevent certain information about them. They depend on this kind of disclosure-relationship to access donor funding and bilateral and multilateral support. They are fixed in a quandary in which by hiding certain information, they risk being disapproved for aid. By releasing such information, they sell away their national secrets.

Even in advanced and democratic societies with freedom of information, there are certain kinds of information that are privileged. Information bordering on the CPC and national secrets may be censored in order to protect their nation's pride. Censoring this type of information is justified and protected. This is allowed, as long as it can be justified in a free and democratic society.

In 2008, the British government cautioned both the BBC and the CNN from reporting on the presence of Prince Harry as he served in the British Army in Iraq. This was meant to protect both the person of the prince and the safety of his detachment. Thus, in the interest of safety or national security, some nations may not allow the publication or dissemination of certain information. This does not mean that such countries are undemocratic. National security calls for caution in such situations.

Zambia needs to both develop superior information systems and invest in superior information technologies. At the same time, it needs to guard jealously its national pride. It can do this in any number of ways including limiting access to certain information which if disclosed may stagnate its economic growth or national pride. Zambia cannot continue to divulge information openly, the way it has done in the past more than five decades, every of its secrets. Powerful nations do not do so, and so should the weaker nations.

Some multinational institutions have insisted on the developing countries' disclosure of pertinent national information before they could qualify for aid. Such pre-conditions, however, have not accelerated development. A sovereign independent state like Zambia has the legitimate right to refuse to devour certain information bordering on the pride of the nation. Moreover, a sovereign state needs not strip to its bare bones in order to be granted aid or loans. Information is power. When it is given away carelessly, it may boomerang, with devastating consequences.

Zambia can institute immigration policies whereby foreigners traveling to Zambia are medically screened of certain types of diseases. And this is particularly relevant during the Covid-19 pandemic. Every Zambian who wishes to travel to some developed countries is asked to undergo a medical examination. While Zambia

needs the help of the developed nations, it has, nevertheless, loosened policies on those entering its territory.

The presumption that foreigners, especially from the rich nations, are harmless is injurious. Resources have easily left Zambia while certain behaviors and hazards have entered and devastated its territory. There is no feasible justification that only developing nations are potentially a danger to the security of other nations. Most notorious terrorist nations or harbingers of terrorists are not African nations.

Rich, powerful and sovereign states have policies safeguarding the health, security and safety of their nations. Zambia, just like Western countries do, needs to adduce information which center on past criminality and the health of people passing across its borders. It needs to guard as well against foreign substances entering its territory.

The Western media have painted a surreal picture of the West. Everything appears almost perfect. Zambians read only about the success stories of the West. They may read nothing about Western nations' struggles, some pockets of poverty and occasional undemocratic tendencies. Most Zambians only see through the lens of Hollywood movies. Admittedly, the West leads the world in terms of modern innovations, technological superiority and economic excellence. But Africa is not only poverty, war, or disease; Africa thrives with a booming culture, economic progress in several respects and an enterprising citizenry. At least, Zambia does.

§37.4 Information is a Defence

Information is a defence. In 2009, China, France and Russia displayed their military might and showed the world what they possessed in military terms. North Korea tested three short range missiles and threatened South Korea. Information of this nature affects CPC by changing the way other nations perceive the displaying nations. As a direct result of this showing of might, some small or even larger nations may be at pains not to cooperate. Information, therefore, can be a catalyst for diffusing or accelerating tensions and aggression.

It is true that Zambia faces enormous challenges. It is, however, another thing to wash its linen in the public at will. All the nations of the world face some social, political, economic and intellectual challenges. Some have done handsomely well to conceal information

detailing their nation's weaknesses. Zambia can do the same. Information is power, and the nation that owns it is more powerful.

Successive governments ought to play a delicate balancing game between disclosing the misdeeds of the previous regimes and protecting the integrity and security of the country. In 1992, Chiluba disclosed to the world the tunnels which ran from State House to the Leopold Hills. At the time, the ruling MMD adduced reasons that the tunnels were built to perpetuate Kaunda's legacy.

Common-sense, however, postulates that such reasoning is faulty when it comes to national security. In fact, it turned out that Chiluba's actions amounted to self-conservation. The events of 1997 vindicated this assertion. In that year, Captain Steven Lungu, a.k.a., Solo, attempted a coup on late president Chiluba and failed. Those same tunnels he disclosed, and eventually demolished, could have served his life.

In the Spring of 2009, the US Democratic Party under Obama was torn in between releasing the torture techniques employed by the Bush Administration at Guantanamo Bay Prison and at the Abu Ghraib Correctional Facility in Iraq and protecting the perceived impeccable humanitarian record of the US.¹⁸⁶⁹ The Republican Party and some moderate Democrats advocated for the exclusion of such information. Consequently, Obama gave an order not to prosecute the culprits as a precedent for future administrations. While the world would have wanted to disprove the US adherence to democratic philosophy and to the *UN Convention against Torture and Other Inhuman Treatment*, the US demonstrated that, in the best interest of national security and pride, it was more important to protect such information than to divulge it.

The legacy of political instabilities in Africa has been perpetuated partly due to information mismanagement. Certain information is necessary to the stability of any country, and such information should not be overtly disclosed. This view does not suppose that freedom of information should be nullified. Doing so may be averse to democratic development.

Freedom is the hallmark of liberal democracy. A free and democratic society is an architect of people's freedom to speak, assemble, associate and receive and send out information. Freedom of information empowers people to be Master of Political Freedom.

Nations in which the freedom of information is restricted are at

¹⁸⁶⁹ See Jameel Jaffer and Jonathan Manes, "Too Many Secrets," *Precedent*, Spring 2011, p. 19

the mercy of totalitarianism, authoritarianism and dictatorship. In such contexts, people lose the freedom to know and decide what is good for them and posterity. In the words of Siliya, “In a democracy, each person has a right to make a decision on their future and that of their children.”¹⁸⁷⁰ Freedom of information manifests in a democratic framework in which respect for people’s aspirations, wishes, and rights thrive.

The media play a huge role in balancing people’s freedom of information and their privacy. In free and democratic societies, the media have access to certain information and may, from time to time, inform the public about such. The media are free to probe, dig out and investigate in order to inform the people on their democratic rights and political well-being.

People have a right to know what is happening in their own nation. More so, they have the right to contribute to what is happening in their economic, political, intellectual and social spheres. A well-informed society is a productive and eventually innovative society. An informed society must probe and take government to task, especially for failures to deliver on promises. An ill-informed nation is a nation in bondage, unable to compete favorably with others, and, therefore, devoid of independent rational thinking. Such a nation will be fundamentally at the mercy of despots and demagogues.

§37.5 Internet Revolution

Zambian technological goal is imbued in communication and the Internet revolution. Africa in general, and Zambia in particular, lags behind other continents in developing superior communication systems. This is not necessarily bad news; it is a challenge. The percentage of people accessing Internet in Zambia needs improvement: In 2015 (21 percent); 2016 (25.51 percent); 2017 (27.85 percent); 2018 (14.3 percent); 2019 (19 percent); and 2020 (24 percent). There were 4.43 million Internet users in Zambia in January 2020.¹⁸⁷¹ There were 5.48 million Internet users in Zambia in January

¹⁸⁷⁰ Dora Siliya, *Facebook*

<<http://www.facebook.com/#!/DoraSiliya?v=wall>> (Retrieved: October 14th, 2010)

¹⁸⁷¹ Simon Kemp, “Digital 2020: Zambia,” Data Reportal, February 18th, 2020, <<https://datareportal.com/reports/digital-2020-zambia>> (Retrieved: October 4th,

2021. Juxtaposed with Canada: 2016 (89.6 percent); 2017 (91.1 percent); 2018 (92.4 percent); 2018 (93.6 percent); and 2019 (97 percent).¹⁸⁷²

The Internet is revolutionizing the way people and nations interact, exchange information and conduct anything from trade to international relations to conflict resolution to sports activities. This is an Internet Age, and IT has become a fulcrum for growth. The World Wide Web (www) is making information accessible on any subject. For the first time, Africa is learning more about Europe and America. Knowledge, technology and development are no longer the monopoly of the West and the North. The Internet revolution cannot be controlled by a single entity or power.

Africa in the 21st Century is rediscovering Europe and America, continents that were an enigma to the African cause. Zambia must leverage on IT and the Internet revolution. In this revolution, “business, government, the media – all are being transformed by the Internet, wireless telephony, access to powerful yet inexpensive computing technology, cable, satellite television and other elements of the new IT.”¹⁸⁷³ There is a new relationship created by this revolution among people. This means now that Zambia does not need to go through all the stages of development the West went through. The Internet technology, will awake “the sleepy backward economies of the global South so quickly that they will no longer be sleepy.”¹⁸⁷⁴

In other words, it will help to eliminate time and distance barriers that have, historically, disadvantaged the poorest economies. It will bring poverty to an end by integrating the poor into the globalization process; expanding their markets through e-commerce; eliminating the “middle man” dominance traditionally played by Western companies; and bringing education, “knowledge and skills training to

2021); see also The World Bank, “Individuals Using the Internet (% of population) – Zambia,”

<<https://data.worldbank.org/indicator/IT.NET.USER.ZS?locations=ZM>> (Retrieved: October 4th, 2021).

¹⁸⁷² Statista, “Internet User Penetration in Canada from 2016 to 2026,” <https://www.statista.com/statistics/373936/canada-online-penetration/> (Retrieved: October 4th, 2021); see The World Bank, “Individuals Using the Internet (% of population) - Canada “

<https://data.worldbank.org/indicator/IT.NET.USER.ZS?locations=CA> (Retrieved: October 4th, 2021)

¹⁸⁷³ Yunus, *Creating a World without Poverty*, p. 187

¹⁸⁷⁴ *Ibid.*, p. 189

the poor in very friendly ways.”¹⁸⁷⁵ In Zambia, cell-phones are in the hands of everyone – including the poor. This is a good sign that the digital divide between Africa and the West is narrowing. In the near future, a farmer in Shang’ombo will be able to access new ways of solving farming problems from a counterpart in Ontario, Canada. And this is possible when Zambia increases and improves access to the Internet.

¹⁸⁷⁵ *Ibid.*, p. 190

Chapter 38 Emerged Zambian Leaders

Let not the blood and sacrifices made by our forefathers go to waste; let not their song of victory diminish; let not the drums of great patriotism be silenced, because with them, we hold a true ray of hope to the future of Zambia.

<p style="text-align: center;">BRIEF INTRODUCTION</p> <p>This chapter looks at the concept of the Emerged Zambian Leaders (EZLs). The chapter discusses the role of the EZLs in modern politics, their relationship to the Big Man Syndrome, and the prospect of sane and civil politicking which seems to have been absent in Zambian politics. The concept of EZLs has been redefined in this chapter – from the experimental <i>Emerging</i> Zambian Leaders of the 2011-2021 decade to the fully <i>Emerged</i> Zambian Leaders of post-2021 era.</p> <hr style="width: 50%; margin: 10px auto;"/> <p style="text-align: center;">≈ Politics ≈</p>	<p style="text-align: center;">AT THE END OF THIS CHAPTER:</p> <ol style="list-style-type: none"> 1. You will understand the distinction between the pro-independence and post-independence Zambian leaders; 2. You will appreciate the reason why the concept of Big Man politics may be a done deal elsewhere but in Africa; and 3. You will learn about the Emerged Zambian Leaders and their anti-martinetism affinity. <p style="text-align: center;">MAJOR THEMES: Leadership; Politics of Results; Political Maturity.</p>
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§38.1 Dichotomy of Leadership

The **T**he *Zambian National Anthem* begins with these noble words: “Stand and sing of Zambia, proud and free/Land of work and joy in unity.” “Proud and free” marks both the dream and aspiration of the *Zambian fathers*. They believed, by coining these lines, that it was possible to create a nation of a proud and free people. They believed that this dream was to be realized not only through hard work and determination but leadership as well.

The kind of leadership that will change Africa in general, and Zambia in particular, should, by design, be woven from two pieces of cloth; a clear understanding of the historical developments that buffeted the continent and a strategic articulation of the future filled with hope, flexibility and possibilities. There is no perfect leadership, because society itself from whence it emerges is in a constant state of corruption. Hence, “This inevitable built-in flaw in the individual social relationship promotes the tendency among systems towards ever increasing legislation.”¹⁸⁷⁶ That, notwithstanding, Zambia needs a visionary and issue-focused leadership in the 21st Century.

The hope of a free, democratic and prosperous Zambia lies with the *Emerged Zambian Leaders (EZLs)*. EZLs are leaders who are characterized by four attributes: Anti-corruption; anti-disease; anti-poverty; and anti-undemocracy. In other words, they have zero tolerance towards corruption, disease, poverty and undemocratic tendencies. They are the *Zambia-Zero (ZZ)* generation. They are not defined by age, gender, tribe or religiosity; but by the principles prenominal to the four attributes. They may be found at home (Zambia) or they may be based abroad. Such leaders have been groomed in the decade preceding the second edition of this book.

In this book, it has been posited that Zambia’s political independence did not prepare the nation for economic success. Consequently, the story of Zambia itself is a dichotomy of leadership regimes, *viz*, the pro- and post-independence leadership.

§38.2 Pro-Independence Leaders

The pro-independence *Zambian leaders* had only one mandate: to bring Zambia into political independence. However, as will be shown later in this chapter, they had even a deeper reason than this. This

¹⁸⁷⁶ Mirza Tahir Ahmad, *Revolution Rationality: Knowledge and Truth* (Surrey, UK: Islam International Publications Limited, 1998), p. 16

reason is imbued in the common history of the struggles of the Black people of Africa.

The Zambian fathers, though, gave to Zambia one thing that cannot be replaced: the Zambian National Anthem. The national anthem of Zambia both epitomizes the vision of the Zambian fathers and the spirit of independence. In this anthem, the past, present and future of Zambia converge. To understand the pith and substance of this vision, the first canto of the national anthem of Zambia should be the first place to be: “Victors in the struggle for the right/We have won freedom’s fight/All one, strong and free”¹⁸⁷⁷

The objective of independence is in these lines. Theirs was a fight – a fight to win. They were freedom fighters at best and nationalists at heart. From their world stem words like *victors*, *struggle*, *fight*, and *strong*. These words carry overtones in militarism. They were political combatants fighting for their freedom – both political and moral. Political – they were seeking for self-determination, especially that they could assume the echelons of political leadership. Moral – they were asserting their humanity or *Ubuntu* denied them for over 70 years.

In the Western notion and of Imperial Britain, the Zambian fathers were not fighting for freedom. They could have achieved self-determination but not freedom – at least not in the view of Britain. While they had attained unto liberty (or the state and right of being free), they were very far from being free as events following independence would reveal.

Freedom is illusive. It is easier to have liberty than freedom. A slave or prisoner may attain liberty but still not be free. Freedom, like politics itself, is perception. The Zambian fathers were perceived to have attained freedom at independence, but they did not. A nominal type of freedom was achieved, but not real freedom. There are three reasons for this position.

First, the inherent nature of 19th Century British imperialism could not make it possible for any former colony to be truly free. British imperialism was a campaign for domination and profit-making. Everywhere the British went, they only had one aim, to conquer – at any cost. They were partly propelled by the stereotypes of the time regarding Black people.

Especially, when it had to do with Black Africans, to 19th Century Britons, Black Africans were not deserving of freedom. To them,

¹⁸⁷⁷ These three lines constitute the last three lines of the first stanza of the Zambian National Anthem.

Black Africans were devoid of free-thinking, and incapable of taking care of their own business. Against this mind-set did imperial captains conquer and subdue other territories.

Second, the Western concept of freedom does not give allowances for the ability to act as one pleases. In fact, one has just to sit and observe Western commercialism. When the advert claims to be offering a free product, it may not. With every so-called *free* offer, are inconspicuously crafted fine-prints or indefinable conditions which must be met. So, computer hardware may be for free, but the software may not. Common sense knows that one may not purchase hardware without software.

Following the years of the abolition of slavery in the US, most former slaves returned to work in their former masters' haciendas. They were liberated but they were not free. To give a person a piece of paper which indicates that they are free but without giving them the means and instruments of prosperity, such as an education, equality rights, access to economic symbols or capital, is tantamount to mockery. So, the Zambian fathers won a country, without the resources. And subsequent years after independence would confirm this thesis – they were liberated but they were not free.

In practice, Imperial Britain could not give freedom to its colonies unless there were hidden conditions unknown to them. Now, after close to six decades of supposedly self-rule, Zambians are waking up to the crude reality that they may not be, after all, free. Zambia might have attained self-determination, but the nation still remains tied to its former masters in economic and intellectual terms. In law, Zambia even after nearly six decades after colonialism still relies on British precedents. Modern aid serves as a modern weapon of imperial domination. Foreign debt is the new police force determining where and how to run the Third World governments. Economic conditions on loan keep their leaders in check. And trade imbalances are the new placards that separate the civilized societies from the uncivilized,

Third, the Zambian concept of freedom should emanate from *Ubuntu* or humanness. The pro-independence quest for independence was, in fact, a search for actualization. For over seventy years, Zambia, then as Northern Rhodesia, was under the political and humanitarian influence of Imperial Britain, first indirectly through the BSAC, and after 1924, directly through the British government. At the end of the 19th Century, European powers scrambled for African colonies in search of raw materials and cheap labor. Zambia was, under the Federation of 1953 to 1963, a production base for copper. Copper and its alloys left Zambia to develop other colonies.

The Zambian fathers had only one thing on their mind when they fought for political independence. They would call anything *freedom* which gave them relief from British rule. At least, they would be able to exert themselves as human beings, call their land by their chosen name and walk heads high and not be referred to as “boys” any longer. However, that was only the beginning of a “long walk to freedom,” and not the attainment of it. And after close to six decades, Zambians are still walking that journey, for the Canadian journalist has noted:

A poor man is not free, and a destitute man is as much a prisoner as a convict; indeed, a convict generally eats better. A man who can't afford a street car [a mini-bus fare], let alone real travel, who can exercise no real choice in matters of food, clothing, and shelter, who cannot follow the siren song of the TV commercials [ZNBC adverts], who can scarcely afford bus fair to the library [to UNZA] let alone a proper education for himself or his children – is such a man *free* in an affluent nation [even in a developing nation like Zambia]?¹⁸⁷⁸

What the pro-independence Zambian leaders had in mind when they fought for independence may be summarized in that common Bemba slogan, *Buntungwa*.¹⁸⁷⁹ You could hear it loud as men and women shouted on Independence Day, October 24th, 1964: *Buntungwa*. They were, at last, human beings. This is the notion of freedom to many pro-independence generations of Zambians. Having been denied that natural right to exist as a people, they were finally avowing in strong terms that they were now human beings. They did not care what independence meant, to them, it was a moment of self-actualization. They had become a people, as far as they were concerned.

§38.3 Emerged Zambian Leaders (EZLs)

“EZLs” are the post-independence generations of Zambians who are immune from the rigor of discrimination, segregation, apartheid

¹⁸⁷⁸ Pierre Berton, *The Smug Minority*, pp. 42-43 (Emphasis added).

¹⁸⁷⁹ Common humanity

and xenophobia. They were born into liberty and did not subscribe to the *boyarism-mentality*.¹⁸⁸⁰

A breed of those who were born at or after 1964 holds the key to Zambia's economic and democratic future. From this crop jets the EZLs. Nevertheless, as will be expounded below, not everyone born at or after 1964 is an EZL. EZLs subscribe to a particular mind-set, philosophy and ideology. Moreover, they are relentless, hardworking, and are schooled in the intricacy of liberal democracy, regional and international cooperation, diplomacy and trade and they do possess a high sense of knowledge in the technological and informational trends of the 21st Century. They may be older, but they must possess a youthful swagger and should be capable of inventing honest and workable, rather than, cockeyed, political ideas. The EZLs hold the hopes of Zambia's economic and democratic future.

EZLs belong to an unadulterated, post-nationalism generation. The post-independence generation of Zambians did not witness the rigor and saga of colonialism. They could have read about it or even learned about it in schools, but they were not directly affected. They were born into liberty; they did not struggle for it.

These leaders think and reason independently of the atrocities of the colonial era. They are incapable of relating to the discrimination and inequalities of the pro-independence era. Their approach to politics, trade, and diplomacy is innocuous; imbued in reasonability and pragmatism.

§38.4 “Big Man” Politics

The Zambian political machinery has been taken by events. In the times when fresh-looking and liberalized mind-sets, or according to Clinton's infamous misnomer, a “New Generation of African Leaders,” could be ruling, Zambia is still singing the praises of Humanism, *Buntungwa* and *Cha-Cha-Cha*. By the year 2010, the nation was still in love with the old guards.¹⁸⁸¹ The pro-independence

¹⁸⁸⁰ Reference to grown-up men as boys. It was a condition akin to glass-ceiling in which the highest position a Black Zambian could ever aspire to was that of a *boy* or a servant of the White masters

¹⁸⁸¹ Including statesmen like: Michael Sata, Vernon Mwaanga, Kenneth Kaunda, Rupiah Banda, Steke Mwale, Kinsley Chinkuli, Ben Tetamashimba, Mike Mulongoti, Guy Scot, Ludwig Sondashi, Akashambatwa Lewanika, Amusa Mwanamwambwa, Ronnie Shikapwasha, Katele Kalumba, Daniel Munkombwe, Keli Walubita, Newsted Zimba, and the list keeps growing.

generation is captive to the “Big Man” syndrome.

Not that these are not good leaders, because they actually are great leaders. It is because they have outlived their effectiveness. To give a sketchy co-relation to the greatest democracy and wealthiest nation on earth, the US, between 1964 and 2009, the US has had nine presidents,¹⁸⁸² Zambia, only a third of that. In 2009, the US voted for a forty-seven-year-old president, Zambia for a seventy-year-old statesman or “Big Man.” However, as indicated, age does not matter if someone subscribes to the EZL attributes. It must also be noted that two of Zambia’s presidents, Mwanawasa and Sata, died before they could complete their tenures. Thus, between 1964 and 2021, Zambia had seven presidents in total.

Since the 1960s, until the early 1990s, Africa was ruled by Big Men who clung to power for an indefinite reign. To a lesser extent, those who wish Africans to forget about the deleterious effects of colonialism, rush to accuse the Big Men of Africa of inflicting upon the continent a fate worse than colonialism: “From Cairo to Kampala and Harare, good governance, political pluralism and civil liberties are rare commodities. Under the reign of the Big Man dictators, Africa suffers a fate worse than colonialism for the simple reason that post-colonial optimism has evaporated into thin air.”¹⁸⁸³

The above noted, however, it is not necessarily prophetic as it is a question of historical perpetuity. As argued throughout this book, the colonial apparatus is as much to blame as is the post-colonial African leadership itself. Moreover, it is not a question of age as one of generational disparity. It is also a question of being in tune with the philosophy and spirit of the times.

While the US is advancing with new and viable developmental models, Zambia is still grappling with the classic replicas of the 1970s and 1980s. You do not need to go any further to explain why Zambia is where it is in terms of politics and the economy. If leadership is a determinant of political and economic success, Zambia is still recycling hackneyed techniques and stratagems.

This issue, however, cannot be tackled with the “throw away the baby with the water” mentality. Admittedly, the African scepter of the Big Man is one of the many causes of African underdevelopment.

¹⁸⁸² Since 1964 the US has had Lyndon Johnson, Richard Nixon, Gerald Ford, James Carter, Ronald Reagan, George H. W. Bush, William J. Clinton, George W. Bush and Barack H. Obama.

¹⁸⁸³ Abdi Guled, “The Big Man Syndrome in Africa: A Major Policy Challenge for Obama’s Administration,” *WardbeerNews.Com*, (May 24th, 2009)

It is not doubtable that Big Men in power override and intimidate their citizens. This mentality overtly alienates the rulers from those they claim to serve.

Is this syndrome a bequest from the over-entrenched pre-colonial mentality of traditional leadership? Is it akin to the culture whereby a local government councilor who wants to scare away his subjects with his so-called security or a ward chairman, posing as a traditional ruler of the people, but demands some form of primitive obeisance? Does the cumulative effect of this state of affairs condemn the continent to backwardness?

Indeed, there is no denying Europe underdeveloped Africa. But will that fact alone help Africa in terms of its economies and politics? Is it not the servile mentality of the African followers and dictatorial tendency of its leaders that has kept the continent in the dark?

On his first visit to Africa on July 11th, 2009, since election as first Black president of the US, Barack Obama showed commitment to dismantling the Big Man syndrome and charged Africans to get to the root of it: “I am speaking to the young people. You have the power to hold your leaders accountable, and to build institutions that serve the people.”¹⁸⁸⁴ The president emphasized that Africa did not need strong men, or even Big Men. What Africa badly needed were strong institutions.

Does Zambia need the nationalistic prowess of the old guards or the youthful but mature valor of the EZLs? Sidney Nakubaya elects the later: “These two politicians [Michael Sata and Rupiah Banda] are too old for modern politics, that’s why we are stuck in the era of insults instead of issues. Developed countries are looking towards the young, the US and Britain alike. Why can’t we take a leaf from them?”¹⁸⁸⁵

According to Nakubaya, in the young people lies fresh ideas, a new vision, and hope for the future. He charges the old guards to give way to the younger ones. He posits that it is only when that is done that great change will be witnessed in Zambia. He concludes that the two politicians’ role should be to groom the new blood.

¹⁸⁸⁴ Kol Petersen, “*A New Moment of Promise in Africa*” *Speech by President Barack Obama in Accra, Ghana (July 11th, 2009)*

¹⁸⁸⁵ Facebook, “If Michael Sata loses the elections again next year, he must quit politics; he’ll prove that he’s not a winnable candidate. If RB loses he must quit and leave it to young MMD blood.” <<http://www.facebook.com>> (Posted & retrieved: July 15th, 2010)

§38.4.1 Coaching Role

The pro-independence Zambian leaders have a role to play in Zambia's 21st Century politics. They have two major roles: One, as umpire, and two, as expert consultants. The umpire knows the rules of the game although he or she is not a player. He or she can know when the game is being played according to those rules or not.

The umpire, however, may penalize any player who does not play according to rules. The naked truth about an umpire is that he or she knows when all is well and when all is not well. Rule of thumb, without an umpire, however competent, talented or expensive the players are, the game may result in chaos, disruptions and even fatal injuries.

The umpire is, thus, needed to keep the game going, players sober, and the enjoyment of the game at its utmost pleasure. An umpire has marshaled enough rapport and confidence to play this role. In his or her hands are the futures and well-being of the Zambian nation. He or she can draw upon his or her best angels in guiding EZLs in crafting policies, creating programs, and reaching decisions that are in the best interest of Zambia.

Like an umpire, pro-independence Zambian leaders hold a whistle of correction and a flag of direction in their hands. They are acquainted with political tactics, tricks and an understanding of rules of the game of politics. They are knowledgeable, as it were, in the fundamentals of sound political engineering.

The second role of the pro-independence Zambian leaders in 21st Century politics is that of advisory. They are experts, and throughout the years, they have accumulated enough wisdom and credibility to both advise and provide counsel whenever it is needed. They are the late Kaundas who must relate how they dealt with the colonial government; the Rupiah Bandas, how they handled foreign policy; the late Satas how they dealt with local government politics; and the list is endless.

§38.4.2 Guiding Role

Like consultants, pro-independence Zambian leaders have the wisdom to guide, the passion to lead leaders, and the longevity to show for it. They have been there themselves, so they do not advise from a theoretical perspective. They are witnesses to what actually transpired, and they can predict what may happen in future. By virtue

of this experience and longevity, pro-independence Zambian leaders have earned the right to guide EZLs with sound judgment. In short, they are indispensable to the overall Zambia's political and governing success.

The rise of the EZLs is an urgent call. It cannot wait another ten years. Zambia should be in a hurry to insist that EZLs take over the reins of power. Until that, Zambia will continue to rely on old strategies with the same results.

Pro-independence Zambian leaders are maintenance-oriented; they were wired to keep things the way they have always been or maintain the *status-quo*. They might meet change with rigidity and intransigence. They may approach issues with lethargy and may be unlikely to try new things. They may be eluded by the titivation of modernism, and they may not be in a position to embrace, with urgency, the technology of the day, which may be fundamental to enhanced productivity.

EZLs, on the other hand, are pro-liberal in outlook. But pro-independence Zambian mind-set was shaped by massive ideological experimentation. During this era of *ideologues*,¹⁸⁸⁶ just after World War II, a period referred to in history as the Cold War, or war of words, between the West and the East, ensued creating two ideological camps. The US espoused Capitalism while the USSR championed Socialism.

During the Cold War, symbolized by the partitioning of West and East Berlin by the Berlin Wall, some countries in Africa were pushed right and left, but some chose to remain non-aligned. Zambia in principle was a Non-Aligned member but subscribed in practice to USSR's socialistic *agenda*.

At the outset of the Second Republic in 1972, Kaunda and UNIP introduced a One-Party Participatory Democracy.¹⁸⁸⁷ This so-called "participatory" democracy was tailored towards returning the incumbent into power. In the Zambian-style One-Party system, political opposition was eliminated. The party¹⁸⁸⁸ became a *de facto* government, and deference was esteemed to deify its leader. Elections were simply used as a cover-up to merely return the incumbent to power, usually on ballot competing against a frog.

¹⁸⁸⁶ Non-pragmatists and sticklers to ideologies

¹⁸⁸⁷ A political regime in which one party, UNIP, monopolized politics and only encouraged participation through UNIP.

¹⁸⁸⁸ UNIP

As a result of this system, Kaunda ruled Zambia for over twenty-seven years. The Secretary-General of UNIP became the second highest ranking officer in the PIG. To completely silence the vision of the Zambian fathers and put a dagger to the throat of democracy, UNIP and late president Kaunda declared the later *Wamuyayaya*.¹⁸⁸⁹ Kaunda's reign did end in the general elections of 1991.

In that year, the MMD and President Chiluba had launched a campaign to dislodge the incumbent from power. In a dramatic turn of events, necessitated by two upheavals, the collapse of the Iron Curtain in Germany and the subsequent ending of the Cold War, thus, the return to liberal democracy, most former USSR "Republics" and African nations started to pursue plural politics as an alternative to the failed USSR socialistic *agenda*.

Moreover, during this period, the IMF and the World Bank demanded for democratization as a precondition for further aid to struggling economies. President Kaunda and UNIP, flanked by external pressure, gave in and passed a resolution to return Zambia to multipartyism, and hence restoring the vision of the Zambian fathers.

In the elections that followed in 1991, Chiluba and MMD won an overwhelming majority. Zambia regained its former status as a harbinger of multiparty democracy in Africa. Chiluba immediately embarked on liberal policies aimed at solidifying a truly liberal tradition on Zambia. A system akin to free-market economics was introduced in which most former government-run businesses and parastatals were privatized.¹⁸⁹⁰

Events in Russia and Europe in the late 1990s had shown that only democracy truly empowered the common people to be free. In the words of Obama, democracy is one of the four terms necessary to Africa's survival: "[T]he four areas that are critical to the future of Africa and the entire developing world: [are] democracy; opportunity; health; and the peaceful resolution of conflict."¹⁸⁹¹ Communism and Socialism had failed, and with it the Hobbean *Leviathan* systems of government. These systems did not take into consideration the preservation of democracy which depended on putting a strong restraint on government.

¹⁸⁸⁹ This phrase literally means Life President, whose rule may never end!

¹⁸⁹⁰ Technically, a reversal of the policy of nationalization that Zambia had adopted in the 1970s!

¹⁸⁹¹ Kol Petersen, *supra*.

Without the doctrine of the Separation of Powers in full force, the president may be tempted to influence legislation at will and overlook the wishes of the people who elected him or her into power. Currently, the president, through his or her Vice-president,¹⁸⁹² both initiates and almost at will determines the outcome of debate on policy and legislation.

If democracy is to work efficiently, people's representatives in Parliament should have a strong say in the construction of laws which have a direct impact on their people. This can be achieved partly by strong opposition to government policies. To do so, people should participate in masses to elect leaders of their choice both in the ruling party and the opposition parties as well. People have a political obligation to vote. This obligation must be exercised whenever elections are held.

Political apathy in elections does not defeat government. It does damage to people's aspirations and wishes. Where people are lethargic or oblivious to political participation in elections, two things may happen. First, wrong people may be elected to political office. Second, the same crop of politicians may return their seats leading to the same old "going-nowhere" results. It is as they say in US politics, "more of the same."

§38.5 EZLs and Elections

If Zambia is to progress politically, EZLs should volunteer their services for the country. This means that they may need to strategically position themselves for elections to political office. It does not matter which political party they join or align themselves with. The examples of Canada, the UK and the US in which two or three dominant political parties have a realistic chance of forming government are a model. In these countries' elections, the battle is usually between the Liberals and the Progressive Conservatives, the Labor Party and the Conservative Party, the Democrats and the Republicans in Canada, the UK and the US, respectively.

The tendency to forming a new party each time change is desired may not serve the interests of democracy well unless all exiting parties are demonstrably corrupt and patently uncultured. This, at first, may seem reasonable, but experience has proven that change is best

¹⁸⁹² The Zambian Republican Vice-president is the leader of government business in the National Assembly.

achieved within the established political structures. Only revolutions call for total transformation of political establishments, and that rarely happens. In the context of Zambia, with a promising young democracy, a full-blown revolution is not needed. What is required is to strengthen the existing political institutions and replacing old players with new liberalized emerging leaders.

EZLs need to be organized at two fronts. The first is a mental front. They must think differently from the pro-independence leaders. They must preach hope and economic breakthrough for Zambia. They must envision a new Zambia, filled with possibilities for economic development, soaring levels of employment, significantly reduced poverty levels and a sprawling standard of living for all.

The second is a pragmatic front. This will call for the diagnosis of the current political and economic situation with a view to remedying it. The interest of the nation should be at the apex of the *agenda*. EZLs cannot play politics as usual, with the aim of enriching themselves, as the olden mind-set has done. That kind of politicking only leads to the downfall in economic activities and to barefaced and blatant political rabble-rousing. Watonta Nakazwe comments, “[Old] politicians should pave the way for the young, wise and capable men and women of Zambia. We keep going backwards in all areas: economic, development, education and so on. Yet we are blessed with capable young blood, and we are a very wealthy country.”¹⁸⁹³

There comes a time when the old guards must give way to a vibrant new generation of thinkers.¹⁸⁹⁴ Each generation, like King David posited, has its own time and is only effective in its own generation.¹⁸⁹⁵ This view is supported by the youth of Zambia. For example, Joseph Nambale writes, “Sata and Rupiah Banda are very old, and we are tired of history repeating itself. We need change and see how the young people will manage the affairs of Mother Zambia. There’s no way we can have the same old guards since 1962. They are more of liabilities now.”¹⁸⁹⁶ The election of Hakainde Hichilema in 2021 might have changed all that.

¹⁸⁹³ *Ibid.*

¹⁸⁹⁴ For example, Hakainde Hichilema declared himself the more suitable candidate in the 2011 elections on account of age and PF Vice-president, Guy Scot saw nothing wrong with that, according to the *Times of Zambia* edition of July 23rd, 2010.

¹⁸⁹⁵ Acts 3:36 (Bible)

¹⁸⁹⁶ Facebook, “If Michael Sata loses the elections again next year, he must quit politics; he’ll prove that he’s not a winnable candidate. If RB loses, he must quit and leave it to young MMD blood,” *supra*.

It is contended that while the general plan calls for the wider participation without discrimination, for political leadership, however, a minimum criterion must be set to ensure that those who seek political leadership are achievers in their own rights. This will ensure that they are not here to use politics as a means of gaining wealth, but as a way of sacrificing their talents, ideas, prowess and competence in the redemptive journey called Zambia. To this Pastor Jacob Chanda applauds, “We want new blood, new vision and change in Zambia.”¹⁸⁹⁷

Late Patriotic Front (PF) President, Michael Sata disagreed. He believed that the legacy of the so-called young leaders in Zambia had fallen short. He accused young leaders of plunder, corruption and self-indulgence: “Young leaders had been tried in Zambia and in Africa generally and had proven to serve their interests instead of their people. ‘What about the young men in Zambia, who have been ruling Zambia? What do we have? Plunder, corruption.’”¹⁸⁹⁸ He had a valid point. There is, however, a clear difference between the legacies of the old guard versus the so-called young leaders. The “under-fives,” as Sata calls young leaders, are not defined by experience as by generational disparity. The old guards subscribe, in principle, to the politics of liberation akin to the 1960s. In practice, nevertheless, there are tested politicians like Sata who have a record of performance in the various capacities they have held in government.

On labeling young leaders in Zambia as corrupt, Sata is referring to the presidency of Chiluba. But as has been discussed in this book, especially under the *Matrix*, corruption has been overblown in Africa. Moreover, where corruption is concerned it appears there is no age difference among the perpetrators. EZLs are strategically positioned to take over the reins of power without falling prey to the mentality of business as usual. Watching the movie, *The Devil's Diary*, the author could not but think of the naïvety that joining old establishments brings. In the movie everyone who got hold of the Black Book was tempted to keep it and doing so with bad motives. Even a priest could not resist the promise of easy answers to diabolic prayers and incantations.

This reminded the author of the fear of joining the existing political parties as a way of bringing change to the nation. In Zambia,

¹⁸⁹⁷ *Ibid.*

¹⁸⁹⁸ Kombe Chimpinde and Abigail Chaponda, “Pact, Nation Can’t be Led by an Under-Five, Says Sata,” *The Post*, (Thursday, September 30th, 2010)

in 2010, one might have joined the MMD, PF, UPND, the PACT and any number of parties. In 2021, one could have joined the UPND, PF, MMD or another party. Some progressive minds would argue that this is a non-starter and a slide into a grave. The author agrees, but only if his earlier recommendation is overlooked. A change at the mind-set level first will guarantee that EZLs are not indoctrinated into the mold of politics as usual. In addition, joining of any established political party should be pursued with a goal – a goal to supplement, and if not, exceed, the foundational exploits of the old guards so as to initiate viable changes. This campaign should be realized through careful organization and adequate research. If change is resisted, beginning from the start may be feasible.

§38.6 EZLs and the Future

As has been argued in this book, EZLs are not defined by age, but by a mentality. Although they might have been born way after Zambia's independence, EZLs are not prisoners of the Western post-World War II baby boomer generation or Generation X after them. They are not carved from Generation Y, either.¹⁸⁹⁹ Although they are predisposed to influencing Generation Z, they are not shaped by Generation Z's philosophy.¹⁹⁰⁰

EZLs are an exciting new initiative, created by and for the “next generation” of Zambian leaders. They have shared leadership insights, are amenable to enterprising projects, are capable of generating new ideas, and can sedulously articulate a political plan of action for Zambia. EZLs bring together the highest potential to the building of a better Zambia of tomorrow.

EZLs must move beyond counting economic spoils to translating them into real benefits for the common masses. It is a fact that the Zambian economy performed very well in 2010. Inflation was pegged at 7.9, from the projected eight percent. GDP grew to 7.1 percent, from the projected 6.6 percent. Human Development Index (HDI) showed some positive trends, indicative of the continued growth of

¹⁸⁹⁹ Generation Y is also known as the Millennial Generation, Generation Next, Net Generation, or Echo Boomers.

¹⁹⁰⁰ The Generation Z is the latest generation who were born after 1994 and before 2004. The next generation is Generation Alpha, which refers to the group of individuals born between 2010 and 2025.

the economy of Zambia. All these economic indicators happened under the watch of a 70-year-old-plus president. So, age is not necessarily a determinant of a successful presidency in Zambia or elsewhere.

The above, notwithstanding, it will take the EZL mentality to transform positive economic indicators into positive living for the Zambian masses. Turning economic growth into tangible benefits for the Zambians and ensuring that such growth is sustained will always be the challenge the EZLs will be called upon to brace. The hope of Zambia is in these leaders and their emergence is long overdue.

EZLs must differentiate themselves from the Big Men politicians in two keyways. First, they must lay stress on issues rather than persons. Politics of name-calling and insults do not benefit the people. It is retrogressive in scope and archaic in nature. It overlooks problems and difficulties the citizens are going through, detouring towards irrelevant obtrusions. The result of such politicking is that things remain the way they have always been even with the change in regimes.

Last, they must talk the talk and walk the walk. Politics of unfulfilled promises is just the same as politics without vision. In modern politics, with modern systems of communication, whatever the politicians say will be brought back to bear on future politicking. Thus, politicians need to weigh accurately what they say because the people are listening. Moreover, modern politics demands that politicians are at least well informed on economic, scientific and technological issues, otherwise, nations that lack such leaders will find themselves vacillating over ideals.

Chapter 39 Diaspora Politics

The song of an alien, for the alien, has been sung in a foreign land where he has not belonged, and to the people unfamiliar and unappealing, from the world of issues.

<p>BRIEF INTRODUCTION</p> <p>This chapter takes a critical look at the diaspora. How Africa sees the West is very important to the diasporic discourse and this is related to the challenges, opportunities and issues that impact on Zambia’s development. The chapter suggests adopting the Nigerian model of diaspora development which has borne dividends for that country. The issues of the “Domicility Clause” and “Dual Citizenship” are placed in context and the idea of voting from abroad is canvassed.</p>	<p>AT THE END OF THIS CHAPTER:</p> <ol style="list-style-type: none">1. You will understand how Zambians in the diaspora and at home are related in their developmental quest;2. You will appreciate the reason why dual citizens must be allowed to aspire for any political office in Zambia, including the presidency; and3. You will learn about the Nigeria model of diaspora connection.
<hr/> <p>≈ Politics ≈ International Relations</p>	<p>MAJOR THEMES: Diaspora; Dual Citizenship; Domicility Clause; Voting from Abroad.</p>

§39.1 How Africa Sees the West

An editor at the *Sunday Times of Zambia* was of the view that, “Many Zambian youth dream of escaping the poverty and

hardships in Zambia to go to Europe and [America].”¹⁹⁰¹ This view is acknowledged by scholars and politicians alike. Behrent, in part subscribes to this view as well: “Often, those persons who migrate leave poor societies for richer ones, seeking to maximize their earning powers.”¹⁹⁰²

The validity of the above observation cannot be disputed. However, there are individual permutations. Stories of the West are written out of the description leaving only edited versions haunting the Africans. It is not a myth that many an African sees the West as a paradise of hope. This is partly exacerbated by a myth that life is free from struggle in the developed nations. Many people who have not stepped a foot in the developed nations, somehow believe that it is a land of free dollars, carefree living and indulgency. This attitude is mostly accelerated by the *Been-to* politics and Hollywood.

When people travel to the West for further studies, missionary activities or a temporary visit, they return to Zambia with impeccable stories. They tell of the paved and pothole-free streets, of clean and well-groomed backyards, of the free spirit of democracy and tolerance, and of a life of plenty. They report on how it is so easy to find employment, and people can change jobs almost at will. They talk of the buzzing malls, of the electrified camp sites and the well “greened” parks, of the elevated architecture and of the unmatched technology.

Those who have not traveled also hear about the West from friends and relatives who may be there already. But most watch from Hollywood motion pictures. Everything seems calm and calculated. It is the image of life only experienced in dreams. This sends goosebumps and a keen desire to visit or even live in the West. There is a feeling that once one is there, things would be easy and free.

By the same token, many Zambians view Westerners as godsend. They lavish upon them all the niceties of the soil whenever these foreigners visit Zambia. They give them all the needful accessories to begin a good life. They accord them lofty and higher jobs without subjecting them to rigorous vetting and verification. They assume that because these people stem from the West, they must be competent, intelligent and superior.

¹⁹⁰¹ Email correspondence with Asean A. Chongo, Editor, *Sunday Times of Zambia*, April 1st, 2010.

¹⁹⁰² Megan Behrent, “Immigration, Emigration and Exile: The Figure of the ‘Been-to’ in African Literature,” *Postimperial and Postcolonial Literature in English* <<http://www.postcolonialweb.org/aidoo/beento1.html>> (Retrieved: October 14th, 2010)

§39.2 How the West Sees Africa

By definition, “Immigration is the movement of people from one country to another. People immigrate in order to seek economic, political or social security, or all of the three.”¹⁹⁰³ However, people may also immigrate in order to escape persecution in their nations of origin. Kofi Anani categorizes the diaspora into involuntary and voluntary migrations. The involuntary diaspora members have been forged out of the Transatlantic Slave Trade while the voluntary diaspora members are the result of recent migrations largely from the 1970s and beyond.¹⁹⁰⁴ In 1951, the United Nations proclaimed an international treaty to which many countries including Zambia are signatories. The UN *Convention Relating to the Status of Refugees*,¹⁹⁰⁵ allows persons fleeing persecution or who may be in danger of torture, to seek refugee status in other countries.

Since Zambia is relatively peaceful, many people who immigrate to the West do so in order to seek economic or social security. Others move to the West for educational purposes, while others are visitors. For the most part, however, Africa is seen as a lost cause by the West. For one, it seems like the West does not listen to Africans when it comes to solving problems. The West is only interested in prescribing solutions to already festering problems. This is clearly demonstrated in reports about Africa. For example, most reports feature White people *saving* the continent, giving the impression that if something good or significant happens in Africa, it must have the blessing of the West.

The Western media tends to serenade images of Africans as victims, or worse, of extreme misery. Then it creates egregious theories that naturally lead readers and listeners to conclude or even predict consequences following, such as suffering, hopelessness or derision. There is a view that what should be of most concern to Zambians or Africans is not how the West sees Africa, but rather, how Africans see themselves. The postulation holds that Africans determine their own future and should, matter of factly, take

¹⁹⁰³ Davies Bagambiire, *Canadian Immigration and Refugee Law* (Aurora: Canada Law Book Inc., 1996), p. 1

¹⁹⁰⁴ Kofi Anani, “Q&A – The World Bank and the African Diaspora,” The World Bank, October 9th, 2008

¹⁹⁰⁵ Of July 28th, 1951, 189 U.N.T.S 150 and came in force on April 22nd, 1954.

responsibility for their own destiny. Considered critically, this view is parochial at worst and insipid at best.

In a world where trade, diplomacy and economies are intertwined, the way people view each other matters. The way the West sees Africa has far-reaching repercussions on trade, diplomatic and economic relations. Globalization does not only define proximity; it also proscribes the weak. Those whose image is viewed as superior and innocuous easily possess a competitive advantage in terms of investment, trade and other matters. Notwithstanding, the validity of this assumption is only credible in as far as it helps African countries to intensify efforts that promote their images abroad.

§39.3 The Diaspora

The diaspora can play a vital role in the democratic and economic development of Zambia. It can use its know-how and the expertise it has acquired to help Zambia move forward. When people think about the diaspora, they usually think of those who have gone to live in the rich nations as a result of poverty in Africa. That is only partly true. There are two broad categories of people who decide to leave Africa and settle in other nations.

First, there are those who are privileged to own means and ways of living a life which is relatively better than a common African. Some of these people have rich and influential backgrounds in Africa. They are the sons and daughters of politicians, university professors, successful businesspersons and members of the educated elite of the African core. These people can easily get around all the financial and legal requirements of relocation. They can easily buy air tickets and acquire easy access to Visas and work permits. They have connections and well-placed relatives in the West. Others are friends of government Ministers in the West, while others have diplomatic and business connections. Even when they are not known, they can easily influence officials to connect them and secure them traveling success. These people do not depend on chance or divine providence to move from Zambia to the West; they have ready means and ways.

Second, there are those who come from war-torn regions and countries. Some may come from areas where they are abused and denied human rights. Included in this category are those who run away from their nations for various reasons, such as political dissidents, asylum seekers, and victims of economic impoverishment. Members of this category genuinely seek refuge in the countries in

which they settle. In the 1960s, most of these people came from Ghana, Nigeria, South Africa, to mention but a few. In the 2000s, due to civil wars in some countries of Africa, some of these people may come from just anywhere in Africa. Refugees from the Ivory Coast, Congo DR, Sudan, Somali, Ethiopia, Zimbabwe and generally from North Africa in the wake of the pro-democratic revolutions may continue to flood immigration lists due to conflicts or economic hardships in these African countries.

But for whatever reason Zambians find themselves in the West, they should consider it as an opportunity to help the motherland. They are exposed, relatively, to the best educational facilities, thriving democratic societies and freedom. They are in a position to make a clear distinction between technological advancement and lack of it. They are privileged to see first-hand the blessings of living in a society that has respect for human rights and dignity. They are partakers of the fruits of economic development, and they can better understand the struggles of many Zambian girls and boys in the shanty compounds or villages of Zambia.

The Zambian government can play a crucial role in channeling the initiative, energy, and resources of the Zambian diaspora into the economy and the Zambian society at large. It can do this by institutionalizing the linkage of the diaspora to the socio-economic activities of Zambia. It follows from the fact that the diaspora may be instrumental in establishing and reinforcing multi-sectoral links between Zambia and the destination. The creation of the Diaspora Desk at State House by President Banda on August 18th, 2009, was commendable. The Diaspora Desk at State House was established under the office of the Special Assistant to the President, Economic and Development Affairs. The desk was to be in constant liaison with the Zambian diaspora in exploring ways to enhance diaspora participation in the development of the nation. Ngoza Munthali, Chief Policy Analyst at State House was appointed to manage the desk. On June 29th, 2010, State House followed this initial move by launching the Zambia Diaspora Survey which was to be, “A study designed to find out more about Zambians living abroad. The study was aimed at finding out the wishes that Zambians in the diaspora have in the context of contributing to national development. The survey was further aimed at maximizing the developmental impact of migration and the resources of the diaspora community.”¹⁹⁰⁶

¹⁹⁰⁶ *The Lusaka Times*, “Zambia: State House Launches Diaspora Survey,” (June 29th, 2010)

In the context of determination aimed at uniting the efforts of the Zambian diaspora with the Zambian government, the Banda administration succeeded in showing commitment. However, having both contributed immensely to the diaspora cause when the author served as Vice-president of ZAMCAN and on a two-member committee that initially mobilized the idea of Dual Citizenship in Canada; and having remotely made submissions to the article which appeared in the *Times of Zambia*,¹⁹⁰⁷ the approach was hugely weak.

Generally, surveys initiated by the Zambian government from Zambia might not yield the right results for two reasons. First, the survey would mainly target those who might care to browse the State House website or were sympathetic to the MMD cause. In other words, a cross section of the population in the diaspora who held different political views from that of the MMD or who supported other political parties might have seen the exercise as a political move.

Second, efforts to document both the number of Zambians living abroad and to mobilize them to volunteer their personal details had failed in the past. The diaspora was not willing to dish out personal details just for the sake of being counted. Many in the diaspora were comfortable in their naturalized state. The best approach that is feasible for Zambia, and other African nations, is the one adopted by the Nigerians.

§39.4 The Nigerian Model

Nigeria, like Zambia, has demonstrated commitment to the diaspora cause. But Nigeria has done even more. The Nigeria model is effective at two levels. First, the mandate to advance the interest of the diaspora has moved from the politicians to the House of Commons. Nweke reports that, “Oladimeji Bankole, Speaker of the House, has since taken the diaspora engagement vision a level higher by establishing the House Committee on Diaspora Affairs.”¹⁹⁰⁸

This is the single most important move in the diaspora quest in Nigeria. When matters of this nature remain at the Executive level,

¹⁹⁰⁷ The article is titled, “Can Dual Citizenship Benefit the Country,” written by Kennedy Limwanya, was published on February 12th, 2009, and featured the views of Musaba Chailunga, Chasaya Sichilima, Kaela Mulenga, Patrick Mumba, Heminigild Mpundu, and many others.

¹⁹⁰⁸ Collins Nweke, “Diaspora Bill: The Joy and Regrets of Lawmaking,” *Nigerians Abroad Magazine*, October 2010, p. 21

there is fear that the whole issue may be politicized. To show greater commitment to the cause of the diaspora, Nigeria took four steps.

In the first step, the Nigerian House of Commons had become one of the first in Africa to propose a Nigerian Diaspora Bill called Diaspora Commission Bill. In the second step, the Nigerian House of Commons had set up a House Committee on Diaspora Affairs. In the third step, there had been a political will attached to the whole question of the diaspora: “Nigeria was being studied as a result of the ingenuity of its model, which was mooted in 2000 under the Obasanjo administration and supported by successive administrations.”¹⁹⁰⁹

Notice the defining reference to “supported by successive administrations.” Indeed, after the change of regime when Nigeria’s then acting President Goodluck Jonathan was sworn in on May 6th, 2010 as Nigerian Head of State following the death of President Umaru Yar’Adua after a long illness, Jonathan continued the tradition: “Goodluck Jonathan has used every foreign outing to indicate to his interest in the Nigerian Diaspora Bill; to the extent that what was initially a private Bill is now being converted to an Executive Bill by Mr. President.”¹⁹¹⁰

The fourth and last step, from the Nigerian standpoint, had been the designation of one day in a year as the Diaspora Day. These four steps made the Nigerian model more attractive, than, say, those of Benin, Lebanon, Mali, Somalia, Ethiopia or Tunisia – these countries all had ministries designated for the diaspora.

Second, the Nigeria model is effective because it leverages the organized efforts of the diaspora through the Nigerians in Diaspora Organization (NIDO). The author first encountered NIDO when he was tasked by ZAMCAN to do research into the transformation of ZAMCAN as a community organization in 2008. NIDO was a successful story. In September 2007, the AU in a Consultative Conference in Paris, France, spoke to NIDO as a shining example of diaspora organization. This was reiterated by the European Parliament in 2010.¹⁹¹¹

NIDO was an umbrella organization of all Nigerian associations in the diaspora. The Nigerian government invested in its diaspora through NIDO. In essence, NIDO acted as a *quasi*-diplomatic wing

¹⁹⁰⁹ *Ibid.*, p. 20

¹⁹¹⁰ *Ibid.*

¹⁹¹¹ Basically, the European Parliament praised NIDO for taking initiative in supporting the education of the Nigerian children in Africa.

of the Nigerian missions abroad. Through it, the government identified and secured investment possibilities in the diaspora. Organization was based on the “principle of collectivity and consensus in decision-making with strong emphasis on *stakeholdership* and organic network development.”¹⁹¹² Thus, through consensus building, NIDO had managed to bring together government foreign policy with the experiences and efforts of Nigerians in the diaspora.

NIDO was responsible for the creation of the Nigerian Commission on the Diaspora: “The establishment of the Nigerian Diaspora Commission, itself a product of initial agitation by NIDO but sponsored by the House Committee on Diaspora, is to be the near-climax of visionary politics of diaspora mobilization.”¹⁹¹³ In this vein, a political and social intercourse was in existence that made coordination and management of diaspora affairs smooth and achievable.

Although Zambia lacked diaspora organization at the level of NIDO, efforts in Canada were made to mobilize all Zambian associations into an umbrella parent. The author was part of an all-Canadian “Mother Body” organization that, through its by-laws committee chaired by Chrispin Ntungo then, laid down a legal framework for the coordination of Zambian Canadian affairs. On January 29th, 2011, the by-law was adopted. The author eventually went on becoming the first president of ZACAFAs,¹⁹¹⁴ as the organization came to be called. An across-the-country conference was planned to bring all Zambians in Canada together in one city for the inaugural of the body. It was the hope of the organizers that from such initiative an organization of the stature of NIDO could be in the offing.

§39.5 The Zambian Diaspora

The contribution of the Zambian diaspora to Zambia is enormous. These are economic, social and political: “The role and contributions of the diaspora in Zambia’s economic growth and development extends beyond economic gains and cannot be underestimated. Their contributions affect social welfare, health

¹⁹¹² Nweke, *supra.*, p. 20

¹⁹¹³ *Ibid.*

¹⁹¹⁴ Or Zambian-Canadian Friendship Association.

promotion, cultural enrichment, education, and political stability.”¹⁹¹⁵

There is a common assumption that migrating from one’s country of origin to an adopted nation constitutes *Brain Drain* for the home country. In relation to globalization, this allegation is a falsity. However, each case should be examined individually in the context of individual circumstances. Granted, though, it is an assertion which warrants clarifying.

It is important to state that leaving Zambia for the developed countries does not always guarantee economic success there. Just as *Kwachas* are not grown on trees in Zambia, dollars do not grow on trees in Europe and America, either. No-one finds furnished apartments or renovated haciendas waiting for them there. It takes both a sense of industry, vision and hard work, even in the wealthy nations, to create a good life for oneself.

There was an unprecedented surge in the diaspora both at the organizational and activity levels among the Zambians abroad in the first decade of the 2000s. Although the concept of diaspora itself is over 2,500 years old, its impact, in the case of Zambia, just began to be felt. By definition, the diaspora (or people living abroad) defines those people who have been trans-nationalized for various reasons including permanent residence, temporary residence or even naturalization. The diaspora has, individually as well as in collaboration with international organizations, made notable strides in advancing development in Zambia. Zambia itself has made this linkage possible. Some Zambians in the diaspora entered into collaborations with foreign businesses and enterprises, with the intention of setting up joint ventures in Zambia.

The most notable way through which the diaspora has made great contributions to Zambia is the remitting of funds from abroad. The diaspora transfers finances and technical know-how from overseas to local enterprises. This helps to link the nation’s formal economy to the small-scale informal sector which is crucial in poverty alleviation, economic development, savings, mobilization, productive investment, and emergency aid. The Bank of Zambia (BOZ) has admitted that financial remittances from the diaspora are fast and reach the recipient directly; making it an effective means of relief and rehabilitation. In sum, the contributions of the Zambian diaspora to Zambia have been excellent. In 2019, the African diaspora remitted US\$550 billion and US\$48 billion alone was for sub-Saharan

¹⁹¹⁵ *Discover Zambia*, “The Diaspora in the Economic Development of Zambia,” (2010/2011) Vol. 5, p. 38

Africa.¹⁹¹⁶

§39.6 National Diaspora Policy and Voting from Abroad

In 2019, the Government of Zambia launched its National Diaspora Policy (NDP) as a response to a request from the diaspora received in 2015. The overall objective of this policy is to integrate Zambians in the diaspora into the development agenda of the country by creating an enabling environment and platform for their effective participation in national development and in promoting their rights, interests and welfare abroad.¹⁹¹⁷

The NDP includes policy statements in relation to increasing remittance flows and diaspora trade and investment with the country, as well as regarding access to land, and initiatives such as a diaspora database, although these have yet to be developed and implemented. The policy includes Dual Citizenship for Zambian diaspora and their children born abroad, a key issue for members of the diaspora as well as lowering the cost of remittances. All Zambian embassies worldwide were tasked to ensure that they raised awareness among Zambians in the diaspora on the importance of this policy.¹⁹¹⁸

AFFORD estimated that remittances as a share of GDP were at 0.5 percent in 2019 while remittances inflow was at US\$112 in the same year in Zambia. Total emigrants in the Zambia population was estimated at 493,087 or about 2.7 percent. Around 80,972 or 16.4 percent had emigrated to the EU countries. Majority of Zambians had emigrated to South Africa (about 97,672), Malawi (42,971), Czechia (38,824), UK (35,516), and Zimbabwe (31,359).¹⁹¹⁹ It is important to note that these were simply best estimates as the actual figures are difficult to come by due to the following impediments: Lack of trust between the government and the diaspora; lack of consular and e-services for diaspora; inadequate data on diaspora demographics; and lack of policy coherence.

“Our tribe here is Zambia,” were words echoed by Hon. Kabinga Pande, then Minister of Foreign Affairs. At the meeting with Hon.

¹⁹¹⁶ Brookings, “Keep Remittances Flowing to Africa,” March 15th, 2021 < <https://www.brookings.edu/blog/africa-in-focus/2021/03/15/keep-remittances-flowing-to-africa/>> (Retrieved: October 4th, 2021)

¹⁹¹⁷ AFFORD – African Foundation for Development, “Zambia National Diaspora Policy,” April 2020, https://diasporaforddevelopment.eu/wp-content/uploads/2020/04/CF_Zambia-v.3.pdf (Retrieved: October 4th, 2021)

¹⁹¹⁸ *Ibid.*

¹⁹¹⁹ *Ibid.*

Pande at Chelsea Delta, Toronto, the author raised the issue of voting from abroad. He was inspired by South Africa whose citizens vote abroad.¹⁹²⁰ The author was not the only one who was interested in the diaspora vote, Ugandans, too, were: “Millions of Ugandans live in the diaspora, and yet these men and women will not exercise their constitutional right to vote unless Parliament amends election laws,”¹⁹²¹ wrote the *Daily Monitor*. Ghana, for example, “has, among other efforts, passed citizenship legislation granting eligible overseas-resident Ghanaians the right to vote.”¹⁹²² Nigeria, South Korea, the US, and a host of other countries do vote from abroad.

§39.7 The Fifth Estate

The diaspora is the fifth government estate, the fourth being the media, and the first three being the three branches of government (the Legislature, the Executive and the Judiciary). In the last 50 years, over 155 million people have emigrated from their home countries to their adopted countries. China alone has a population of over 50 million people living in foreign countries. Rather than seeing the diaspora as a miser bent on doubly benefitting from the Zambian resources, the Zambian government should start to see the diaspora as an integral part in its development strategy.

China, Nigeria and Mexico, for example, have proven that the diaspora can leverage the aspirations of the people at home with pragmatic, economic and business opportunities created by the diaspora. There are three grounds for this assertion. First, as argued earlier, the diaspora contributes a great deal to the economic growth of the countries of origin through remittances. According to a USAID report of 2005, remittances were the second largest source of financial resources to developing countries just behind foreign debt investment. Of the US\$158 billion of the US total resource flow to the developing world, 26 percent came from remittances. A form of remittance known as Diaspora Philanthropy or Collective Remittance

¹⁹²⁰ In an article dubbed, “Voting South Africa,” John Battersby writes that 16,240 South Africans voted abroad. See <http://www.reconnectafrica.com/african-diaspora-articles/> (Retrieved: January 7th, 2011)

¹⁹²¹ Allan Ssekamatte, “Why Kyeyo, Middle-class Must Vote,” *Daily Monitor* (Monday, November 29th, 2010)

¹⁹²² Kofi Anani, *supra*.

was particularly significant to the overall development of poor countries in the developing world.

Because of their personal, cultural and community ties, migrant associations like ZAMCAN or NIDO send to their home countries financial and other resources to finance community development projects.

Second, the diaspora is the first line of international advocacy and diplomatic operation. This reservoir bridges cultural and commercial understanding between the adopted and the home countries. It is even more; it fosters policy dialogue of its originating countries. For example, in 2007, the author was one of the two-member *ad hoc* under ZAMCAN that coordinated the idea of incorporating the Dual Citizenship clause into the NCC. This idea came about because the diaspora was concerned about its home country.

The *ad hoc's* main objective was, in the best interest of Zambia's development, to benefit from the ease of mobility and the rights and duties that citizens have in the quest to share their know-how, experiences and expertise with Zambia, and vice-versa. From there the movement emerged that saw the creation of the Zambia Diaspora Connect which subsequently appointed representatives who attended the National Indaba on April 5th, 2009, at which the concerns of the diaspora were aired.

Third, the diaspora makes a substantial part of the touristic expeditions to Zambia. It is estimated that developing countries receive over 300 million tourists every year. In 2019 alone, Zambia received 1,266,000 tourists.¹⁹²³ Arising from the diplomatic character of the diaspora mentioned above, many people from the countries where Zambians have settled get the necessary information about Zambia and eventually make up their minds to visit Zambia. And of course, the Zambians abroad travel back and forth to Zambia and in this way, they support Zambia by buying nostalgic goods products, mostly, made by micro and small enterprises in Zambia.

§39.8 Diaspora and Development

Since decolonization, Zambian institutions of education have continued to be largely based on Western models. This has necessitated ties between the educated elite of post-colonial Zambia

¹⁹²³ The World Bank, "International Tourism, Number of Arrivals – Zambia," <https://data.worldbank.org/indicator/ST.INT.ARVL?locations=ZM> (Retrieved: October 5th, 2021)

and institutions of learning in the West. Equally, the frequent lack of material resources available in Zambian educational institutions has contributed to the many members of the educated classes traveling abroad in pursuit of higher education.

Indeed, Zambia's political stability and relatively advanced infrastructure have attracted many international organizations and businesses to base their operations there.¹⁹²⁴ However, in comparison to the developed countries, Zambia lacks the necessary capacity to reward all of its intellectuals and professionals. The result is higher attrition rates.

Compounding this state of affairs is the fact that the economic impoverishment of Zambia has led many intellectuals to abandon Zambia completely in search of greater educational and economic freedom and opportunity. The emigration of intellectuals and skilled professionals from Zambia to the West has been a phenomenon that has increasingly become characteristic of post-colonial Africa.

This process of the emigration of intellectuals and skilled professionals is often referred to as *Brain Drain* and has been a controversial concept which has provoked debate about the effects of this type of emigration on national development. Johnson defines the phenomenon: "*Brain Drain* is generally defined as the emigration of skilled and talented persons from their countries of birth to another country. Often, those persons who migrate leave poor societies for richer ones, seeking to maximize their earning powers, to best utilize their talents and skills, and to be in the company of their professional peers."¹⁹²⁵

Certainly, the country of emigration suffers in terms of returns on investment. But that can be offset by forging relationships with the diaspora. The West relies on immigrants to power industrial plants and perform minimum wage jobs. It is deliberate policy in many developed countries to attract certain labor to offset local demands. In North America, every harvest season, farmers recruit foreign farm laborers who work for them for meager pay. Dry-wallers, assembly workers, and general laborers are on high demand every year to work long hours for minimum wage. The sad reality is that many of these immigrant workers in the West are highly qualified in professions that are on high demand in their countries of origin.

However, it is still maintained that, despite the aforementioned, the hope of Zambian development depends, partly, on the diaspora.

¹⁹²⁴ *Discover Zambia, supra.*, p. 38

¹⁹²⁵ Behrent, *ibid.*

There are three reasons why this position is taken. First, international agencies, the IFIs and the aid agencies all use Western models of development. They demand that Zambia, and indeed, many developing nations, adhere to these models of development in accessing aid and grants.

Second, the ingenuity that powers Western industries and services partly consists of Zambians and other immigrants from the developing nations. In essence, these people have garnered the experience and know-how that continue to make Western societies economically viable. The same ingenuity which works for Western countries, transferred to Zambia, can produce similar results countenanced in the West. This is different from the idea of importing Western economic models.

Third, and more importantly, Western negotiators, planners, businesspersons, governments and intelligence systems operate within a certain psychological and normative framework. Usually, in trade, diplomacy and international relations, what makes the difference is in regard to these scopes. This discrepancy disadvantages the Africans who come with a certain mind-set adversative to Western informal norms.

In addition, politicians bred and raised quintessentially on the African planet without Western exposure, may lack the necessary social and mental assets to negotiate with Western technocrats. In the similar vein, Zambians who work in the missions abroad may lack this experience because they still maintain Zambian way of conducting business. In the 1960s, those who led Africa to independence were mostly Western educated because they understood and became aware of the philosophy of the West, and in a subtle way, also learned how not be duped. This prompted one of Africa's finest historians to remark, "The origin of modern intellectualism and the origins of Pan-Africanism are intertwined. We can imagine intellectualism without Pan-Africanism, but we cannot envisage Pan-Africanism without the intellectualization of the African condition."¹⁹²⁶

Mazrui does not endorse Western intellectualism *per se*, but the intellectualism of the "African condition." In other words, he endorses an intellectualism conditioned to the African realities. Western education, while not being a *necessary* condition, is, however, a *sufficient* condition because those who will bring Zambian economic

¹⁹²⁶ Ali Mazrui, "Pan-Africanism and the Intellectuals: Rise, Decline and Revival," in Thandika Mkandawire (ed.) *African Intellectual* (Dakar: Codesria, 2005), p. 56

revolution should be able to understand the workings of Capitalism and liberalism as they are promulgated in the West. Mamdani,¹⁹²⁷ like Mazrui above, has lamented that there is disengagement between what he calls “Euro-American liberalism”¹⁹²⁸ and what he refers to as, “The existing African context.”¹⁹²⁹ He further adds, “The framework for [African] solutions is generally a *received theory of democracy* which has little to do with *contemporary realities in Africa*.”¹⁹³⁰

§39.9 Recycled Knowledge and Technology Transfer

The three premises above have worked for other nations. Japan and South Korea have both benefited from Western technology. This is known as technology transfer. By definition, “Technology transfer is a process in which science or knowledge, or capabilities are transferred from one entity (person, group, organization) to other for the purpose of further development and commercialization.”¹⁹³¹ Channels of technology transfer include trade, human capital transfer (movement of people), and reverse engineering (which is a systematic approach for analyzing the design of existing devices or systems).¹⁹³²

Zambians who live in the West can help bring recycled technology to help develop Zambia. There is nothing immoral in creatively borrowing from what has worked very well in the West. Except where intellectual or patent rights forbid, Zambians in the diaspora can transmit their know-how, expertise and experiences to their brothers and sisters at home. They can volunteer to teach in schools, conduct developmental expeditions, expose young Zambian children to civic and democratic principles, rebuild dilapidated infrastructures and motivate confidence in the current governors. They can do all these at little or no cost to the Zambian government, thus, saving valuable national resource and wealth for needy areas.¹⁹³³ The only challenge

¹⁹²⁷ Mahmood Mamdani, “Africa: Democratic Theory and Democratic Struggles,” (October 10th, 1992) *Economic and Political Weekly*, Vol. 27, No. 41

¹⁹²⁸ *Ibid.*, p. 2229

¹⁹²⁹ *Ibid.*, p. 2228

¹⁹³⁰ *Ibid.*

¹⁹³¹ Kidanemariam B. (Kidu), “Technology Transfer: Experience from Japan and South Korea,” National Graduate Institute for Policy Studies (GRIPS), February 27th, 2014

¹⁹³² *Ibid.*

¹⁹³³ For example, on October 23rd, 2010, Thomas Chona with the GlobalLight Project made a presentation to the ZAMCAN 10th Anniversary celebrations on

is that the Zambian government does not seem to have the structure to channel the diaspora's experiences into real development for all Zambians.

The thinking that those in the Western and developed countries are somehow better off than those living in Zambia is only partly true. And it is the mentality that, partly, relegates Africa to underdevelopment. Development should not be a quintessence of the West alone; it should happen everywhere, including in Africa and in Zambia. While to some extent those who live in the West may be better off, it is only in so far as being better off means having a good job and living reasonably above the poverty-line. Zambians can have as prosperous a life as anybody else in the West. In fact, most Zambians with good paying jobs and living within their means have no reason to envy their Western counterparts.

Some immigrants who sold all they had in Zambia in order to settle in the developed nations come to a bitter reality. Life in Zambia can be just as beautiful as life in the developed nations. But it takes knowledge to come to this truth. To some, it takes practical reality, when they finally land on the Western soil and learn that things are not as easy as they look in the camera lenses of Hollywood.

§39.10 Dual Citizenship

Dual Citizenship was adopted by the NCC from the recommendation made by the Mung'omba draft constitution. The conference, however, introduced a new Article (22) on the restoration of citizenship of Zambia which read as follows: "A person who loses the person's citizenship of Zambia as a result of the acquisition or possession of the citizenship of another country shall, on the renunciation of that other citizenship, become a citizen of Zambia." The Conference also adopted another new Article (23) on entry into and resident in Zambia by a former citizen stating: "Parliament shall enact legislation for the expeditious entry into and residence in Zambia, of a person who, before or after commencement of this constitution, have lost their citizenship of Zambia as a result of the acquisition or possession of the citizenship of another country." The NCC also adopted Article 15 which stated that: "Every person who was a citizen of Zambia immediately before the commencement of

how they electrified a school with solar panels in Southern Province with no cost to the Zambians.

this constitution shall continue to be a citizen of Zambia and shall retain the same citizenship status from that date.” The Conference added a clause to Article 15 to the effect that: “A person who was entitled to citizenship of Zambia before the commencement of this constitution subject to the performance of any conditions following the happening of a future event, shall become a citizen upon the performance of such conditions.” On acquisition of citizenship, the NCC adopted Article 16 which read: “Citizenship may be acquired by birth, descent, registration or adoption in accordance with this Part.” The Conference adopted Article 17 on citizenship by birth which read: “Every person born in Zambia is a citizen by birth, if at the date of that person’s birth, at least one parent of that person is a citizen.” A new addition to this Article was a clause stating that: “A child of not more than seven (7) years of age found in Zambia, whose parents are not known, shall be presumed to be a citizen of Zambia by birth.” Other Articles adopted by the NCC were as follows: Article 18, “Every person born outside Zambia is a citizen by descent if, at the date of that person’s birth, at least one parent of that person is a citizen by birth.

While Zambia is spending far too much to buy latest technologies and ideas that are making the West thrive, Zambians in the diaspora can be mobilized to augment their experiences and expertise for Zambia’s development. The Zambian government can do one of the two things to tap into the know-how of the diaspora. It can deliberately legislate for Dual Citizenship so that those in the diaspora can be empowered to move easily and help develop their nation. This has been done. Dual Citizenship, whenever it is allowed, is the easiest way of enabling talented and educated Zambian immigrants to reinvest into the struggling Zambian economy. Because a dual citizen has rights to fully participate in the governing of the two states, he or she is in the better place to share the success of one nation with the one in need.

Some argue against the concept of Dual Citizenship for security reasons.¹⁹³⁴ Surely, they have a valid point. But a dual citizen is as much a citizen of one as of the other country. He or she is obliged to obey the laws of the two countries and benefit from their progress. And the fact of being a citizen of both countries enables him or her to live up to the expectations of both. This in itself is sufficient a

¹⁹³⁴ General Christon Tembo feared that Dual Citizenship would expose Zambia to security glitches. However, countries which have embraced Dual Citizenship like UK, Canada and the US do not have problems in that regard.

reason why a dual citizen may protect the secrets of both nations. So far there has never been a problem in countries where Dual Citizenship is allowed, such as in Canada, Great Britain or the US.

Second, the Zambian government should encourage free and non-conditional interactions with the diaspora. And this is what Zambia was trying to do through the NDP. A wise government can benefit a great deal from the technical and technological know-how of those who live and work in the diaspora. The good news is that they may be able to get the same information and techno-how for free.

The Zambian government should cease from considering the Zambians in the diaspora as a nuisance.¹⁹³⁵ It should not think of them as having arrived already, or indeed, as failures. And Zambians in the diaspora should not forget about Zambia just because they may live relatively better and peacefully in the West. In a mutual undertaking, the Zambian government and the diaspora should consider each other as partners in the development of Zambia.

§39.11 Ten Grounds Justifying Dual Citizenship

The inclusion of Dual Citizenship clause in the *Zambian Constitution* may be justified on ten grounds:¹⁹³⁶

First, the “first African leaders” benefited from exposure abroad: Those who liberated Africa were mostly groomed in the West, and a few from China and Russia. Under colonialism, a number of young African scholars were going abroad, typically to the “mother” country, to acquire good education. After independence from the colonial rulers, many Africans continued to go to Europe for education that would enable them to promote well-being in their home countries upon return.¹⁹³⁷ It is debatable whether the education they acquired abroad was necessary to develop Africa, but it is incontestable that it helped them to liberate Africa.

Second, dual citizens can receive the benefits and privileges offered by each country. For example, they have access to two social service systems, can vote in either country or may be able to run for office in either country (depending on each country’s laws). They are

¹⁹³⁵ In 2007, Mwanawasa considered the diaspora as a failure. Critical review shows that it was such attitude which made it difficult to harness the ready resourcefulness of the diaspora for the benefit of the entire nation.

¹⁹³⁶ With few modifications, this section is adopted from the book, Charles Mwewa, *HH is the Right Man for Zambia* (Ottawa: ACP, 2021), pp. 37 – 46

¹⁹³⁷ Constant and Tien, 2010

also allowed to work in either country without needing a work permit or VISA and can attend school in either country at the citizen tuition rate.¹⁹³⁸ Why is this important to Third World formations like Zambia? Zambia is still grappling with an undeveloped education system. For the most part its teachers are inadequately trained, the facilities are either dilapidated or not there, and generally, educational standards are below the standards of those of the developed formations, like Canada or the US. It is not being at variance to conclude that leaders trained from the developed educational background will have more to give in terms of leadership, value and ideas. They may also be able to live out what has worked abroad.

Third, being trained abroad and living abroad are not the same things, therefore, only those who live abroad will have a sustained impact on the politics and economics of the poor formations. Western educated Africans will still be African minded in terms of policing and programming. It is not that African education is not adequate to develop Africa; it is a truism that most of what is in Africa is either imported from the developed countries or has their blessings. Talk of books, technology, leadership paradigms, even the sources of money used in Africa, these for the most part, come or have been borrowed from the rich countries.

Fourth, and as an addendum to three above, “Foreign-educated leaders attract more Foreign Direct Investment (FDI) to their country. Our rationale is that education obtained abroad encompasses a whole slew of factors that can make a difference in FDI flows when this foreign-educated individual becomes a leader.”¹⁹³⁹ FDI is a much-needed currency in Zambia’s quest to wean itself from the aura of central government. However, and even more importantly, foreign companies and governments may trust those who got their education and business experience from abroad and even more those who lived and worked abroad. If a president is one who lived and worked abroad, you can imagine the level of trust in his or her government. It is also important to emphasize that citizens who have lived abroad may, comparatively, be less corrupt, less dictatorial, less autocratic, less dishonest, and more democratic and fairer in their approach to governance.

Fifth, the idea of “Brain Earn” comes to light. Remember in the late 1980s and early 1990s when the concept of “brain drain” was rife on the political tongue. Now, the idea of brain drain is becoming

¹⁹³⁸ Jean Folger

¹⁹³⁹ Constant and Tien, 2010

obsolete and more so with increased global economic integration in place. Relocation or immigration does not drain brains anymore, it empowers brains. In other words, training or living in another country shapes your brain to infinite possibilities in terms of economic modelling, political idealization or social industry. A leader who has spent ten years squarely in Africa will be less industrious, less innovative, and less dexterous than another who lived or worked abroad, especially in the developed country.

Sixth, a dual citizen can own property in either country. This benefits both countries, but especially the poor country. The reason is simple, some countries restrict land ownership to citizens only and land or property is a genuine investment. Imagine more Zambians owning property, land and businesses abroad. Imagine what this will do to promoting Zambian brands, connecting local businesses to the developed ones and generally putting Zambia on the map as has been the case for Israel, Nigeria or India. And this is not new, major corporations from the developed countries do own lands and properties and businesses in Africa. They can relocate interests based on the viability of the enterprise or enabling economic environment in either country.

Seventh, Dual Citizenship informs cultural education. “Having Dual Citizenship gives you the chance to educate others about the culture and people of two different countries. Governments may like Dual Citizenship because it helps to promote a country’s image and culture abroad. If you have two passports, you may have more access to the world.”¹⁹⁴⁰ Even more, it enhances tourism and promotes a healthy image abroad. Consider the Jews and the impact they have had in the US, Canada, and UK. Consider the Nigerians, Jamaicans and to some extent, the Indians. All these nationals have made their birth countries powerful abroad. In international parlance, that means economic boom and political propagation of their originating countries.

Eighth, Dual Citizenship entails easy of travel. If you are a dual citizen, you enjoy the protection of two governments even when you are traveling. If you encounter problems on the trip, you can appeal to one or both governments’ embassies. “When asked for identification during international travels, you can supply the passport that is least likely to raise eyebrows or cause problems among officials. You can also travel to both countries as a native citizen,

¹⁹⁴⁰ Kate Bradley

avoiding the lengthy airport queues and questioning about your purposes.”¹⁹⁴¹ This is self-explanatory.

Ninth, Dual Citizenship promotes increased security awareness. To a dual citizen, one country may be a homeland but the other is very much a new home. Immediately this will cause them to fully experience and embrace the ideals of both countries. Dual citizens will more likely than mono-citizens promote peace and order in both countries because of dual security interests in both. They will also be more sensitive to issues of war, terrorism and treason. This is the very opposite of the fears most people have of Dual Citizenship. Dual citizens, by design, are incapable of compromising the security secrets of both countries. They will likely defend both interests with equal strength. Their own safety depends on it.

Tenth, there is a trend towards world citizenship. One question that cannot be avoided now is: Where is the world going? The world is trekking towards more integration, globalization and outsourcing of important jobs and ideas than towards nationalism. In light of this, duality of citizenship will not be too much to ask for.

§39.12 Historic Context

The issue of Dual Citizenship emanated in the former British colonies.¹⁹⁴² At Zambia’s independence on October 24th, 1964, those who were born on the Zambian soil, or Northern Rhodesia, irrespective of origin or nationality of their parents, became Zambians. There was a choice to be made among those born in other territories. They could choose to become Zambians by renouncing their other citizenship.

UK allows Dual Citizenship. However, at Zambia’s independence, UK insisted that the new constitutions of the former colonies should not allow Dual Citizenship. This was done in order to shield the UK from an influx of newly independent nationals. Think of it this way. As an empire, UK had colonized almost half of the known world. Most of Africa, India, Oceania and the Americas were under the British flag. If all former colonies became British citizens, there would be no place in England to reside them.

Thus, UK’s decision to disallow Dual Citizenship in former

¹⁹⁴¹ Kate Bradley

¹⁹⁴² See Nichola Keung, “UN Body Targets ‘Statelessness,’” *Toronto Star*, Thursday, August 25th, 2011, p. A7

colonies was meant to protect itself from this pandemonium. If such a move was not made, everyone born under the British protectorate could claim British passports. After independence, however, issues arose. First, the UNIP administration could not care less whether one was born in Zambia from non-Zambian parents. The reason was simple; the Head of State himself was born from Malawian parents. The MMD administration came up with a rule that anyone born in Zambia, to non-Zambian parents, was not entitled to Zambian citizenship. This was principally done in order to eliminate Kaunda as a presidential candidate in the 1996 presidential elections.

There are many citizenry scenarios in Zambia. These include those born and raised in Zambia and living in Zambia; those born and raised in Zambia but contributing as experts and businesspeople in other nations; those whose parents were born in Zambia but had children born outside of Zambia; those who were born outside of Zambia but have their children born in Zambia; and those who were born outside Zambia from Zambian parents born outside Zambia.

This mix is rife even in UK itself. The British government is sometimes in a quandary; it may give citizenship to one generation and not to another. Zambia, too, follows the same tradition. On April 15th, 2011, the UK *Daily Mail*¹⁹⁴³ reported that, “Nearly one in every eight people living in the UK was born abroad.” This was over eleven percent, according to the Office for National Statistics. Clearly, UK cannot avoid the issue of Dual Citizenship without pernicious consequences. Zambia should learn from its former colonial master. The propensity, therefore, should not heavily tilt towards declaring some people in Zambia stateless.¹⁹⁴⁴

The rule should be that people born in Zambia to citizens and residents should be given Zambian citizenship. In the similar vein, those born from Zambian parents outside of Zambia should be Zambian citizens. In many countries, including Canada, they can choose their citizenship after they attain to the age of 19. If their parents, however, choose to return home to Zambia before their children reach the age of 19, those children do not need to choose, they become Zambians automatically. Most European countries have adopted the principle of *jus sanguinis* (“right of blood”). In other

¹⁹⁴³ *Daily Mail*, “One in Every Eight People Now Living in UK was Born Abroad,” (Friday, April 15th, 2011)

¹⁹⁴⁴ For example, Justice Chilendo Sakala of the Ndola High Court, declared Kaunda stateless in 1999. However, this ruling was set aside by the Zambian Supreme Court.

words, one does not automatically become a citizen by being born in Europe from non-European parents. This was done to prevent situations where many nationals wanted their children to be born in Europe for citizenship purposes.

The principle of *jus soli* (“right of soil”) applies to North America. Those born on the US or Canadian soils automatically become citizens. The reality is that many children cannot easily adapt to the parents’ original culture and countries. Most choose to opt for Western citizenships because of convenience of mobility without having to require Visas when traveling. Thus, according to the old Zambian law, when one took on a foreign citizenship, that one ceased from being a Zambian. But if they acquired Dual Citizenship, they could still keep their Zambian citizenship. With that advantage, they could re-invest in Zambia. When they retire, they could return to Zambia as well.

The diaspora constitutes Zambians, mostly educated, living and working outside of Zambia. Because the economies of such nations as the US, Canada, Japan, China, Botswana, South Africa, and etc., are stronger than Zambia’s, these Zambians can remit funds back home. Apart from the convenience of mobility, such Zambians can also acquire more accessibility and exposure to information and knowledge necessary to the development of Zambia. It, thus, makes political and economic sense to allow for Dual Citizenship; the British, Canadians and Americans saw that sense years ago.

§39.13 Domicility Clause

On November 25th, 2010, the Government of Zambia through the NCC published the Constitution of Zambia (Amendment) Bill 2010. The Bill was to take forward the enactment of specific clauses which were not subject to referendum. Specifically, the object of the Bill was to amend the *Constitution of Zambia* so as to revise, amend and repeal some sections.¹⁹⁴⁵ Objective (i) of the Bill provided for the permission for Dual Citizenship.

What is germane to this debate, nevertheless, is the requirement in Article 34(1)(c) of the Bill, that presidential candidates be resident in Zambia for ten consecutive years preceding any given presidential election. There are fundamental flaws in that provision vis-à-vis the

¹⁹⁴⁵ Objectives were from (a) to (n). Objective (i) was to revise the provisions relating to citizenship in order to permit Dual Citizenship and revise the modes of acquisition of Zambian citizenship.

contribution of the diaspora to the democratic process of the nation. First, the provision seems to have been included in bad faith. If the dream of creating a constitution that should stand the test of time hinges on this clause, that constitution was far from being realized.

The Zambian constitutional reform process has been dogged by the element of currency at the expense of an objective future. There seems to be a weakness in enacting constitutions which exclude potential presidential candidates. This politically motivated process has meant that the resultant constitutions were short lived – as long as the incumbent’s years in office.

Second, in the Second Republic, government amended constitutions to accommodate the whims of President Kaunda. In the Third Republic, with the exclusion of President Mwanawasa, the architecture of the NCC, both presidents Chiluba and Banda might have tempered with the constitutional reform process to obviate their potential presidential competitors. The interest of a constitution that should stand the test of time had been very far from their *agenda*.

Third, and in regard to the inclusion of the Dual Citizenship clause in the Bill, the Domicility Clause failed to take into consideration some of the genuine reasons why some Zambians might find themselves out of the country for ten years or longer periods. Some of these reasons may include studying, foreign missions, seeking employment due to the widespread unemployment obtaining in Zambia or even serving the country at AU, SADC, and COMESA or in any number of regional offices.

In a successful democratic state like Canada, such an issue was put to rest when the conservatives argued against Michael Ignatieff, the former Liberal leader, because he was absent from Canada for over 30 years. Eventually, the opposing voices came to swallow their words by realizing that the leader was no less a Canadian because he lived a substantial period of his life out of Canada. However, the former Liberal leader lost the 2011 election embarrassingly partly because the electorate judged him a political liability.

In the context of Zambia which needs the dynamic experiences of the diaspora, it would be both politically suicidal and economically unwise to countenance such a move. Due to globalization, Zambia may need presidents who have spent a good number of years out of the country.

Chapter 40 Zambia in Post-Covid-19 Era

“As long as poverty, injustice, and gross inequality persist in our world, none of us can truly rest” - Nelson Mandela

BRIEF INTRODUCTION

This chapter takes a critical look at the Covid-19 pandemic. How Africa and the West respond to the pandemic has an impact on how weak or strong post-Covid-19 economic recovery for both formations will look like. Before Africa was capable of providing the first doses of the vaccines to its affected masses, the West was already administering booster shots. The chapter analyzes the challenge of recovery from the pandemic in Africa and provides actionable suggestions for the African leaders while highlighting the need to address racial and other inequalities, which are seen as the root of international or global disparities.

≈ Politics ≈ Covid-19 ≈

AT THE END OF THIS CHAPTER:

1. You will understand that health matters that affect one part of the world, eventually, affect all other nations;
2. You will appreciate that, at the heart of all vices and injustices, is the unwillingness by nations and peoples to accept the fact that they are equal to each other; and
3. You will learn about what Africa and Zambia need to develop in order to defeat disease and coronavirus-like pandemics.

MAJOR THEMES:

Impact of Covid-19;
Zambia in Post-Covid-19
Pandemic Era.

§40.1 What Covid-19 Pandemic Revealed

Many minds have attempted to understand the reason why despite all efforts, Black people of Africa, and Black Americans in the USA, Blacks in Canada, Europe or anywhere they may be found, have struggled to survive economically and otherwise. Some have ruminated over issues such as color of the skin. Implicit in this ideation is the thinking that there is something wrong with being Black. Some have advanced identity, critical racial theorems as such as Black people have generally lower mental IQs; or political conspiracy theories like Black people are not capable of leadership or of governing themselves; or economic mantras like Blacks are incapable of managing money. Inequalities and lack of equity, and not color, are the foundations that foster racism. It's not all about color; it has everything to do with a history of inequalities.

First, Blacks are not less than Whites in any way, form or shape. And color is not Black people's liability. To the contrary, color has nothing to do with the brutal mistreatment Blacks have, historically, suffered at the hands of non-Blacks. Color or racism has been the tool (the means, rather than the end) that non-Blacks have used to malign and unjustly disparage Blacks, whether this has happened in North America, Europe, Asia, South America, the Pacific, or sadly, right on the African continent.

Second, the real reason why Blacks have been treated unfairly, poorly, unjustly, discriminatorily, and even murdered and imprisoned disproportionately, is rooted, generally, in the history of the Black people, and specifically, the White people's fear of being equal with Blacks. It has nothing to do with color, genetics or Black incompetence. Blacks have built civilizations, Western infrastructure, and have succeeded in whichever endeavor they have engaged in where rules have been fair to all. The White's historical fear to be equal with Blacks has been dangerously entrenched into the psyche that it has become a system. It is a system and, sadly, it works. Therefore, it has been perpetuated in just about every discipline: Governments, education and academia, media, military, trade and commerce, sports, social relations, politics, law and justice, law-enforcement, international organizations and religion, to mention only a few. In fact, when on July 4th, 1776, the thirteen United States in America assembled in Congress, they unanimously identified the bug in their midst (inequality) and made a declaration: "We hold these truths to be self-evident, that all men are created equal, that they are

endowed by their Creator with certain unalienable Rights, that among these are *life, liberty* and the pursuit of *happiness*.”¹⁹⁴⁶ The moment the world begins to believe that all peoples are, in fact, equal, that will be the moment racial injustices will begin to fade.

Third, to use the most contemporary illustration, racism is weaponized against Blacks vis-à-vis their White counterparts. Consider the presidencies of Barack Obama (Black) and Donald Trump (White). It does not take rocket science to note that Trump could not compare to the leadership prowess that Obama displayed as president of the US. However, because of the historical inequalities imbedded in the psyche of some White Americans, Trump, and similarly situated Whites, were mortally injured to contemplate that a Blackman was more capable of democratic leadership than Trump was. The result was in the behavior Trump and his supporters displayed: They attempted to reverse every good Obama did; they advanced an unfounded Obamagate conspiracy theory; and they campaigned to disqualify Obama from being a US citizen. At the root of this hatred and angst was not politics, but the fear of being equal.

Fourth, Blacks, too, are indirectly complicit in their being treated unequally. And this lies, consequentially, in historical injustices of slavery and colonialism. Arab traders had been buying African slaves in East Africa for decades. In West Africa where America grabbed most slaves, African chiefs sold what was valuable to them. Americans bought what was equally valuable to them, but for a different purpose. The able-bodied young men and “fertile” girls that Black chiefs traded for pieces of mirror glass and ornaments, left Africa to ingloriously cultivate the plantations and haciendas of their White masters. Africa lost viable human and capital resources in human terms; America and Europe gained in terms of free, expendable labor force. In both cases, Blacks lost.

People are slowly realizing the interlinkage between modern injustices to historical slavery. For example, the tearing down of Edward Colston, a 17th Century merchant slave trader and throwing it into a river, in Britain, and the toppling down of Confederate General Williams Carter Wickham, in the US, confirm that fact. And, of course, one needs not go far but review the entrenchment of the conception of unequalness in the minds of some White Americans by considering the comparison *Fox News* made on June 5th, 2020. *Fox News* compared how the markets rose at the murder of Martin Luther King Jr. in 1968, and among others, the unceremonial and brutal

¹⁹⁴⁶ Emphasis added

killing of George Floyd by a White police officer in Minneapolis on May 25th, 2020. According to *Fox News* (which it later apologized for); the markets celebrated the racial killings of Black Americans.

In Africa, Western corporations own economic stays of most countries. And this also has its genesis in colonialism. While the colonial masters physically left Africa, they returned in terms of business and trade. They still own Africa's means of production. Just like the African descendants sold the valuable able-bodied men and women to Europe and America, their Black offspring now still sell their most precious mines, minerals, land and human capital to the West and Europe. And these have been cleverly embroiled in such terms and practices as "American Experience," whereby new immigrants from Africa are subjected to menial and base jobs even though they might go to the West with degrees and comparable experiences.

There is a misconception that equipping and training police would result in good policing. To the contrary. Most police departments are well trained and equipped in Western formations. However, because of the culture and history of inequalities, the police have continued to abuse the people's human rights and fundamental dignity. What is required is equalizing the provision of services in communities of color. Most White dominated police departments erroneously believe that Black-dominated areas are harbingers of criminal activities, and they may have a point. But this only points to the unequal distribution of wealth, power and services to Black communities.

Most Blacks are found in communities with poor infrastructure, poor schools and poor healthcare, just as their forefathers and mothers experienced during and after slavery. Equality is the answer. Some of the resources spent on police should be channeled to the people in communities of color, to improve their quality of life.

Slave owners in the Americas totally destroyed the future of Black Americans. They owned them as property. They destroyed their conception of family – children born to slaves were also slaves. They denied the Blacks of earnings, even if the Blacks worked hard and long hours with broken bones and slashed backs. This was the beginning of poverty among Black Americans. Even after slavery was abolished, Blacks did not have the assets to compete favorably in the new economic environment they found themselves. As slaves, they had no education. In fact, it was a crime for a Black slave to be found or seen pursuing an education. The best way to keep inequalities advancing is to deny one of an education. Education has the propensity to liberating the mind and to action the soul. This was

denied to Black people. Even when slavery had long ended, segregation in education in the US and apartheid in South Africa, propagated the same denial of education. Poor education is the same as no education at all.

Fifth, the slogan “Black Lives Matter,” should be strengthened further to read, “Black Lives Have Value.” Racism is imbued in the thinking that Blacks and Whites are not equal, and so is tribalism (that not all tribes are equal). This is implicit in the way they are killed or have succumbed to Covid-19. Because most Black people work in relatively less-paying but highly demanded jobs, such as janitors, nurses, social workers, Personal Support Workers (PSWs) and so on, they are also the people who are essential during the Covid-19 pandemic. They may die first. But importantly, too, Blacks are disproportionately poor, live in crowded neighborhoods, may not have access to sound healthcare, may not have insurance coverage, may be underpaid, may have smaller spaces for social distancing and may not afford masks. This disparity also means that Blacks are the first to contract diseases, and to die from such diseases. This has its basis in the unequal history which buffeted Blacks for centuries. Blacks, Black Africans, and Black Americans have value. Blacks are humans. They are not animals. They feel pain. They have liberties. They are to be treated with dignity and consideration. They are equal to other humans on earth. They should be treated as such.

And sixth, racism and tribalism cannot be demolished without undoing the unequal disparities that exist in race and tribal relations. There has been protests worldwide fighting to end racism. If racism is ended, so what? The mistake we all make is that we equate racism to a concrete and tangible phenomenon. Racism is not just a social issue, either; racism or tribalism are matters of the heart. By merely saying that, “I am not a racist,” it does not mean that such a person would not be a racist or a tribalist. As Jesus said, “You will know them by their fruits....” Racism and tribalism are conceived in the heart, and ooze from there to manifest socially. They manifest themselves in things people do or omit to do, the policies authorities make or omit to make, and etc. Inequalities are social problems and tackling inequalities may lead to solving the social problem.

Education is the long-term cure to inequalities, poverty, racial injustice and social exclusion. Any other way is simply a quick fix and may not bring permanent results. It should begin at the curriculum level. People should be exposed to matters of equality through education at the very basic level. This is true of the West, and true also of Africa. A curriculum that addresses this deliberately is the

long-term solution to issues of inequalities. When children learn that all people are created equal and continue to get responses that validate that sanctity, they would not turn from it when they grow up. A wise sage once said, “Train up a child in the way he should go; even when he is old, he will not depart from it.”¹⁹⁴⁷

Regulation and legislation are the next best solutions to curbing disparities and ending racism. Nations must legislate against inequalities. People must be empowered to live free from discrimination. Differences should be seen as positive factors and not negative weaknesses. Where applicable, some laws should cure or remedy historical wrongs. For example, Canada has entrenched into its *Constitution* section 15 (2) of the *Charter of Rights and Freedoms* what is known as positive discrimination or Affirmative Action. In essence, in Canada, the government can enact laws that discriminate against the equality of dominant groups in order to offset an historical injustice against the historically prejudiced people.

The pandemic revealed the gaping disparities that exist across racial lines. More Blacks in North America and Europe died from Covid-19 than Whites. Similarly, the protests demonstrated that both Whites and Blacks understood the disparities that exist across racial lines. The biggest threat to the world order is, therefore, not the pandemic itself, but the historical inequalities that have made Blacks exist as secondary citizens in the world. As it is argued, many have predicted that despite Africa not having been impacted worse *per capita* like North America and Europe, Africa would still suffer the after-effects of the pandemic as most rich countries will focus on healing their economies rather than aiding Africa out. In one sentence, the future of post-Covid-19 Africa is: End the age of dependence and become economically self-sufficient, while combating the gaping social and tribal inequalities through education and legislation without sacrificing international cooperation.

§40.2 African Future in a Post-Covid-19 World

The UN Secretary General, Antonio Guterres, admitted, March 27th, 2020, on BBC that the world was no longer a unipolar, bipolar or multipolar world. It is a “chaotic” world, controlled by the whims of the US and the vagaries of China. Donald Trump, for example, had characterized Black African countries as “shitholes.” He had also

¹⁹⁴⁷ Prov. 22:6

labeled the coronavirus, a “Chinese virus,” while China had entertained notions that the virus had its genesis in the Department of Defence (DOD) of the US. Russia, on the other hand, lurked in the concourses wishing to pounce on the continuously deteriorating relations between the US and China. This was while Europe was at the blink of an economic devastation brought about by the complete shutting off of the industrial machines in Italy, disillusionment in Spain, finger-pointing in England, and total confusion in France.

As Europe and America were paralyzed, one wondered what would become of Africa, should the pandemic find its ugly claws there, in a post-Covid-19 era. In Europe and America, prior strong economies necessitated the enactment of multi-billion stimulus or rescue packages which acted as a cushion on the ravages of Covid-19. In China, India, Japan and mostly closed Eastern-Asian nations, hegemony and homogeneity had proven assets in pandemic times. Africa lacked both strong economies and homogeneous hegemony. Post-Covid-19 Africa faces insurmountable challenges at both the healthcare and economic fronts. Already, poverty, seclusionism and tribalism, continue to be self-defeatist menaces against Africa. Covid-19 cannot be allowed to “invade” Africa posthumously, even if a vaccine is effective against Covid variants. But it will, sadly, do, if Africa does nothing or continues to play by the same old rules.

§40.3 Western Apathy towards Africa during Covid-19 and Vaccine Distribution Process

The Covid-19 pandemic revealed that self-interest still governs relations between Africa and the developed world. Africa is only important if it has a tangible benefit to Western causes. When that cause is redundant or does not rise to the level of creating profit or does not advance Western agendas, Africa is forgotten and even discarded. Canada and other developed formations are exception to this rule. However, for the majority, during the Covid-19 pandemic, fiscal assistance for Africa sank to near zero. The commonest mantra relished by foreign governments and citizens were that they could not save Africa when their own house was on Covid fire.

Prevention is the only remedy Africa had. If Africa should relax and let the virus take root, there would be more untold deaths and suffering than what transpired in Italy and Spain or in the US. For one, Africa lacks not only medical equipment like ventilators, but masks also and surgical gowns and so on; Africa is ill-equipped to

providing basic care to mild symptoms. Unlike in economic terms when the West come to Africa's aid because their situations are more tenable, in this situation, however, it is not likely that the West will be available to help Africa when Western nations themselves face insurmountable challenges with mushrooming coronavirus in their formations.

For Africa, first and foremost, "Prevention is far better than cure." There will be no chance for Africa to fight the pandemic. Prevention is the most affordable and reasonable remedy under the circumstance. Stringent measures unknown in the history of Africa should be taken. Of course, Africa took swift actions like closing borders to contain influenza-like illnesses (ili). Critical to the survival of ili was the creation of national stockpiles and revamping of medical facilities and personnel. Covid-19 pandemic showed that the West was not willing to help Africa when the West was also fighting the pandemic. Africa must stop to rely on Western philanthropy and look within itself to creating conditions for economic emancipation.

Second, African governments should spend to provide relief to people. Africa should not take advantage of these perilous times to only exempt on taxes – Africa must go further and provide money for the citizens to spend. This is both a challenge and an opportunity. A challenge because Africa has a large percentage of its people poor, uneducated and unemployed. An opportunity – because hitherto, Africa has not taken ambitious strides to providing hope to their struggling populations through economic equalization programs.

And third, Africa should strongly lobby both multilaterals and bilateral communities to completely forgive debt, not just suspending it. There is no other way Africa will brave future and similarly situated pandemics or the Covid-19 aftermath. Seeking for external debt forgiveness is a prudent way of managing the post-Covid-19 pandemic because it would ensure that Africa has available resources to allocate to needy areas or to the fight against future pandemics. The West and monetary organizations must accept this as altruism on their part. This benevolence on the part of the West and monetary organizations should be an investment in the future.

§40.4 Africa Must not Only Look to the West for Leadership but within Itself

African governments must learn to lead themselves. In the past, African leaders first waited to see what their Western or Eastern

counterparts would do before they acted. Before Covid-19, African leadership had been more reactionary than visionary. This state of affairs informs why technological, legal, economic and even political changes first have to happen in the West, then the East and last in Africa. This is time for African leadership to become creative, empirical, sophisticated and versatile in ensuring that they fashion culturally tilted, locally crafted and provide relevant solutions to real African problems. Africa can no longer wait for Europe or America or the East to lead – Africa must lead itself.

There is attractiveness in chaos – because beauty is the only solution. Covid-19 pandemic was a watershed moment. It showed that even Western formations were not ready to fight the pandemic of the Covid-19 size. They were caught unawares. They lost many lives, sadly, due to not being prepared to fight the pandemic, especially in Europe and the US. But Covid-19 also revealed the fact that when a nation is prepared beforehand, it stands a better chance to weather any health or economic forces that might come its way. There were countries in Africa that acted quickly and swiftly to close borders, institute social distance measures and provide masks to their citizenry, and those countries fared relatively well during the pandemic.

§40.5 African Governments Must Recruit Raw Talents Scattered Abroad

The time has come for Africa to tap into its potential scattered abroad in developed countries. During the 1960s, it was mainly the African students abroad who brought awareness to the idea of independence. Many of those Africans who were educated abroad returned to Africa to become its first leaders after independence, leaders like Kwame Nkrumah, Jomo Kenyatta, Hastings Kamuzu Banda, and etc. There are many African-born, educated people in the developed countries. These Africans have been exposed to technology, democracy, sustainable healthcare and other systems. As noted above, many of them have not realized their potential in the West because of systemic racism and inequalities that exist there. The Covid-19 pandemic has shown that when nations are locked up, help can only come from within. Africa must, therefore, develop its own people. It can do so safely and cheaply by recruiting the talents in its people abroad. This may call for change of mindset, whereby Africans in Africa start to see their brothers and sisters abroad as partners in

development, and not as competitors for the scarce resources in Africa.

Africa, too, must start to modernize and modify laws to allow for dual citizens to manage important African government offices, including presidencies. Before Covid-19, most countries in Africa feared that dual citizens would not be patriotic enough to defend Africa. However, the Covid-19 has shown that when nations were faced with a challenge of the scale of Covid-19, they relied on emergency legislations, including relaxing rules that fast-tracked the acquisition of citizenship in order to provide necessary services to the people. As a proactive step, Africa must return and reintegrate some of its people in important decision-making positions to help reshape the future. This is not new. Africa did the same in 1960s. Benjamin Netanyahu, former Prime Minister of Israel, spent years studying and working in the US, and went on to be the longest-serving, and probably, the greatest Israeli leader, and had helped to liberalize and develop the Israeli economic frontiers. Africa should do the same.

§40.6 A Revolutionary Africa

The post-Covid19 Africa should be a revolutionary Africa. An Africa that is ready to harness its people's talents, at home and abroad, to build an Africa ready to fight for its dominant place in the community of nations. The time for an Africa that is diseased, ill-prepared, begging for existence and devoid of solving its own problems, ended when the nations of the world locked themselves up from the ravages of the injurious Covid-19 pandemic. Devastative as the pandemic was, it also revealed that inequalities continued to clobber the global citizens.

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APPENDIX I

Dawn into Independence

A Narrated Drama

By Charles Mwewa

Cast: *Narrator; Kenneth Kaunda; Simon Kapwepwe; Mainza Chona; Her Majesty Princess Royal; Chief Justice; Governor Sir Evelyn Hone; and others*

Just before independence, there was gathered a throng of men, women, boys and girls at the newly built Independence Stadium in Lusaka, Zambia. The date was October 23rd, 1963; right around 11:50pm. [*All the cast members and others head towards the stage*]

Kenneth Kaunda (so popularly known as KK) [*KK bows and beckons to the audience*] was Prime Minister of Northern Rhodesia, for that was what Zambia used to be called before independence. KK was dressed in a *kente* cloth toga, given to him by Kwame Nkrumah for that occasion. KK was poised to become the first president of the Republic of Zambia in minutes' time. [*KK holds the kente and shows off to the audience*]

Surrounded by KK was his fellow freedom fighter and Minister of Foreign Affairs, Simon Mwansa Kapwepwe, [*Kapwepwe bows and beckons to the audience*] who was also clad in a *kente* toga [*Kapwepwe holds the kente and shows off to the audience*]. Others were Mainza Chona [*Chona bows and beckons to the audience*], Her Royal Highness Princess Royal, as Guest of Honor on behalf of Queen Elizabeth [*Her Royal Highness bows and beckons to the audience*], Sir Evelyn Hone, the last Governor of Northern Rhodesia [*Hone bows and beckons to the audience*], and the Chief Justice [*The Chief Justice bows and beckons to the audience*].

Then it happened. As the British Union Jack (flag) was being lowered, and so was the new flag of Zambia being raised. [*Here lower the British flag; raise the Zambia flag*]

The new Zambian National Anthem to the tune of Nkosi Sikelele Africa or God Bless Africa accompanied. [*Pause for a moment to the Zambian National Anthem; all cast members salute the flag*]

Then the floodgates of the Independence Stadium opened, women and girls ululated, men and boys whistled and fireworks sparked the sky. Once the last loop of the Zambian Flag was hoisted to the flag post, on October 24th, 1964, Zambia was born! [*Shout, ululate, whistle and light fireworks*]

The Chief Justice stepped in front of the stage and had KK swear an oath of presidency. [*Chief Justice leads KK in the oath*]

Just at the blink of dawn on October 24th, 1964, KK took the stand and shouted, “Kwacha!” [*KK moves to the front and makes the shout*]

All the people answer, “Ngwee!” [*Everyone answers*]

By the Instruments of Independence signed and sealed by Her Majesty the Queen, Zambia was born, and the party was just beginning... [*All the cast members on the stage hug each other as they leave the stage*]

THE END

Desist from bad ways, youths urged

By Sunday Times Reporter

YOUTHS in Zambia have been urged to desist from destructive tendencies and focus on developing their talents to enable them contribute to national development, president of 'Our Zambia Forum' (OZAFO) a youth development advocacy non-governmental organisation formed by youths in the diaspora Charles Mwewa has said.

Mr Mwewa, who is based in Toronto, Canada, said among the most retrogressive characteristics of young people in Zambia, at the moment, were susceptibility to drugs, unprotected sex leading to HIV/AIDS and identity crisis leading to rebellion and criminal behaviour.

In an interview via internet, Mr Mwewa said however that the youth in Zambia should be looked at as assets epitomising the untapped resources of the foundation upon which the economic development base of the country lies.

He said in support of the millenium development goals (MDGs) target 1B to tackle poverty, hunger eradication, and attain decent employment for women, men and young people OZAFO's agenda is to prepare the youth with a mindset and skills that would make those goals possible.

He said the organisation, which has a network of offices in Zambia realised from the outset that the fight against poverty, HIV/AIDS and the effort to transform the Zambian youth into a dynamic force of the 21 Century was a vital undertaking.

OZAFO will partner with the United Nations (UN) international development agencies and other interested parties in the fight against the HIV/AIDS scourge and in partnership with local and international efforts will continue to lobby the developed countries.

On the view that Zambians in the diaspora were merely running away from hardship at home and hoping for an easier life abroad after benefitting from Zambian resources, Mr Mwewa said Zambians in the diaspora should be viewed as an integral part in the developmental strategy.

He cited China, Nigeria and Mexico as countries which he said had proven that the diaspora can leverage the aspirations of the people at home with pragmatic economic and business opportunities created by the diaspora.

"There are three grounds for this assertion, the diaspora contributes a great deal to the economic growth of the countries of origin through remittances, secondly, the diaspora is the first line of international advocacy and diplomatic operation thirdly, the diaspora makes a substantial part of the touristic expeditions to Africa." He said.

OZAFO began as an online forum for debating issues related to Zambia and is the only Zambian NGO that utilises the internet to discuss and communicate ideas and aspirations of Zambian youths.

This is one of the articles for OZAFO Zambia that appeared in one of the May 2010 *Sunday Times* editions.

APPENDIX III

SELECTED BOOKS BY THIS AUTHOR

1. *10 FINANCIAL & WEALTH ATTITUDES TO AVOID*
2. *10 STRATEGIES TO DEFEAT STRESS AND DEPRESSION: Creating an Internal Safeguard against Stress and Depression*
3. *100+ REASONS TO READ BOOKS*
4. *50 Rules of Politics*
5. *A CASE FOR AFRICA'S LIBERTY: The Synergistic Transformation of Africa and the West into First-World Partnerships*
6. *A PANDEMIC POETRY, COVID-19*
7. *ALLERGIC TO CORRUPTION: The Legacy of President Michael Sata of Zambia*
8. *BOOK ABOUT SOMETHING: On Ultimate Purpose*
9. *CAMPAIGN FOR AFRICA: A Provocative Crusade for the Economic and Humanitarian Decolonization of Africa*
10. *CHAMPIONS: Application of Common Sense and Biblical Motifs to Succeed in Both Worlds*
11. *CORONAVIRUS PRAYERS*
12. *HH IS THE RIGHT MAN FOR ZAMBIA: And Other Acclaimed Articles on Zambia and Africa*
13. *I BOW: 3500 Prayer Lines of Inspiration & Intercession from the Heart: Volume One*
14. *INTERUNIVERSALISM IN A NUTSHELL: For Iranian Refugee Claimants*

15. *LAW & GRACE: An Expository Study in the Rudiments of Sin and Truth*
16. *LAW'S OF INFLUENCE: 7even Lessons in Transformational Leadership*
17. *LOVE IDEAS IN COVID PANDEMIC TIMES: For Couples & Lovers*
18. *P.A.S.S: Version 2: Answer Bank*
19. *P.A.S.S.: Acing the Ontario Paralegal-Licensing Examination, Version 2*
20. *POETRY: The Best of Charles Mwewa*
21. *QUOT-EBOS: Essential. Barbs. Opinions. Sayings*
22. *REASONING WITH GOD IN PRAYER: Poetic Verses for Peace & Unconfronted Controversies*
23. *REFUGEE PROTECTION IN CANADA: For Iranian Christian Convert Claimants*
24. *RESURRECTION: (A Spy in Hell Novel)*
25. *SAIL WITHOUT SHIP (THE DREAMS OF AFRICA): Poetry of Post-Independence Africa, the Case of Zambia*
26. *SERMONS : Application of Legal Principles and Procedures in the Life and Ministry of Christ*
27. *SONG OF AN ALIEN: Over 130 Poems of Love, Romance, Passion, Politics, and Life in its Complexity*
28. *TEMPORARY RESIDENCE APPLICATION*
29. *THE GRACE DEVOTIONAL: Fifty-two Happy Weeks with God*
30. *THE SYSTEM: How Society Defines & Confines Us: A Worksheet*
31. *WORTHY: Deepest Praise to the Highest God*

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