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From royal courts to advisory halls: The transformative role of chiefs in post-Colonial Zambia

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Abstract

This study has explored the importance of chiefs as institutionalized in Zambia's independence constitution under the House of Chiefs and its contributions towards the development of this country. The study has analyzed the roles of chiefs in the past. The status and relevance of indigenous rulers have been enduring. They developed and expanded their kingdoms and chiefdoms before colonial rule. The chiefs or kings reigned in council and consultations with different organs in their societies. They presided over religious, economic, social, and political systems. They organized access to land and other resources; and communicated with the ancestors for guidance on challenges such as wars and natural disasters. The chiefs or kings were not ordinary people and were thought to have exceptional powers. They had a tag of supernatural human beings. In return, the subject people worked for them, paid tribute, and fought wars in appreciation. They looked at the chiefs for guidance, survival, and security. The chiefs were highly adored, and respected and were considered sacred. They were a source of identity and prestige.

This hegemony lasted up to the 1890s when colonial rule was instituted. The chiefs' fortunes waned when Zambia was colonized by the British South African Company (BSAC) from 1891 to 1924. On 1st April 1924, the BSAC handed over Northern Rhodesia to the British government and the territory became a British protectorate. The administration introduced indirect rule in 1927 which was effected in 1929. By this policy, the chiefs became mere instruments of abuse thereby implementing policies of the colonial state. The chiefs collected revenue, maintaining law and order as well as recruiting labourers for the white settlers. This lasted up to 1964 when the country achieved independence.

After independence, the role of chiefs changed with the establishment of the House of Chiefs. The first postcolonial government of the United National Independence Party (UNIP) which Kenneth David Kaunda led, from 1964 to 1991, realized that the chiefs were important partners in development and political management. As a result, the UNIP administration set up the House of Chiefs in 1965. The House was an advisory institution on diverse matters. The chiefs were able to speak through the House of Chiefs thereby participating in national politics and development. This study has concluded that chiefs and the House of Chiefs are indispensable to the development of this country.

Keywords: Chiefs; Precolonial; Traditional; Authority; House of Chiefs

1. Introduction

The House of Chiefs was established to recognize traditional leaders as independent stakeholders in Zambia's national development agenda. This section provides the background to the formation of the House of Chiefs and explores its purpose since its inception in 1965. Formed under the guidance of President Kenneth Kaunda, the House of Chiefs aimed

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to integrate traditional authorities into governance, with a focus on rural development and the codification of customary law into the national constitution. President Kaunda envisioned this institution as a mechanism to promote equitable development and restore chiefs' diminished power and recognition, acknowledging their historical roles as custodians of culture, identity, and resources. The formation of the House of Chiefs was thus a strategic move to bridge governance and tradition, ensuring that no region or community was left behind in Zambia's development.

The history of chiefs is important in the governance of most countries. In the United Kingdom (John, 1979). This was the basis for the establishment of certain laws such as the law of trust in 1800 to 1860s. In Africa, the history of chiefdoms in the colonial period has mostly been documented with a view that chiefs saved their colonial masters and neglected the people they ruled. Scholars (John, 1979), for example, have argued that traditional authorities partnered with the colonial authorities in the exploitation of their subjects (John, 1979). According to his study, African chiefs did not serve the interests of their people. John, (1979) assertion was presented with rare elegance and illuminates our study, it cannot go unchallenged. Sandram Henry Phiri argues, that Ngoni chiefs exhibited a sense of consciousness and resisted colonial rule. According to Phiri, Ngoni chiefs did not neglect their subjects. They spoke for them in times when the colonial authorities exploited them.

Studies by Lord (1951) have shown the position of traditional leaders in other parts of Africa colonized by Britain. Concerning other territories in Central Africa other than Northern Rhodesia, Lord (1951) has shown that chiefs were important as they made the job of the colonial masters less stressful (Lord, 1951). In all British African territories, Britain had a similar policy of Indirect Rule in which chiefs carried out the functions of the colonial state and reported to District Commissioners.

On the other hand, Meebelo (1971) postulates that the appointment of chiefs by the colonial authorities only preserved the outward form of the indigenous systems but its main effect was to undermine the authority of chiefs by making them dependent on the administrative officers and District Officers. In this context, indirect rule achieved two aims for the colonial authorities and none for the Africans. Firstly, it made administration expenses cheaper. Secondly, it reduced the power of chiefs. Meebelo (1971) contention stresses that there were few or no advantages for chiefs in being answerable to the colonial state. The chiefs had the task of making their followers content with their leadership despite colonial challenges. Sandram Henry Phiri echoes this view when he contends that the chiefs did not apply inimical policies to their fullest extent. Both scholars agree that traditional leaders were the ones who mitigated the oppressive policies of the colonial state to make life easier for their followers. These studies were important as they showed us how Indirect Rule is perceived by different scholars.

Philip Joseph Mtisi (1979) work was also important to this study. He looked at how colonial rule impacted the economy of Zambia's Eastern Province. Though not in detail, he showed how traditional authority and the rural populace participated actively in the affairs of their liberation. He gave Chief Madzimawe as an example when he recorded that in 1953, Chief Madzimawe was said to have been so influenced by the African National Congress (A.N.C.) that he went around speaking against agricultural laws and Government generally (Mtisi, 1979). This study was important as it gave us an idea of the attitude Ngoni chiefs had towards the colonial state. While Philip Joseph Mtisi (1979) study showed that the Ngoni fought for their independence, Gann (1965) argues that African independence was not fought for but given by Britain (Gan, 1965). Gan (1965) argument cannot escape criticism, Walima Kalusa and Joseph Philip Mtisi (1979) have documented independence struggles by the Nationalists such as Kalonga Gawa Undi and John Chipembe (Kalusa, 2010).

1.1. Statement of the Problem

In precolonial Zambia, chiefs held positions of supreme authority, overseeing religious, social, and economic systems. However, their roles were significantly diminished during the colonial era, where they were relegated to instruments of colonial administration, enforcing policies that often exploited their people. With Zambia's independence in 1964, chiefs hoped to reclaim their precolonial authority and societal respect. Despite the establishment of the House of Chiefs in 1965, intended to serve as a platform for their advisory and developmental roles, chiefs have struggled to regain their former influence. Their authority and recognition have continued to decline in postcolonial Zambia. This study investigates the reasons behind this decline and examines the challenges faced by chiefs in asserting their traditional roles despite institutional support from the House of Chiefs.

1.2. Objectives of the study

The following research objectives guided the study;

- To find out reasons for the establishment of the House of Chiefs 1965-1970

- To explore the House of Chiefs' contributions to the development of Zambia, from 1970 to the present.

1.3. Research Questions

The study was guided by the following questions;

- What led to the establishment of the House of Chiefs during the years 1965-1970?
- How has the House of Chiefs contributed to Zambia's development from 1970 to the present day?

1.4. Rationale of the study

The study contributes to the history of chiefs in the precolonial and colonial periods. The study distances itself from most scholarship that does not portray the importance of the history of African chiefs in the colonial and post-colonial periods. It resurrects the agency of chiefs and gives them a voice in both colonial and post-colonial Zambia.

2. Research Methodology

The National Archives of Zambia was intensively consulted for primary data. The study, in particular, relied on primary data for the purpose of originality. Interviews were also conducted for this study, mostly, I interviewed headmen, indunas, sub chiefs and the staff of the Ministry of Chiefs and Traditional Affairs in Chipata and Mongu. In line with the above, the study employed a qualitative approach. The study also used primary and secondary materials from The University of Zambia main library especially the Special Collections Section. It also consulted rare secondary materials from FENZA library. The University of Zambia's Institute for Economic and Social Research also provided valuable information on traditional authorities in Zambia. The above sources of information yielded secondary data.

3. Results and discussion

3.1. Reasons for the Establishment of the House of Chiefs, 1965-1970

The House of Chiefs was formed in 1965, a year after Zambia gained independence from Britain. The then newly elected Republican President, Kenneth Kaunda, decided that chiefs be recognized with the respect they deserved, and one they commanded before the colonial intrusion. It was widely known to the chiefs as it was to the nationalists that chiefs sought better livelihood and respect (Republic of Zambia, 1967). The life they led at the hands of the colonial state was one in which they were suppressed and at the most, used to exploit their subjects. Over and above the oppression chiefs endured in the colonial era, they lost privileges that came with their superior positions such as access to free labour, and tribute as well as being the final authority in the chiefdoms under their jurisdiction. Given the foregoing, President Kenneth Kaunda, initiated the formation of the institution of chieftaincy. Part thirteen of the Constitution of Zambia states that "the institution of chieftaincy as traditional institutions are guaranteed and shall exist by the culture, customs, and traditions of the people to whom they apply (The Constitution of Zambia. Part Thirteen). In the same part, the constitution stipulates that 'there is established a house of chiefs. The House of Chiefs shall consist of five chiefs from each province, elected by the chiefs in a province. The members of the House of Chiefs shall annually elect a chairperson and vice-chairperson of the House of Chiefs from amongst themselves.' Concerning the aforementioned, the constitution continues, 'the assumption of office as chairperson and vice-chairperson of the House of Chiefs shall rotate annually among the chiefs from each province.'

With the establishment of the House of Chiefs, the following functions pertained to its operations. First, it was to consider and discuss bills relating to customs or traditions referred to it by the President. Implicit in this view is the assumption that such bills would be discussed on the floor of the House of Chiefs before they were tabled on that of the National Assembly. Post-colonial Zambia out-rightly seemed to empower chiefs, at least in the way it recognized them as enshrined in the constitution. This function of the House Chiefs ensured that traditional leaders became part and parcel of national development. To the chiefs, power had been given to them to help foster development. It was the cry of many chiefs to be able to establish a road map of their development and destiny. The power bestowed on chiefs to discuss bills demonstrated, respectively, the confidence of President Kenneth Kaunda in the fact that chiefs, if incorporated in stirring development, would contribute more than was anticipated in the colonial era and the willingness of postcolonial Zambia to work with traditional leaders at various levels of development starting from enacting laws that would govern the new state (Republic of Zambia, 1967).

The House of Chiefs used the power given to them to discuss bills before they were sent to Parliament.

The House of Chiefs was also formed to initiate, discuss and make recommendations to a provincial assembly and the National Assembly regarding socio-economic development in the country (N.A.Z/EP 1/1/54, 1971). In line with this function, chiefs were seen to be at the centre of promoting development in their chiefdoms.

For instance, Paramount Chief Mpezeni lobbied for funds from the government to improve access to water in his chiefdom in 1975. The chief stated that he needed better roads in his area. The chief initially lobbied for this development in his capacity as chief and not through the House of Chiefs, but when he noticed that he did not attract much attention using this method, he later used the House of Chiefs to lobby for development. Through this influence, the government was able to build infrastructure which included a clinic. This evidence shows that chiefs were incorporated in the development. Through the House of Chiefs, traditional leaders found a voice through which they aired the needs of their chiefdoms (Mulopa, 1984). The House of Chiefs became a medium through which many issues that affected chiefs were aired.

Being a medium through which the rural populace expressed their sentiments, the House of Chiefs rose against the one-party participatory democracy which had become operational in Zambia in 1973.

The new system of government was expected to be reviewed after ten years. However, by 1983 when the constitution was supposed to be reviewed, the UNIP government remained silent on the matter. According to General Malimba Masheke, former Army Commander of the Zambian Army and last Prime Minister of Zambia under One Party rule, no one was courageous enough to call for the review process, except Chief Mukumbi who challenged the government to explain its position on the matter. The Kaonde traditional ruler questioned the government's reluctance to review the one-party constitution as provided for in the recommendations of the Chona Commission. It seems that by 1983, the chief had become disillusioned with the one-party state because of its undemocratic practices such as the vetoing of parliamentary candidates whom UNIP officials saw as a threat to the party's hold on to power (Republic of Zambia, 1983). Although some chiefs such as Mukumbi and Gawa Undi had earlier contributed to the establishment of the one-party participatory democracy, they in 1983, using the House of Chiefs as a terrain, boldly supported a bill that called for an immediate end to this undemocratic practice.

Using the authority given to chiefs by the House of Chiefs, the former in various provinces started holding agricultural shows and these competitions contributed to expanding agricultural production. It thus helped in repelling hunger, poverty, and diseases in the chiefdoms. Chief Mukumbi enticed the UNIP government to undertake development projects in his chiefdom. Such projects included constructing clinics and schools, sinking boreholes, and supplying agricultural inputs. To the government, the House of Chiefs was achieving the functions it was established to carry out. It was the duty of the House of Chiefs to ensure there was coordination between itself and the government with regard to developing rural areas (Sakala, 2020). With the establishment of the House of Chiefs, development was seen to be taken to the rural areas.

The traditional leaders, in line with the functions of the House of Chiefs, also welcomed experts who taught farmers new agricultural methods and promoted good nutrition and sanitation in the area. In so doing, they reinforced government policies that aimed at uplifting people's social and economic welfare after independence (Ofmcon, 2002).

In an effort to improve the welfare of the rural dwellers, traditional leaders lobbied the government to expand educational opportunities and extend the national electricity grid to provinces without power. Chiefs encouraged people in their chiefdoms to build more primary schools through self-help projects, personally mobilizing labour for the molding of bricks, gathering of firewood and making of kilns to burn bricks for the construction of schools. Such projects received warm support from chiefs' subjects. Chiefs, for example, Mukumbi, of the Kaonde presided over the building of Kambazhi, Kayonge, Kananga, and Manyama Primary Schools between 1980 and 1990. He also facilitated the building of schools at Lumwana East, Luamvundu, Kanzala, Kachiwezhi, Musangezhi, Kankozhi, Kalengelenge, and Kansonde Primary Schools (NAT/ 1/21, 2003). In the Mumena area, the traditional ruler initiated the construction of Kamano, Lunsala and Muyashi Primary Schools. All this was in line with the functions accorded to chiefs through the formation of the House of Chiefs (Lungu, 2015).

3.2. Explore the House of Chiefs' Contributions to the Development of Zambia, 1970 to the Present

The House of Chiefs can be seen to contribute to development through the discussion of important national matters. For example, the fact that chiefs are given power to discuss bills before they were sent to parliament is indicative of their importance in national development. Evidence shows that with this function given to chiefs, they argued particular bills. One particular bill chief rejected involved a proposal to introduce customary land boards in 2014. These boards were expected to work with chiefs regarding traditional and customary land. In rejecting this bill, Chiefs argued that

land boards would complicate the issuance of customary land to their people as they did not know, let alone, understand the needs of their people when it concerned land.

The House of Chiefs is the link between traditional leaders and the government. The House of Chiefs was very important in ensuring that customary practices were carried out in the traditionally expected manner. In the Kaunda government for instance, chiefs received support in conducting their customary practices. It is noteworthy to state that the UNIP government under President Kenneth Kaunda believed in the contribution of chiefs to development, despite the differences in terms of governance, Kenneth Kaunda believed in the participation of chiefs in leadership. As a result, the president did not reduce powers of chiefs over traditional land as was the case with successive governments that came after him.

The argument of the House of Chiefs was genuine in protecting the rural masses and ensuring that their access to inherited land was not thwarted. Implicit in this view is the assumption that the House of Chiefs contribute to development by ensuring that their subjects have continued access to land. The House of Chiefs, in this case, facilitated the protection of land rights of their subjects. In this instance, the House of Chiefs was seen to protect the rural masses' land interests which were threatened by the Chiluba Government.

Chiefs have also contributed to development by encouraging communal use of certain implements given by the government. For instance, Mwinilunga Chiefs in North Western Province received three tractors from the government, the chiefs, knowing the plight of their people agriculturally, decided to donate the tractors to schools and encouraged headmen to use them to expand their hectareage in a bid to prevent hunger. As for the schools, they were advised to expand production units so that the schools become self-reliant and self-sufficient.

In line with spearheading development, Senior Chief Kalile, a member of the House of Chiefs donated 50 hectares of land to civil servants on July 4, 2019 (Zambia Daily Mail, 2019). It is true that land is expensive and at times difficult to access. Therefore, he stated that empowering civil servants in his chiefdom with land would contribute to their own development as well as help them prepare adequately for retirement. The gesture by the chief was a contribution to development in the sense that the civil servants were empowered.

In a bid to contribute to the development of the country, The House of Chiefs today still proves to be relevant. Chief Monze, a member of the House of Chiefs was in Livingstone on August 13, 2020, attending a program spearheaded by the government on how HIV infections could be reduced in the Southern Province. The Chief stated that he would help disseminate information on the need for people in his chiefdom to practice safe sex. He also thanked the government for its continued efforts in helping to combat various diseases in Livingstone as well as in his chiefdom. The institution of the House of Chiefs, no doubt, makes it easy for the government to easily engage chiefs on various issues that need chiefs' participation. It is for this reason that the importance of the House of Chiefs in bringing about development cannot be underestimated. From the time it was established in postcolonial Zambia, it has, in several ways, as discussed, contributed to the development of the country such that without it, the government would not have easily been able to attend effectively to the myriad needs of people in rural areas.

4. Conclusion

The House of Chiefs was formed so that chiefs in the newly independent Zambia could contribute positively to development; so that they would be regarded fully as stakeholders in the national development agenda. Recognized for the fact that they provided leadership before colonial rule, chiefs were seen as important in providing leadership and guidance to the government on the many issues that needed chiefly participation. As such it was important that this institution was established. Among other reasons that necessitated the formation of the Houses of Chiefs was the need to codify customary law. It is the chiefs who were the custodians of customary law and their consultation on the integration of customary law into the constitution was important. This consultative process was best realized by the formation of the House of Chiefs. The House of Chiefs brings to the fore the many chiefs in the country together under one umbrella and with a common agenda. They make known to government what they want done for the various chiefdoms and what customary laws to include in the constitution so that such laws can be legally binding.

On the other hand, the chapter investigated how chiefs and the House of Chiefs in particular, have contributed to the development of the country from postcolonial Zambia to date. Among the issues raised is the fact that chiefs have been instrumental in ensuring that their areas of jurisdiction are developed. The chapter has argued that the government has consistently used the House of Chiefs in taking development to rural areas. For example, the government, with engagement with the House of Chiefs, has been able to, among other issues, disseminate information and sensitize rural masses over various diseases such as the coronavirus. The House of Chiefs has also been instrumental in the codification

of customary law into the constitution. Through the House of Chiefs, the government reaches out to rural areas and meets their needs without difficulty. This happens because chiefs represent the rural masses. Other than that, the House of Chiefs does advise the government. In this way, the House of Chiefs immensely contributes to development.

Compliance with ethical standards

Disclosure of conflict of interest

No conflict of interest to be disclosed.

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