

BAROTSELAND REFERENDUM IRRELEVANT

by Sitwala Imenda

This is a comment on the reported Zambian President's agreement to "grant referendum" to the people of Barotseland in order to resolve the "thorny Barotseland Agreement issue" and that such a referendum "will be a vote to decide either to secede or remain with other provinces in Zambia" (Zambian Watchdog, January 30, 2015).

I assume that the President was correctly reported, and wish to comment as follows:

- 1.0 The fact that these reported remarks were made in Ethiopia, Addis Ababa, shows that Zambia's incessant violations of the rights and privileges of the people of Barotseland, as enshrined in [the Barotseland Agreement 1964](#) (BA'64), are now in the international public domain and the matter can no longer be swept under the Zambian government's blood-stained rug. I am pleased about this and know that, after being vilified for many years, those of us who have been educating the public about this scandalous injustice will soon be vindicated.
- 2.0 It is both disappointing and embarrassing that the Zambian President, who is supposed to be a learned lawyer, does not understand that by terminating [the BA'64](#), by way of the Constitution Amendment [Act No 5 of 1969](#), the status of the Republic of Zambia as a Unitary State was also simultaneously terminated with the result that, as from the effective date of that amendment, the two constituent parts of the unitary state as consummated in 1964 (i.e., Barotseland and Northern Rhodesia, respectively) legally became free of each other. Zambia's interpretation that the termination of [the BA'64](#) meant that they could now govern and administer Barotseland, whether she liked it or not, is fallacious and a show of complete disrespect for the Human Rights of the people of Barotseland. This is why the people of Barotseland have petitioned the Zambian government to appear before the Permanent Court of Arbitration (PCA) at The Hague to argue their case in holding on to this interpretation and occupying Barotseland militarily and otherwise. We have interpreted the Zambian government's refusal to appear before the PCA, as an admission of guilt. So, the people of Barotseland **do not want to expend further energy and time going on a tangent trying to solve the wrong problem.**

The correct problems that need urgent attention are contained in [the official letter](#) of dispute written to the Zambian government on May 14, 2012, and not taking us back to 1969 and asking us whether or not Barotseland should "secede or remain with other provinces in Zambia". This matter was decided unilaterally by the Zambian government through the Constitution Amendment [Act No 5 of 1969](#), as already explained so, the question of a referendum, today, is totally irrelevant, too-little-too-late, ill-informed and mischievous. We have no interest going back to 1969 to correct the mistake which the Zambian government made, and which has since left us as Zambia's slaves. We even wonder who requested the President for a referendum on the matter, for him to "grant" it; certainly, that could only have been someone who is equally ignorant about, or is in complete denial of, the current correct status of Barotseland as a free nation which has

only been prevented from actualising her self-rule by the unwelcome enslavement and continued military occupation of the territory by Zambia. Could there be a sinister motive for the President's wishful thinking about a referendum – such as a proclivity (i.e. an appetite) to rigging it? Thank goodness, a referendum is irrelevant in the circumstances!

- 3.0 Zambia's brand new President should also be advised to refrain from referring to Barotseland as a Province. Barotseland did not enter into the union with Northern Rhodesia as a Province; she entered into that union as an equal partner to Northern Rhodesia – with a Head of State – the Litunga, whose signature on [the BA'64](#) was equal in weight and essence to that of Mr. Kenneth Kaunda. We challenge the Zambian President to produce documents that show that the people of Barotseland ever agreed to the status of Barotseland being downgraded to that of a Province. Without such evidence, we wish to advise that when the Zambian President travels to Barotseland, as he has promised, he should do so knowing full well that he is going to meet with another Head of State, like himself. One of the reasons why successive Zambian governments have not made progress on the matter of [the BA'64](#) is precisely this. They think that because they unilaterally introduced legislation in their parliament to devalue and diminish the status of the Litunga, as well as name Barotseland a Province, that things actually changed on the ground. On the contrary, all these clandestine machinations meant nothing to the status of the Litunga; neither did they affect the relationship between the Litunga and his people, or our conception of what Barotseland really is. We still revere the Litunga as our Head of State, first and foremost – and we know Barotseland to be a nation state. So, please, don't travel to Barotseland with the attitude and mentality that you're simply visiting a province of this imaginary, make-believe unitary state called Zambia (which actually died in 1969). The Litunga is a Head of State – and you ignore this fact at your own peril because if you do not follow the right procedures you may not even see him. The President is further advised to go to Mungu by road so that he can experience first-hand the potholes and craters on the road in that part of the country they love most – i.e. the Nkoya district.
- 4.0 The newly inaugurated Zambian President also needs to know that Barotseland has never been a unitary state made up of numerous independent tribal entities, as he seems to think from his reference to certain "tribes", as if they were independent of Barotseland. Barotseland has always been a monolithic nation state, the main characteristic of which is that it is indivisible. So, the President should refrain from introducing tribalism in Barotseland.
- 5.0 I am also disappointed that the President has chosen to ignore the fact that on May 14, 2012, the Zambian government received [the official letter](#) concerning Barotseland's disengagement from Zambia:

Thus, if Zambia's new President wishes to have the Barotseland issue resolved permanently, he should work with the people of Barotseland (not unilaterally) and

set up a "Working Group" to address issues pertaining to Barotseland's total disengagement from Zambia. This is where the people of Barotseland are with this matter - not at the point of being subjected to an illegitimate referendum.

6.0 I trust that these comments and free advice will assist the Zambian President to take appropriate actions and undertake meaningful consultations on this matter, going forward. Democracy requires that leaders respect the wishes of the people. [The official letter](#) to the Zambian government expresses the wishes of the people of Barotseland. The process that led to the [Barotse National Council Resolutions](#) referred to in [the official letter](#) was more democratic than an illegitimate referendum. Let us not move in circles, the people have spoken.

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