

**Indigenous systems of governance and post-colonial Africa: The case
of Barotseland**

By

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Abstract

Africa is littered with examples of failed governance systems, arguably, primarily due to the fact that the post-colonial state is itself a caricature of European states. This paper contends that African post-colonial states and their forms of governance - which were exported to Africa via colonialism - have failed to resonate with the lives of the mass of the people in Africa, because they are not rooted in the continent's indigenous socio-political and economic structures. Unlike other non-Western parts of the world, where countries have sought to mainstream their indigenous governance systems into modern ones, by fusing them with those of their former colonial masters, African countries have consistently eschewed their own historical realities in this matter, due to perhaps sectional and vested interests. Undoubtedly, some pre-colonial African societies had created advanced political and economic systems which had generated cohesion amongst different assimilated ethnic groups. Some kingdoms had even unified heterogeneous ethnic polities into unitary self-governing entities. This paper pays attention to post-colonial Africa's inability to make use of some of the positive attributes of pre-colonial Africa's indigenous governance systems, probably due to the continent's leaders' lack of foresight or plain selfishness. The former may also have led to the pursuit of disjointed development programmes, which only aped those of the West. In the final analysis, that may be the reason why many sub-Saharan African nations are failing dismally to meet the needs of their citizens today. Using the case of Barotseland as an example, the paper argues that there is something that can be gleaned from this nation's glorious past and which can serve as a lesson to contemporary efforts aimed at governing African countries.

Introduction

This paper discusses indigenous governance systems in Africa by casting some light on the process of pre-colonial state formation and the creation of political systems in the said era. In this regard, the paper uses the example of the former royal kingdom of Barotseland in order to argue its case. The paper notes that in their haste to shed off their pre-colonial history, some of Africa's post-colonial leaders had thrown "the baby out with the bathwater" so to speak. In most instances, this was usually deliberately done, by some governments of post-colonial African countries, in order to either wipe out or obliterate the history and prowess of some of Africa's pre-colonial advanced states, once independence was attained. This scenario did unfold in Zambia when it gained independence from Britain on 24 October 1964. Immediately after this, Zambia had embarked upon a pernicious and narrow-minded agenda which was meant to erase the memory of Barotseland from the national narrative and historical books. The chief architect of this scheme was none other than Zambia's founding president, Kenneth Kaunda, who ironically had championed the liberation of Southern Africa from white minority rule, but incessantly persecuted his own people who were opposed to his dictatorial tendencies. Hence, Zambia's political leaders had also endeavoured to make the people of Barotseland subservient to the new political dispensation (after independence) which was in effect, not favourable to Barotseland, its people the Barotse or Lozi, and this territory's culture and institutions. As will be shown shortly, Barotseland had existed long before Zambia or its colonial forerunner, namely, Northern Rhodesia. Poignantly, Barotseland had voluntarily agreed to be part of the union between itself and the former British colony of Northern Rhodesia that had resulted in the birth

of a new independent state called Zambia. Barotseland stands out in this part of Africa as an area that is still steeped in its own indigenous governance systems, even after concerted efforts were made by firstly the British authorities and later, the Zambian political establishment, to denude them. Even today, many Barotse or Lozi still adhere to their indigenous governance systems and continue to recognise their king, known as the Litunga.

Since almost all of Africa's governance systems were superimposed on its social fabric by Europeans, it thus becomes pertinent in the 21st Century (after almost 50 years, or more, of independence for most of sub-Saharan Africa) to pose the question: Are national boundaries really relevant in regard to the obtaining challenges of Africa? Moreover, since they are also products of a failed mission, namely, colonialism, should African countries continue to be constituted in the same way that they have been since independence? Unfortunately, the monolithic post-colonial African state, with its equally highly centralised and mainly ineffectual governance systems; with vast powers concentrated in one person, the president, has not been effective in delivering public goods to the mass of the people in Africa. It is quite ironic that almost all African countries treat the boundaries, which their former colonial masters bequeathed them, as sacrosanct. Curiously, this wrong formula for nation-state building and development continues to be post-colonial Africa's "Holy Grail". The bringing together or even coercing of a disparate array of polities, cultures, and peoples into the new post-colonial state seems to have failed. A new approach is thus needed in order for the post-colonial state to deliver overall well-being to Africa's people. This discussion de-bunks the myth of the efficacy of the monolithic post-colonial African state and argues that, in fact, it is the main problem behind Africa's protracted and seemingly insurmountable social problems. In this regard, there is a need for more regional governance or autonomy in African countries, if progress is to be attained in matters of development. Therefore, the post-colonial African state, in its current form, will continue to reproduce social discord and civil wars that will also produce alienated and excluded Africans from national affairs. Moreover, since the problem in Africa is the "winner takes it all" syndrome, whereby larger ethnic groups pervert the electoral system to entrench themselves in power, since they have numerical strength, democracy in Africa has become a sham. With larger ethnic groups having the lions' share of government posts, not because of merit, but due to primordial ties, some African governments do not see the need to respond to the needs of all citizens but of a particular ethnic group. That is why almost in every part of sub-Saharan Africa ethnic groups are pitted against each other. Thus countries are held together in a state of "semi-peace" through the threat of violence and not due to individual buy-in, voluntary affiliation and association. Before proceeding, it is important to define some of the key concepts and issues under discussion.

Definitions and conceptual issues

The main issue under scrutiny here is indigenous governance systems. To make things easier, it is better to separate the former into two parts, namely, indigenous and governance. What then does indigenous mean? According to the on-line Free Dictionary (2014), indigenous is something originating in and characteristic of a particular region or country, or something that is native to a particular place. It can also refer to things that are innate, inherent or natural. Therefore, in this sense, anything that is indigenous to Africa, for example governance, is also innate, inherent and natural to this part of the world. It must be noted that there are many

definitions of governance, which also originate from different intellectual traditions. For purposes of this discussion the following definition is adopted:

At the most general level governance involves the formation of the rules and decision-making procedures and operations of social institutions guided by these rules. However, governance does not require creating entities or organisations of the sort normally associated with governments to handle the function of governance. “Governance” must be distinguished from “government”, which implies a centralised institutional arrangement as the basis of authority and order. All forces that can influence human behaviour are potential tools of governance (Bosselmann, Engel & Taylor, 2008, p. 5)

The aforementioned are examined in this paper from the perspective of Indigenous Knowledge Systems (IKS). There are many and conflicting definitions of IKS, however, for this discussion, IKS refers to the complex set of knowledge, skills and technologies existing and developed around specific conditions of populations and communities indigenous to a particular geographic area. IKS constitute the knowledge that people in a given community have developed over time, and continue to develop (Centre for Indigenous Knowledge Systems, 2005). In addition, IKS delineate a cognitive structure that includes definitions, classifications, and concepts of physical, natural, social and economic environments. To understand the indigenous practices, one must have knowledge and understanding of the concepts on which they are based (Sharma, 2011). Politics or political systems are also touched on in this paper. Essentially, politics denotes how human beings organise everyday social life. But people have many different ideas about how society should be organised. This leads to different political systems. Political systems are large-scale methods of social organisation (Witmer, 2013).

Pre-colonial state formation and indigenous governance systems in Africa

In the pre-colonial era there were certain areas where state building and indigenous governance systems had taken on higher and sophisticated forms. In addition:

Whether in the state or stateless societies, African pre-colonial political organisations had some common important attributes. First, the state was concerned with the welfare of all its citizens. Some have gone ahead to label this as communalism, but the central notion was that the welfare of every member, rather than just a few within the community, mattered. Secondly, the society was organised for political purposes on the basis of lineage: thus the lineage connected the family to the state. This ensured the state maximum popular support but also ascertained that state sanctions can [could] effectively be communicated. Thirdly, there was an aversion to concentrated authority (Olowu, 1994, p. 5).

Thompson (2000) observes that the stimulus for state formation was often the production of an economic surplus. This wealth enabled communities to sustain leadership groups, as well as an administrative structure to support these governors. Ghana and Mali, for example, were built on the profits from the trans-Saharan trade. Further east, it was agricultural surpluses from fertile lands of the Nile River and the Great Lakes which helped establish ancient Egypt and the Kingdom of Buganda. Elsewhere, the empires of Ashanti and Benin were founded on mining and metal work skills. States could also be built around monarchical authority, religious affiliations or, in the case of the Zulu nation, military prowess. Some of these grand civilisations were in advance, technically and socially, of their European counterparts (Thompson, 2000).

Interestingly, while many historians of Europe link states to the growth of markets, historians of Africa put particular emphasis on trade. They also understand that there is institutional continuity in Africa as can be seen from the co-option of traditional authorities by colonial states (Fenske, 2012). Pre-colonial state formation in Africa is also directly linked to political centralisation. Indeed, where it took place, political centralisation was associated with better public goods and development outcomes suggesting that the relative lack of political centralisation in pre-colonial Africa may indeed be an important part of the story about African underdevelopment (Osafa-Kwaako and Robinson, 2013). Perhaps, this may be the reason why many post-colonial African politicians became so obsessed with centralising power after independence. The reality, nevertheless, is that there were also large areas that were stateless and hence disorganised in pre-colonial Africa.

Pre-colonial African communities were not homogenous and they took on varying characteristics in regard to governance, depending on the context they were located. Like governments everywhere, kingdoms in pre-colonial Africa rested on two conceptual pillars. They needed legitimacy, meaning a set of accepted ideas and institutions that justified kingship in the eyes of the people. They also needed, as early pointed out, a material basis, such as agricultural tribute or the profit of trade that could adequately support the governing stratum of society. Yet the institutional and ideological bases of legitimacy could be exceedingly different in various parts of Africa. The material bases of kingly power also varied greatly from region to region, and even within one region or within one polity - the economic underpinnings of the political system could change in significant ways over the course of time (Ehret, 2002, pp. 12-13). Martin (2002, p. 12) further contends that indigenous African political systems were democratic in many respects and the rules and governance were established by custom and tradition rather than by written constitutions. In addition, these systems were based on the *rule of law* – that is, respect for (and adherence to) customary ways of resolving disputes and upholding the traditions governing political behaviour. Critically, customary African laws were subject to full public debate and scrutiny. In fact, chiefs and kings could not promulgate laws without the consent of the council. For example, in Barotseland, a decision was taken, after full and free discussions and after the lowest councillor gave his opinion first (Gluckman, 1951, p. 41). Hence, open debate and consultation were not strange in the pre-colonial African state. Olowu (1994, pp. 5-6) alerts us to the fact that even though in theory African “chiefs” wielded extensive and seemingly limitless powers, they were not as such in practice, due to certain checks. Some of the checks were: (i) the ideal notions of leadership woven into oral narratives as one aspect that emphasised consensus leadership rather than one that imposed opinions on others; (ii) imposition of religious or supernatural sanctions (including invocation of curses or advising the ruler to drink poison); (iii) institutionalised sanctions – including private and public admonitions (rebuke by the Queen mother, Council of Elders), and prohibitions/taboo, among others.

Pre-colonial states were mostly egalitarian and benevolent in nature, at least to their subjects and probably not those they conquered or pillaged. For example, in Barotseland, tribute by vassals, was not only consumed by the king but was also redistributed to the nation. Gluckman (1951, p. 40) explains:

When tribute was brought to the capital, a first portion was taken at night for the reigning king. In the morning, before all the people, he took a second share. Loads were then given to ILINANGANA, the priest at Nakaywe which was the capital of King Ngombala. These are tributes to God, Nyambe, for

here He once saved the Lozi and there ILINANGANA in national extremity offers prayers to Him. Loads of tribute are next given to Induna Noyoo, for he is Mboo the first king, since Noyoo was Mboo's "NGAMBELA"¹, and then to the priests of Kings Ngalama and Ngombala, who are "owners of the tribute", since it was they who conquered tribute-giving tribes. The people of the NGAMBELA the chief induna, next get loads, and then the councillors and stewards in order of rank.

Thus, though the Barotse society was ranked in chiefs and councillors, and subjects, aristocrats and commoners, freemen and serfs, this ranking was not accompanied by any radical differences in standards of living. The king had greater security than his subjects but lived at the same general level as they did. Tribute poured into his capital, but was given out again to the people. In this type of economy the wealthy man could not use his surplus land, cattle, or food in any enterprise which would produce considerable higher standards of living for himself (Gluckman, 1955, p. 16).

Context and historical background

Barotseland borders Angola, Botswana and Namibia and is located in the western part of Zambia. It comprises the uplands made up forests, dambos and rivers and lowlands. The Zambezi River occupies a significant part of Barotseland and defines its economy, especially in the areas of fisheries, agriculture, tourism, flora and fauna. Due to this occurrence, Barotseland has many water systems and waterways, which are all linked to the great Barotse Flood Plains. Historical accounts show that the Lozi people or Barotse had migrated from present day Democratic Republic of the Congo (DRC). The Aluyi (singular is Luyi) as they were then called, probably moved southwards from the great kingdom of Mwata Yamwva in the Katanga area of the DRC and settled in the flood plains of present day western Zambia, where they conquered outwards. European historical records, as well as Lozi oral accounts can confirm with certainty that the Lozi kingdom was well established by the middle of the eighteenth century. It had extended dominion over surrounding tribes, to whom collectively were referred MaLozi (Gluckman, 1965). Nonetheless, the Lozi kingdom can be traced back to the early seventeenth century and this is roughly the period when it emerged. In the mid-1800s a Sotho tribe of the Fokeng stock, from present-day South Africa, defeated the Aluyi (when they were essentially at war with themselves due to a succession dispute). Thereafter, the language of the Makololo (as the Sotho were also known) endured and replaced the original language of the Aluyi known as Luyana or Siluyana. The Makololo had ruled the Buluzi Kingdom from 1838-1864. Barotse is a term which the Sotho used to refer to the Lozi and basically it is also the plural form of Lozi. At the height of the Buluzi kingdom, it had stretched as far as present day southern Angola, Namibia (Caprivi strip), Zimbabwe (from Victoria falls up to Hwange); and most of north-western, southern and central parts of present-day Zambia. According to Minahan (2002, p. 1117):

The Lozi nation comprises 32 tribes of six interrelated cultural groups spread over a large area of south-central Africa. The Mafwe, Subiya and Mayeye, all subgroups of the Lozis constitute the majority of the population of the Caprivi Strip. Further divided into numerous clan groups, the Lozi are united by their language and unique history...The desire for Lozi unity grew throughout the 1990s and into the new century.

What is discernable from historical accounts is that it was European colonialism which was the first to undermine and then erode Barotseland's status. It all began when the Germans in

Namibia (or then South-West Africa) demanded that the British authority grant them access to the Zambezi River and a land to the then German East Africa in 1890. The result was the partition of the Lozi kingdom, with a strip of territory ceded to the Germans and named for the German chancellor, Count Leo von Caprivi. In 1891 the British and Portuguese agreed to delineate Barotseland's western border with Angola, but were unable to agree on the territorial extent of Lozi influence. The king of Italy had asked to arbitrate this issue (Minahan, 2002, p. 1117). Ironically, Barotseland's rulers and its people had not been conquered but had actually invited Britain to oversee their territory. This might seem quite strange in modern times, however, just like weaker nations had sought the protection of powerful nations in pre-colonial Africa, the then reigning Lozi ruler King Lewanika (1842-1916) had written to the British agents stationed in South Africa in the name of the British South Africa Company (BSAC) to communicate with Queen Victoria of Great Britain over the prospect of Barotseland becoming a British protectorate.

Extenuating circumstances leading to Lewanika's decision were, among others, an encroachment on his kingdom by the Portuguese and the Ndebele of Zimbabwe, and advice from his ally King Khama of the Bamangwato, who had also secured British "protection" for his country known as Bechuanaland. The French missionary François Coillard of the Paris Evangelical Missionary Society (PMS) also influenced Lewanika in the said matter. Thus Frank Lochner, one of the agents of Cecil Rhodes of the BSAC was despatched to Lewanika's kingdom in 1890 for what served as an initial contact between the two parties. Lochner would eventually persuade Lewanika to sign a concession – the *Lochner concession* - which granted the BSAC mineral rights in his kingdom. However, Lewanika was beguiled into believing that he was signing a treaty with the British Crown than with the BSAC. Britain was reluctant to grant Lewanika his wish, for a while.

Finally, in 1897, Major R.T. Coryndon was sent – more because the British government was anxious that the BSA Company should uphold its claims in the area against the Portuguese than because of company guilt over unfulfilled obligations. In 1898, the Lawley concession gave the company even greater jurisdiction over Buluzi than the Lochner treaty, though it met with less popular resistance. Unlike the first concession, however, the advent of the Coryndon, the Lawley concession and the British Order-in-Council of 1899, which granted ultimate sovereignty to the British monarch, together with a further concession by Lewanika in 1900, spelt the end of Lozi independence. Over the next decade the powers of the Lozi aristocracy, if not of the king, were whittled away (Marks, 1985, p. 455)

Therefore, due to the above-mentioned and other events prior to and immediately after independence, the old Barotse kingdom was reduced to a province within the boundaries of Northern Rhodesia and present-day Zambia. During colonial rule, Barotseland was seen as a protectorate within a protectorate and despite everything it had maintained some form of autonomy. Due to this situation, when Zambia's independence was drawing nearer, the nationalist movement of Kenneth Kaunda, UNIP, sought to reach an agreement with the Barotse king Sir Mwanamwina III, which would incorporate Barotseland into the new nation of Zambia. Therefore, on 18 May 1964 Kaunda in his capacity of Prime Minister and the Barotse King signed *the Barotseland Agreement, 1964*. Duncan Sandys, the Secretary of State for Commonwealth Relations, added his signature - "signing the approval of her Majesty's Government." The purpose of this treaty was to establish Barotseland within Zambia in place of the earlier agreements between Britain and Barotseland (Caplan, 1970, p. 201). Kaunda and

UNIP had promised some form of autonomy for Barotseland in an independent Zambia. However, immediately after independence, the new government sought to erase the Barotseland Agreement and denude Barotseland's autonomy through successive legislation, such as the Local Government Act of 1965 (Act No.69) which repealed the Barotse Native Authority Ordinance and effectively abolished the Barotse National Council and replaced it with five district councils. The Local Courts Act (Chiefs Act) of 1966 (Act No.20) which nullified the powers of the Lozi courts or *kutas* and their judges, by transferring their jurisdiction to the Ministry of Justice, then followed. The Barotse Native Treasury (BNT) was also abolished in the same period, with all its funds transferred to Zambia's Ministry of Finance. All these actions that chipped away at the sovereignty and legitimacy of Barotseland culminated in the abrogation of the Barotseland Agreement, by the Zambian government, in 1969. This was facilitated through the Constitution of Zambia (Amendment) Act, 3 of 1969, following a Referendum that changed the Independence Constitution. Henceforth, the Barotse issue would be criminalised and any persons or groups advocating for Barotseland's autonomy or self-determination would also be detained or arrested by Zambia's security forces.

Unique features of Barotseland's indigenous governance systems

Lozi nationhood is generally referred to in three terms: the nation (*sicaba sa Malozi*), the land (*bulozi*), and the kingship (*bulena bwa malozi*). Nation, land, and kingship participate in one another and the systems of relations centring in all the concepts interpenetrate inextricably in reality, though they can be isolated in analysis. For the Lozi themselves they are absolutely identified, as each is always referred to in terms of the others. The land is *mubu wa mulena* (soil of the king), and the king's most specific title, used otherwise only for the Princess Chief, LITUNGA, means "earth" (Gluckman, 1951). In addition:

The king is MBUMU-WA-LITUNGA, "great-one-of-the-earth"; the Prince Chief is LITUNGA-LA-MBOELA, "earth-of-the-South." LITUNGA is an ancient Lozi (Luyi) word and is never used to refer other superiors, as *mulena*, the modern Lozi (Kololo from Sotho *morena*) word for chief, may be used. Lozi emphasise all the time: "the king is the land and the land is the king". Similarly the nation *sicaba*, the Lozi people Malozi, are the king. The king is saluted and referred to as Malozi, as are his councillors in council and his people *en masse*. The nation and the land, the Plain, are also for the Lozi the same thing: no one can call himself a true Lozi unless he can point to ancestral land in the Plain (Gluckman, 1951, p. 19).

It is also noteworthy that women in Barotseland had a democratic voice in the pre-colonial era and were even rulers. For instance, the post of the third senior chief, Mukwae Mbowanjikana, ruler of the southern part of the kingdom, has been reserved for women for centuries and they continue to occupy it to this day. It is also interesting to note that open debate and constructive criticism of the rulers was permissible in pre-colonial Barotseland (albeit in special circumstances). Crucially, what made Barotseland stand out in comparison to other pre-colonial polities, in existence at the time, in this part of Africa, is that it was a highly bureaucratic state. This is because the Lozi had gradually developed the three major organs of a modern political community - a centralised authority, well-defined administrative machinery, and established judicial institutions (Minahan, 2002). In comparison to other communities of pre-colonial Zambia, Gann (1958, p. 8) remarks that "none of the other people of the territory were able to build a lasting state organisation of this kind, and the reason for this has not yet been satisfactorily explained by anthropologists." Barotseland also had an economic base which was

able to incorporate and make use of new technologies, unlike other indigenous polities at the time:

On the material plane, too, missionary teaching was limited in its results, as far as indigenous tribal economies were concerned. Only where there was already a highly diversified economic system in existence, as in Barotseland, was the native economy greatly enriched by industrial training. Elsewhere the new skills taught by the Christian instructors made comparatively little headway in the countryside, for unless the whole way of life of a village was changed together with its technology, the new skills could find little scope. The same applied to some of the agricultural innovations introduced by the missionaries (Gann, 1958, p. 42).

In this regard, a territorially based administrative system was possible, then, in pre-colonial Barotseland and was created by the Lozi kings. The smallest territorial unit was the village which usually consisted of related families. It was the duty of the village headman to see to it that life in his village ran smoothly. He presided over and settled minor individual and family disputes; he safeguarded every subject's rights, seeing to it that each individual and each family had enough to meet their needs. Above the village was the *silalanda* which comprised a number of villages under the oldest and most influential village headman appointed by the people and approved by the king. The *silalanda* head settled minor disputes which arose between neighbouring villages and in this he worked together with and was advised by the village headman who attended his *kuta* (council). Above the *silalanda* was the *silalo* which comprised a number of *lilalanda*. In charge of the *silalo* was a resident induna (councillor) directly appointed by the king with the approval of the local people in the *silalo* as represented by the *silalanda* and village heads. He acquainted himself with the affairs of his area and reported these to the king through the Ngambela (Prime Minister) (Mainga, 1973, pp. 47-48).

Present-day dilemmas of Barotseland

Arguably, Barotseland, which is now referred to as the Western Province of Zambia, is a victim of its illustrious past - long before European encroachment. Many Barotse have argued that the unilateral incorporation of Barotseland into Zambia by the Zambian government in 1969, unfortunately only resulted in the attenuation of the Barotse's life chances. Probably this assessment holds water. For instance, according to the Central Statistical Office (CSO) (2012) the Living Conditions Monitoring Surveys conducted from 1991 to 2006 have shown that the incidence of poverty has reduced over the years in Zambia. But Barotseland consistently emerged as the poorest "province" in all the six surveys. In fact the incidence of poverty in Barotseland remained the same (84 per cent) in 1991 and 2006. Possibly, Barotseland's underdevelopment was diabolically engendered by the post-colonial government of Kenneth Kaunda and the then ruling party, the United National Independence Party (UNIP). Minahan (2002:1117) aptly notes: "Formerly one of the wealthiest people's in southern Africa, the Lozi are among the poorest." At the time of Zambia's independence in 1964, the Barotse people were the most educated of all Africans in the colonial territory of Northern Rhodesia. After being the first area to receive Western education, via the French missionaries of the Paris Evangelical Missionary Society (PMS) of Paris, France, and also after the Barotse National School (BNS) was founded by the king and which was subsidised through his taxes and royalties, today Barotseland is a former shadow of itself in regard to education. After independence, the Zambian government closed down most of the missionary schools in Barotseland and also deliberately

neglected this area's education. The Zambian government's systematic impoverishment of Barotseland was mainly driven by its desire to dismantle this territory's indigenous governance systems. For instance, in 1968, many Lozi Members of Parliament (MPs) had lost their seats when the Lozi people had voted overwhelmingly for the opposition party, the United Party (UP). The ruling party, UNIP, and Kaunda had resoundingly been rejected by the people of Barotseland and consequently:

According to a senior member of the government, the cabinet had already decided that the Lozi were to be punished, not placated, for their imprudence in electing "former Johannesburg waiters" to replace "some of the best brains in President Kaunda's cabinet". The intention was virtually to cut Barotseland off from all public funds and all development projects, to show it in no uncertain terms that, in the President's words, "it pays to belong to UNIP" (Caplan, 1970, p. 218).

Due to the foregoing, many Barotse people have advocated for Barotseland to revert to its original status because of its marginalisation in Zambia in the light of national development pursuits. Therefore, the quest for self-autonomy, by the Barotse people, must be seen in this light and also recognised as an inalienable international right which has erroneously been referred to, by all Zambian political administrations, as "secession". Since the abrogation of the Barotseland Agreement of 1964, successive Zambian governments have not bothered to engage in meaningful dialogue with the Barotse people, but have always resorted to strong arm tactics, intimidation and threats of "treason". As a consequence, on 11 January 2011, over one hundred Barotse activists of various formations were arrested by the former government of the Movement for Multiparty Democracy (MMD) of Rupiah Banda after riots which led to the death of two young activists (this is an official version which is heavily disputed by the people of Barotseland as it has been widely reported that many people died on this fateful day, whilst others have been missing ever since) and the injuring of many more when the Zambian Police opened fire on the crowd with live ammunition. Thereafter, when Banda was defeated at the polls in September 2011, the new government of the Patriotic Front (PF) and its leader Michael Chilufya Sata, only increased brutal acts against the Barotse people.

Since the government of the PF of Sata came to power, many Barotse nationals have been arrested and detained on flimsy grounds, with some charged with "treason". Thus far, none of the charges have held up in a court of law. But the PF government uses tactics of torture which it learnt from the one-party state dictatorship of Kenneth Kaunda. For instance, after arresting Barotse activists and charging them with "treason" the government would postpone and unnecessarily prolong the legal process. Through delaying tactics and changing of the trial venues - from Barotseland to the capital city Lusaka - the PF government has managed to exact some form of "punishment", because after dropping the charges, Barotse activists would have been in prison for more than four months, effectively serving a prison sentence. Michael Sata was voted into power due to his populism. He had promised Zambians more jobs, money, houses and better standards of living in ninety days. He also promised a people-driven constitution and the honouring of the Barotseland Agreement in ninety days! Incredulously, many Zambians and the people of Barotseland believed him and went in droves to vote for Sata. However, after almost three years in power the election promises remain unfulfilled and are at the most, a distant mirage. Indeed, it is not only Barotse activists or the people of Barotseland who have suffered the brunt of the PF's and Sata megalomaniac rule. Since, 2011, the hard won democratic rights that Zambians had fought for and attained in 1991, after the defeat of Kenneth Kaunda and his

one-party state dictatorship, have been severely undermined and eroded. At the receiving end have been Zambia's journalists, opposition political leaders and upstanding citizens who have dared challenge Sata's dictatorial rule. Also, human rights activists have not been spared and have been arrested on trumped up charges.²

Sata's PF government has also allegedly created a parallel intelligence system which is on the look-out for any critics of his government. Sata's intelligence operatives have also blocked news blogs or sites on the internet which have been critical of his chaotic rule, or have "planted" pornographic material on computers of arrested journalists who have spoken out against Sata.³ Sata's agents have also been trying to discredit respected Zambians who are challenging his misrule by creating fake pornographic and sordid internet sites, in their names, mainly via American internet domains.⁴ Some of these sordid internet domains such as www.0catch.com have even attached pornographic materials to some names of respected Zambians and unfortunately reputable internet search engines such as Google have been complicit to such vile and vicious attacks, by the intelligence agents of the PF government and Sata, which are aimed at Zambia's concerned citizens. Thus the prospects for free expression and constructive dialogue in Zambia are quickly diminishing. The blocking of news blogs or online media and other critical websites has been achieved allegedly via Chinese technology, although a Chinese Technology and Communications Company has denied these allegations. Zambian and Chinese security officials reportedly travelled between the two countries for the project, which cost the Zambian government over US\$5 million (which could have been used to buy essential medical equipment for the hospitals or look after the country's many orphans). These allegations come less than two years after the Chinese government was accused of helping the Ethiopian government block news websites in Ethiopia and jam Ethiopian Satellite Television (ESAT) and other broadcasters including the Voice of America (VOA) and Germany's Deutsche Welle Amharic service.⁵

Whilst the Barotse people are now becoming "habitual" jail birds for asking only for what is rightfully theirs, Sata (since coming to power) has gone on to "Bembanise" Zambia with anyone who is Bemba or affiliated to Sata's Bisa tribe (which is a sub-group of the Bemba from northern Zambia), can be appointed to any high public office at the president's whim. Bemba individuals (or from the northern tribes) have been appointed in the diplomatic corps, parastatals, military, intelligence and police services, in ministerial and permanent secretary positions, just because they come from Sata's or affiliated tribes and not because of their capabilities. When right thinking Zambians complain and caution against such recklessness they are branded "tribalists" (and not Sata and his inner circle). In addition, many infrastructure development programmes, such as the building of new universities and schools have all been channelled to northern Zambia. Does it mean that Zambia is for the Bembas and allied northern tribes only? Is Zambia no longer a country of seventy-three tribes? Why are the people of Brotseland being brutalised, maimed, killed, and jailed for refusing to be part of this circus type of rule? The problem with Sata and his ilk is that they have been driving this agenda of trying to dominate other tribes by default, since independence, at the expense of national development. Whilst these wrongs are unfolding at a rapid pace in the country, all right-thinking Zambians are expected to keep quiet and applaud such serious breaches in Zambia's governance. If citizens raise their concerns, then they are arrested? Is this right, after Zambia has been a multi-party democracy since 1991?

Any future prospects?

Due to the foregoing, on 27 March 2012 the people of Barotseland through their indigenous structure of the Barotse National Council (BNC) voted for independence from Zambia. The BNC is the highest policy-making body in the indigenous Barotse political and governance systems. All seven districts of Barotseland were represented at the BNC through their traditional rulers with some people from the Barotse Diaspora in attendance. There were also some Zambian government officials who witnessed this occasion. At the BNC it was resolved that: “The people of Barotseland shall exercise their right to revert Barotseland to its original status as a sovereign nation, so that the people of Barotseland shall determine their political, cultural, social and economic development.” The struggle for Barotseland took on another dimension due to the constant refusal by the Zambian government to honour the Barotseland Agreement. Strangely, after assuming power, Sata had constituted a Commission of Enquiry into the riots which had taken place in Barotseland and also led to the death of some Barotse on 14 January 2011. This Commission of Enquiry was headed by the respected Human Rights Lawyer Dr. Roger Chongwe. Sata had expected a “window-dressing” affair, but upon completion of his work, Dr. Chongwe had advised the Zambian government to honour the Barotseland Agreement of 1964 because it was supposed to have facilitated the union between Zambia and Barotseland and has never been recognised by the Zambian government – thus the on-going conflict between Zambia and Barotseland. This report and Dr. Chongwe’s recommendations were outrightly rejected by Sata and his PF government. To date, the country is still awaiting the release of the Roger Chongwe report.

In view of the foregoing, it has become abundantly clear that the false foundation upon which Zambia was built in 1964 is slowly cracking. This is because the issue of Barotseland cannot be crushed or wished away as almost all Zambian government administrations had tried to do. The reality is that Barotseland is about a people’s legitimate cause and people’s birth right: the right to self-determination. It is neither about genocide akin to Rwanda (unless the Zambian government does not want to see the light) nor is it about decentralisation of power, but one of the independence of Barotseland (since the Barotseland Agreement was effectively nullified by the Zambian government). The truth of the matter is that Barotseland existed long before the birth of Northern Rhodesia and Zambia - with its own institutions, political system, economic activities, national anthem, flag and coat of arms, among others. It is not about a “stale” history as erroneously asserted by Zambia’s politicians, as those who are now fighting for the freedom of Barotseland were not even born when the Barotseland Agreement was signed in 1964 and abrogated in 1969, by the Zambian government (Noyoo, 2013). If the Zambian government had been sincere and genuine in its interactions with Barotseland, a situation similar to one which obtains in Scotland (in Britain) or Quebec (in Canada) would have transpired in Barotseland (in Zambia) after independence. But due to misguided notions of a “unitary” state and political selfishness of Zambia’s politicians, the Barotse question remains unanswered. As can be seen from the foregoing examples, advocating for more autonomy for Scotland or Quebec has not landed people in jail as is the case with Barotseland.

However, a word of caution to the Barotse activists is also needed here. Barotseland in its current form, as the Western province Zambia, should be the territorial base that the people of Barotseland fight for, and not other parts of Zambia, or neighbouring countries which had made

up the old kingdom of Buluzi. The Western province can still be a viable new nation as its landmass is almost similar to the size of Germany. This is enough land for creating a new nation and there is no need for Barotse activists to confuse or conflate issues by calling for the old boundaries of the kingdom of Buluzi. Needless to say, the international community has been experiencing, for a while, what can be termed as “Africa fatigue” whereby the continent’s governments seem to be finding it difficult to govern their territories and create conducive environments where human well-being, peace and prosperity are in abundance. Rather, they seem to have a knack for fostering social discord and human insecurity. In the end, there are just wars and all sorts of insurrections which are taking their toll on ordinary Africans. The recent debacle of South Sudan which is characterised by the wanton slaughter of innocent women and children, by both parties in this conflict, just to satisfy the voracious appetite for power of two “big men” (the president and his former vice president, now turned “rebel” leader) has only gone to cement this feeling of despondency in regard to Africa’s stability. However, South Sudan’s inability to chart a progressive and prosperous path for its people should not diminish genuine calls for self-determination in Africa in the post-independence era. Of critical note, one of the things that make the Barotse struggle unique, so far, is its avowed pacifist stance. All Barotse political formations seem to be agreed that violence will only de-legitimise their struggle. In fact the Barotse people have argued that the Zambian government has been disproportionately heavy-handed in this matter in order to drive the Barotse towards violence, so that it can have the pretext of unleashing a full-scale war on Barotseland.

Conclusion

This paper has been able to establish that the former royal kingdom of Barotseland had a sophisticated system of governance in the pre-colonial era. Barotseland also had a centralised government which comprised modern arms of government such as the Executive, the Legislature and the Judiciary. Unfortunately, British colonialism had sought to erase this civilisation’s indigenous governance systems. When Barotseland was incorporated into Zambia after independence and after the demise of colonialism, the post-colonial state continued on the path of eroding Barotseland’s indigenous governance systems. Paradoxically, the indigenous political and governance systems of Barotseland survived the onslaught of both colonialism and the post-colonial state’s machinations of creating a unitary state at the expense of Barotseland and its people’s culture and socio-economic standing. The Barotse indigenous structures have managed to remain parallel to the so-called modern ones of Zambia which were inherited from the country’s former colonial master, Britain. These indigenous structures, after almost fifty years of independence, are still almost intact and relevant to the Barotse people’s way of life. In this case, it can be argued that the problem is the post-colonial state in Africa and not colonialism that is trying to dismantle the remaining indigenous governance systems in Africa, in this post-independence era.

Endnotes

¹Ngambela is a title which is similar to Prime Minister. Hence the Ngambela had represented the interest of all people in the royal kingdom of Barotseland. In this way, the so-called commoners were also taken into account in matters of governance.

²Zambia Reports (2013). *Zambia Arrests Human Rights Activist*. <http://zambiareports.com/2013/08/15/zambia-arrests-human-rights-activist/>, (Accessed on 16 August 2013).

³Zambian Watchdog (2014). *There is evidence Hamasaka's laptop was opened in his absence - State witness*. <http://www.zambianwatchdog.com/there-is-evidence-hamasakas-laptop-was-opened-in-his-absence-state-witness/>, (Accessed on 9 January 2014).

⁴ So if you are “Jane Doe”, for example and someone does a search on your name a fake link will pop up in this manner: JaneDoe.www.0catch.com and when you click on it, hard core pornographic pictures come up.

⁵Malakata, M. (2013). *China reportedly helping Zambia with eaves dropping technology: Officials have been visiting ISPs and telcos in connection with communications-monitoring project, sources say*. <http://www.pcadvisor.co.uk/news/internet/3427058/china-reportedly-helping-zambia-with-eavesdropping-technology/> (Accessed on 9 January 2014).

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