



**THE ROLE OF TRADITIONAL ESTABLISHMENT IN THE  
ELECTORAL PROCESS: A CASE STUDY OF THE MPEZENI  
CHIEFDOM**

**BY**

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## **DECLARATION**

I, **MWANZA SARAH**, do hereby declare that this dissertation is a product of my own effort, and that it has never been done before. The sources of all materials referred to in this report have been acknowledged. Any misrepresentation of information that would arise from this report is purely my responsibility.

Signed: .....

Date: .....

## APPROVAL

This dissertation of MWANZA SARAH is approved as partial fulfillment of the requirements for the award of the degree of Master of Education in Education Management, of the University of Zambia and Zimbabwe Open University.

### Examiners' Signatures

1.....Date.....2017

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3.....Date.....2017

## **DEDICATIONS**

To my beautiful mother Mrs. Beatrice Mwanza who laid the foundation for my education. To Hellings Mulwanda my husband and our children Mwila, Mutemwa, Beatrice and Mwenya (Masters Child), whom I love so much but whose love was deprived during the period of my studies. I have set a trend for you and I believe you will reach heights. God bless you all.

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## ACRONYMS AND ABBREVIATIONS

ADR	Alternative Dispute Resolution
AIPP	Asia Indigenous Peoples' Pact
CDF	Constituency Development Fund
COC	Code of conduct
ECA	Economic Commission for Africa
ECZ	Electoral Commission of Zambia
FGDs	Focus Group Discussions
FISP	Farmer Input Support Programme
MMD	Movement for Multiparty Democracy
PF	Patriotic Front
SADC	Southern African Development Community
UNECA	Commission for Africa
UNIP	United National Independence Party
USAID	United States Agency for International Development

## ABSTRACT

The main purpose of this study was to investigate the role played by the traditional establishment in the electoral process in Mpezeni Chiefdom of Chipata district in Eastern Province. The study sought to fulfill the following objectives: To determine the extent to which the traditional establishment engage in politics in Mpezeni Chiefdom of Chipata District, to identify the role played by the traditional establishment in the electoral process in Mpezeni Chiefdom of Chipata District and to assess the effects of the involvement of the traditional establishment in the electoral process in Mpezeni Chiefdom. A case study as qualitative methodology was used to gather data for this research. Data was gathered using structured interviews and focus group interviews/discussion. This research study was guided by the Modernist theory. Research participants included: Chief Mpezeni, the four Indunas, the male, female and young Mpezeni Chiefdom subjects.

The findings of the study were as follows: It was clear that the traditional establishment are involved in the electoral process despite the Constitution of Zambia prohibiting them from taking an active role. It is the conduct of the traditional establishment, however, that is cause for concern and raises constitutional questions. Their perceived alignment with the political activities has brought renewed criticism of their relevance in a modern-day society anchored on democratic values. The study also revealed that politicians play a major role to enhance the participation of the traditional establishment in prejudiced politics. It was also proven that it is in the right direction that the traditional establishment is not allowed to take part in parochial political process even though it appears as a transgression on their political rights. The class size was found to influence the teaching and learning process. It was also established that there was no proper supervision of teachers by both internal and external monitors. The study also revealed that the traditional establishment's involvement in the electoral process has had an adverse effect on the people's involvement in the electoral process in Chipata District. Furthermore, it was evidenced that politicians play a major roles to enhance the participation of the traditional establishment in the electoral process in Chipata District. It was also proven that it is in the right direction that the traditional establishment is not allowed to take part in parochial electoral process even though it appears as a transgression on their political rights. .

The study concluded that the traditional establishment's role in the electoral process, legitimacy, control and influence in rural areas remain widespread demonstrating remarkable resilience, despite facing various threats. Successive governments in both colonial and independent Zambia have sought to maximize this strength for their respective narrow political interests. All these controversies, conflicts and complexities raise questions about the role and relevance of the institution of traditional leadership in Zambia specifically the Mpezeni Chiefdom of Chipata district in the Eastern province of Zambia.

Arising from the findings and discussions that addressed all the objectives, this study made the following recommendations: workshops, conferences, public forums and symposiums should be organized periodically for the traditional establishment regarding the content and interpretation of the constitution. Members of the house of chiefs should be allowed to participate in such programs for a better appreciation of the course of democracy and good governance, Civic education on the constitutional provision that prohibits chiefs from taking an active part in partisan politics should be done more effectively especially among rural, semi-illiterate and illiterates dwellers, Chiefs' role should be to act as a body of specialist knowledge that scrutinizes in greater details bills passed by the first chamber, Article 129 is currently outdated and needs to be re-drafted in order to accommodate the current developments, amongst others an inception of the current local authorities, Satisfactory institutional measures should be put in place to enforce the constitutional provision that debars chiefs from taking active parts in partisan politics. This may include but not limited to establishment of a special court that tries chiefs that engage in partisan politics, the second chamber should comprise chiefs and other traditional leaders. This will provide the opportunity for traditional leaders to air their views and to scrutinize government policies and programs. And finally, the National House of Chiefs should come out with a code of conduct which chiefs will have to abide by as far as partisan politics is concerned. The National House of Chiefs should also liaise with the Regional Houses of Chiefs to monitor the activities of chiefs in the regions so as to be kept informed of what chiefs are doing.

### **Key terms**

Role, traditional establishment and Chiefdom

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# CHAPTER ONE

## INTRODUCTION

### 1.0 Overview

This chapter provides a background to the study, the problem of the study investigated by clearly asserting the motivation for embarking on it, the objectives and research questions of the study. A brief summary of the theoretical framework is also presented, with the aim of ensuring that the reader gets a clearer picture on the thinking behind the study. The limitations of study will also be looked at, the definitions of operational terms and finally, the summary will conclude the first chapter

### 1.1 Background of the study

Chiefs historically served as “ancient governors” of their local communities with power over all features of life, ranging from social welfare to judicial roles. The Mpezeni chiefdom by and large embrace traditional authorities in high esteem, and the members of this chiefdom continue to turn to them for assistance when conflicts arises, depend on them for services, such as reporting crimes, birth and death registration and regard them as fundamental and relevant role-players in native governance. Although Zambia’s maintain system and many have incorporated the traditional establishment into democratic forms of government, a concern exists in some quarters in Mpezeni chiefdom that may present a challenge to democratic governance and development. (Nyirenda, 2014)

As in many other parts of Sub-Saharan Africa, the institution of traditional leadership has always been central to the electoral process as well as governance in Zambia. The institution of traditional authorities is one of the enduring legacies of the pre-colonial era. It has simply refused to go away in the face of modern democratic developments. Although traditional authority structures appear at variance with democracy, they are tolerated but also sometimes politically manipulated. This is because traditional authorities exercise considerable power and influence in their localities that challenge the authority of elected leaders. With little exception many African governments have side-lined, marginalized or excluded traditional authorities from participating in national politics. Where they are involved or have been involved, they have been co-opted by a ruling coalition, such as in Zambia under the UNIP government. (Chipoya, 2010).

In spite of the constitution forbidding the chiefs from taking part in politics in Zambia, political parties have gone an extra mile seeking the traditional establishment's endorsement during the electoral process, so, the researcher intends to examine their role in the electoral process.

The famous 1996 alteration of the Constitution, which prevents chiefs from participating in politics, has been contentious and stimulated scorching debates (Kaluba, 2016). On one hand are those who dispute that participating in politics undermines the dignity of the traditional establishment as they have to be answerable to elected commoners, while on the other hand are those who uphold that the traditional establishment like all citizens are permitted to enjoy their democratic human rights, which include the right to take part in the electoral process by offering themselves for balloting. This debate remains unclear. However, politicians have sustained to court the traditional establishment by seeking their support to turn out the vote fortune during elections. It is not rare for the traditional establishment to declare their support for the ruling party or favourite political leaders or parties.

To ensure that the role of the traditional establishment in local governance is clearly defined and the institution of chieftaincy within Zambia's democratic dispensation modernized, there is need for a practical debate on this issue. It is vital to acknowledge that the House of Chiefs established by the 2003 legislation, while useful as an advisory body, does not heighten participation of the traditional establishment in governance. Its role and functions will need to be re-defined and expanded. (Kabanda, 2009).

In the course of President Kenneth Kaunda's rule (1964-1991), his government approved legislation that weakened the position of the traditional establishment in relative to the central government, nevertheless at the same time discriminatory co-opted in particular traditional establishment into the ruling power structures, as there was no law inhibiting the traditional establishment from participating in politics. In the mid-1980s at the height of the one-party state, President Kaunda appointed three chiefs into the UNIP governing structures. These included the Lozi paramount chief, Litunga Ilute Yeta IV, Chitimukulu of the Bemba and Senior Chief Kazembe of the Lunda. These controversial appointments to UNIP's central policy-making structures were highly resented by their subjects who viewed it as undermining traditional customs (Chiyesu, 2009).

There was debate as to whether it was ethical for the traditional establishment to be involved in partisan politics, subsequently, the return to multiparty democracy in 1991. In 1996 the Chiluba government amended the Republican Constitution and presented Article 129, which states that ‘a person shall not, while remaining a Chief, join or participate in partisan politics’. While this amendment was meant to restore the dignity of traditional authorities, it was at variance with the fundamental rights of citizens to take part in national affairs without discrimination. Thus its inclusion was contentious and received disapproval from many stakeholders. At the time of passing the Constitution, Senior Chief Inyambo Yeta was also the vice president of UNIP. It was felt in some quarters that the purpose of the constitutional amendment was specifically meant to bar Chief Inyambo from being involved in partisan politics. Considering that Zambian chiefs had held positions as members of Parliament, ministers, parliamentary secretaries, ambassadors, provincial political secretaries and even members of the central committee in the past, the change was not well-received by some sections of the Zambian public (Ibid) .

As was the case before 1996, there have been attempts to amend the Zambian Constitution so that traditional leaders can actively participate in politics, since the inclusion of Article 129 in the Constitution, which bans traditional leaders from participating in active politics. For example, the Mung’omba draft Constitution proposed that chiefs participate in political activities and stand for any elective office. Ensuing to Chiluba’s effort to amend the Zambian Constitution traditional leaders participated in public life and even contested parliamentary elections or were appointed to ministerial and other government positions. In 2004 the House of Chiefs submitted perseverance to the Mung’omba Constitutional Review Commission advocating for the withdrawal of the prohibitive article from the Constitution and argued that it should be left to the public to choose whether their chiefs could participate in national politics (Mawere and Mayekiso, 2014:1).

It is commonly acknowledged that traditional establishments have continued to exercise a certain measure of influence in the governance and developmental life of the country. They have also offered moral and traditional guidance on developmental issues, such as on education, health, and community development in their respective communities. The problem is that they are participating in politics irrespective of the constitution inhibiting. It is this partisan involvement

in politics which has provoked the debate on what role chiefs play in the electoral process (UNECA, 2007).

In May 2005, the traditional establishment in Zambia called on the government to define their role in political affairs, predominantly in the decentralization process. Speaking through a representative of the House of Chiefs, the traditional leaders argued that there was need to clearly indicate the role of Chiefs in the decentralization policy to permit them to participate in its implementation. They renowned that the decentralization policy providing an opportunity to include traditional leadership in the development and governance of the country. They requested government not to ignore and side-line them, but to clearly state what role the traditional establishment could play in enabling the effecting of the decentralization policy. Perhaps it is against this context that the PF government has a specific policy on the involvement of chiefs. According to the PF manifesto, traditional leaders would chip in the decentralization policy through provincial and district assemblies of chiefs. (Mukamambo, 2011).

Despite the opposition to the involvement of the traditional establishment in partisan politics, it is important to note that various political parties have continued to court the political support of traditional authorities during elections. It is not rare, for instance, for candidates of various political parties to pay courtesy calls on prominent chiefs asking them to use their influence in securing the support of their subjects. Some traditional authorities have also publicly backed either the ruling party or the opposition during elections. In the 2006, 2008 and 2011 elections, for example, some traditional rulers in the Eastern, Southern, Northern and Luapula provinces publicly declared their support either for an opposition party or the ruling party. In the 2011 elections, for example, Senior Chief Kazembe of the Lunda backed the MMD candidate in Mwansabombwe and told his subjects to vote for him because he was closely related to him. Soli Chieftains Nkomeshya Mukamambo II publicly differed with President Rupiah Banda of the MMD and asked her subjects to support the PF. In both cases, their subjects defied them and voted for a different candidate. This shows that chiefs may not wield as much influence as they are purported to, but more importantly it should be accepted that they are not politically neutral (Simutanyi ,2013).

Traditional authorities in Zambia have also been able to challenge the authority of the central government. Other than public pronouncements by some chiefs complaining about the failure of

government to honour its pledges in terms of service delivery, there have been instances of serious confrontation between traditional authorities and the state. The example that follows is a concrete illustration of how serious such confrontation can become (Nyirenda, 2011).

The Lozi royal establishment is a case in point. In 1993, the Litunga (paramount chief) of Barotseland wrote a letter to the government enquiring about the matter of restoring the Barotseland Agreement of 1964. The Litunga had signed an agreement in April 1964 to be part of the Republic of Zambia on condition that they would carry on with their system of traditional administration. The Barotseland Agreement granted Barotse authorities and people specified limited local self-governance rights and rights to be consulted on specified matters, including over land, natural resources and local government. Nonetheless, President Kaunda repealed the Agreement in 1969. Successive governments have refused to recognize the rights of the Lozi people as provided for in the Barotseland Treaty (Sumbwa, 2000).

Politicians have gone an extra mile seeking the support of the traditional establishment during elections despite the constitution of Zambia not allowing them to participate in politics. For example Chief Mpezeni of the Ngoni people of Chipata District of Eastern Province of Zambia publicly announced the support of the former president Rupiah Bwezani Banda and now the ruling party Patriotic Front (PF). Governance experts have warned that if we are not careful, we could be paving the way for anarchy in our 286 chiefdoms by pushing the traditional establishment into the political arena. The partisan stance by some of our chiefs is partly promoted by the subsidies, electrification of palaces and the car loans extended to them through the office of the Republican president. (Times of Zambia, 2016)

Politicians have continued to court traditional leaders by seeking their endorsement to turn out to vote during elections. It is not infrequent for traditional leaders to pronounce their backing for the ruling party or for preferred opposition leaders or parties. The influence inherent in traditional leaders on the rural folk stems from tribal and ethnic ties, clan, custom and tradition as well as totems. Political parties realize the capability by traditional leaders to communicate information and command respect from their communities and have developed an edge to rally these leaders to their cause during campaigning period. This has been said to contravene constitutional establishment as debated by many policy analyst, scholars, and civil society

organizations. Therefore, this paper examines the role played by the traditional establishment in the electoral process in Mpezeni chiefdom of Chipata District (Ibid).

## **1.2 Statement of the problem**

The new democratic dispensation brought about change in the institution of traditional leadership, which included its transformation to be in line with democratic principles as well as the Constitution of the Republic of Zambia. This transformation process has created a number of challenges, one of which is resistance from the institution of traditional leadership itself. Article 129 of the Constitution of Zambia prohibits Chiefs from participating in partisan politics. Despite the case on the ground, major Political parties in Zambia have gone an extra mile seeking the chiefs' endorsement during the electoral process. Some traditional establishments have openly declared their backings for political candidates and have gone to the extent of publicly campaigning for them (Lusaka Times, 2016). In the 2006, 2008, 2011 and 2016 elections, for instance, some traditional rulers publicly declared their support either for an opposition or the ruling party.

Several studies have been conducted in Zambia on the impact of traditional establishment's involvement in the electoral process. To the author's knowledge, there is no literature on the role of the traditional establishment in the electoral process in Chipata district. Therefore, this research is conducted to investigate the role of the traditional establishment in the electoral process and suggest the necessary interventions to this problem in Chipata district with specific focus on the Mpezeni chiefdom of Zambia's Eastern Province.

## **1.3 Purpose of the research**

The drive of this study was to investigate the specific role of the traditional establishment in the electoral process with specific focus on the Mpezeni chiefdom. In view of this, it is hoped that this study will help institute the roles of traditional establishment in the electoral process. By doing so, the study will add to the scholarly body of knowledge and will provide suggestions and

recommendations to establish the traditional establishment's role in the electoral process which might be useful to policy makers and electoral stakeholders.

## **1.4 Research objectives**

The study was guided by the following General and specific research Objectives.

### **1.4.1 General research objective**

To investigate the role played by the traditional establishment in the electoral process in Mpezeni chiefdom of Chipata district.

### **1.4.2. Specific research objectives**

The study was guided by the following specific research objectives:

- i. To determine the extent to which the traditional establishment engage in politics in Mpezeni chiefdom of Chipata district.
- ii. To identify the roles played by the traditional establishment in the electoral process in the Mpezeni chiefdom in Chipata district
- iii. To assess the effects of the involvement of the traditional establishment in the electoral process in Mpezeni chiefdom.

## **1.5 Research Questions**

### **1.5.1 General research question**

What is the role of traditional establishment in the electoral process in Mpezeni chiefdom of Chipata District?

### **1.5.2 Specific research questions**

- i. What is the extent to which chiefs engage in the electoral process in Mpezeni chiefdom of Chipata District?
- ii. What are the roles played by the chiefs in the electoral process in the Mpezeni chiefdom of Chipata District?
- iii. What are the effects of the involvement of the traditional establishment in the electoral process in Mpezeni Chiefdom?

### **1.6 Theoretical Framework**

#### **The modernists view**

The research adopted the Modernists View because it is based on radical approach that desires to revitalize the way modern civilization view life, art, politics, and science. Traditional establishment have substantial influence in rural areas that is often realized by politicians of all persuasions (Chakaipa; 2010). In the pre-colonial, colonial and post-colonial era politicians have solicited the assistance of traditional establishments to influence governance and electoral processes in Southern Africa particularly, Zambia.

In explaining the theory underpinning the Modernists View, it is important to state that the concept is based on the ideas of the key central founding theorists by the names of Freud, Henry Bergson and F. H. Bradley.

“Modernists,” by contrast, view traditional establishment as opinionated, authoritarian and increasingly irrelevant form of rule that is opposing to democracy. Modernists contended that the institutional forms of liberal democracy are generally valid, and that Africans aspire to democratic systems of rule that look much the same as those in the West. They view traditional establishment as remainders of the past that may actually impede democratic development, and which must therefore be overcome. Traditionalists counter that traditional establishment have proved both flexible and adaptable, and that even if they are much changed, they still draw on

their historical roots in unique and valuable ways. They see “tradition” – however contested – as a resource to strengthen the community and institution, and to overcome the many failures of the Western liberal democratic model as it has been applied in Zambia.

Possibly one thing that traditionalists and modernists often agree on, nevertheless, is that both depict traditional establishment and elected political leaders as competitors. The struggle between the two for political power and legality is seen as a zero-sum game. Whatsoever authority a traditional leader wrenches from the state is treated as a loss for “official” state leadership, and vice versa

One of the indispensable missing components in this discussion, conversely, has been the lack of empirical evidence concerning popular perceptions of these traditional establishments. African political elites of various inducements, along with academics, activists, and chiefs themselves, debate the proper position of traditional establishment in society at length. But their claims about the esteem, or lack thereof, with which ordinary Africans regard these leaders, are largely invalidated, or are based on evidence that is often only local or anecdotal. We consequently find that Henry Kyambalesa can claim that “In Zambia, the people still rally more behind the chief than behind the politician” (Kyambalesa, 2016), while politicians of course claim the opposite, but we have not, in either case, had solid evidence with which to evaluate the validity of these assertions.

Most interestingly, the sharp distinctions outsiders draw between elected local government officials and hereditary chiefs are not made by most of the Zambians who live under these dual systems of authority. In fact, far from being in rivalry with elected leaders for the public’s regard, the traditional establishment and elected leaders are seen by the public as two sides of the same coin. General, popular perceptions of traditional leaders are slightly more positive than those for elected leaders. But popular evaluations of both traditional leaders and elected leaders are strongly connected, and appear to be consistently shaped by each individual’s “leadership affect.” Accordingly, positive perceptions of traditional establishment go hand-in-hand with positive assessments of elected leaders, and vice versa. And the connection is especially strong between traditional authorities and local government leaders – far from fighting a pitched battle for public support, the fates of each appear to be indissolubly linked. In contrast, an individual’s

level of modernization plays a much smaller role in shaping perceptions of traditional authority than we might have expected.

And most significantly for the deliberation about the “democraticness” of traditional rule, there is no evident conflict between supporting traditional establishment and being a committed and active democrat.

Consequently, the sharp contrast often drawn between “modernist” and “traditionalist” approaches may reflect a false dichotomy. Instead of finding themselves trapped between two competing spheres of political authority, Africans appear to have adapted to the hybridization of their political institutions more effortlessly than many have anticipated or assumed. Chiefs and councillors, sultans and MPs, kings and presidents all squat the single, integrated political universe that, for better or worse, shapes each individual’s life. In the acuties of ordinary Africans, it seems that democracy and traditional establishment can indeed co-exist.

The influence inherent in traditional leaders on the rural folk stems from tribal and ethnic ties, clan, custom and tradition as well as charms. Political parties realize the ability by traditional leaders to communicate information and command respect from their communities and have developed an edge to rally these leaders to their cause during electioneering. Traditional leadership provides an effective communication mechanism due to their hierarchical structure of village head, headmen to chief and their geographical spread. This makes them accessible and available in all the rural areas. (Koeble, 2005) reports that, traditional leadership is incompatible with democracy because it is a system that allows for inheritance of leadership (democratic pragmatism).

Even though it contradicts democracy, it thrives because governments mistakenly support this system. Koeble further argues that, democratic values and economic models propounded by the global discourse will eventually throw away the traditional establishment because of its undemocratic forms of governance. Some scholars have argued that traditional establishments have no place in modern electoral democracy as it contradicts the very basic values of freedom of choice. This debate could be accredited to (Mamdani; 1990, 1996)’s conjecture that rural citizens under chiefs are not true citizens per se. He debates that; it is not possible for Africans to be ‘subjects’ and ‘citizens’ at the same time. These citizens are viewed as subjects of autocratic

authority. An authority believed not to have systems of accountability to its people. As of this standpoint, chiefs do not give the impression to provide an opportunity for recourse against unfair exercise of power and authority nor does it give anyone a chance to be elected into office. (Bentley, 2005) backs this argument as well, although with specific reference to women's rights to equality in the rural areas.

There is also a postulation that, "traditional leaders have re-inserted themselves into the political dissertation in Zambia in fundamental ways..." (Koeble, 2005:12). According to (Sithole and Mbele, 2008), this revitalization could be attributed to the political trade-offs that were made between government and traditional leadership for purposes of elections that were impending. In Zambia, South Africa, Tanzania and Mozambique, traditional leaders have reaffirmed their authority (Ntsebeza, 1999, Raftopolous, 2002, Blom, 2002). In some case in point they have strong political backing from central authorities. As observed by Chinsinga (2006), their weak material base renders them vulnerable to manipulation by politicians bent on satisfying their own strategic considerations.

### **1.7 Limitations of the research**

Limitations are conditions beyond the ability of the researcher that may place restriction on the conclusions of the study and their application to other situations (Best and Khan: 1993 in Mega: 2014). The researcher experienced constraints in course of the research. During interviews, some participants did not disclose adequate information for fear of exposing themselves. Regardless of the limitation, the findings were generalised.

The fact that both the interview schedules were translated into Ngoni in order to make it easier for the respondents to have a clear comprehension of the queries and for the purpose of certifying a higher response rate, have obstructed negatively on the time needed for conducting empirical research.

## 1.7 Definition of operational terms

The following terms are defined within the context of this study.

**Key words:** Chief(s), Traditional Leaders, Indunas, local governance, democracy, Chieftainship, Zambia, decentralization processes, Community and District

**Chief:** "Chief" means a person, who, hailing from the appropriate family and lineage, has been validly nominated, elected or selected and enstooled, enskinned or installed as a chief or queen mother in accordance with the relevant customary law and usage. The Chief is the **leader** of a **tribal** society or chiefdom.

**Chiefdom:** This refers to a grouping of people in one area who recognized the authority of one single person as a leader. It usually consisted of small number of related groups that were bound together by the authority of the leader. It refers to tribes with chiefs and their administrative and judicial institutions (Ayittey 1993:39).

**Governance:** means the process of decision-making and the process by which decisions are implemented (or not implemented).

**Kingdom:** A kingdom is a region ruled by a king or queen. The term is at times used synonymously with the term "kingship".

**Indunas-** meaning advisor, great leader, ambassador, headman or commander of a group of warriors. It can also mean spokesperson or mediator, as the izinDuna often acted as a bridge between the people and the king.

**Traditional leaders / establishment:** The term is used to refer to "chiefs" of various ranks. Traditional establishments take many forms and shapes in many African countries for example; the structures and systems of the institution of leadership in various ethnic groups in have remarkable differences even though they also depict certain similarities. Currently and generally, the traditional establishment comprises chiefs, headmen and village kinsmen in order of that hierarchy. Village heads are physically the closest to the people and thus, have the most interaction with the citizens in the rural areas (musekiwa: 2012)

**Traditional leadership:** The term refers to customary institutions or structures, or customary systems or procedures of governance, recognized, utilized or practiced by traditional communities.

**Traditional Authority:** The term refers to the tribal authority that has been transformed in terms of the Traditional Leadership and Governance Framework.

### **1.8.1. Summary**

This chapter introduced the study on the role of traditional establishment in the electoral process with specific focus on the Mpezeni Chiefdom. It started with the background of the study, where it shows how the status of the traditional establishment has evolved from pre-colonial times to date. It has further explained how the transformation in governance system has changed the role of the traditional establishment. It also gave the statement of the problem in which despite having barred the participation of traditional establishment in partisan politics, major political parties still go to them to seek for their support with specific focus on Mpezeni Chiefdom of Chipata District. The objectives of the study and the research questions were also given. The theoretical framework of the investigation was also given; as one based on the Modernist. The chapter concludes by looking at the assumption of the study, giving out some of the limitations and defining the terms used in the dissertation. The next chapter looks at some of the available literature which is deemed to be directly significant to the current research.

## CHAPTER TWO

### LITERATURE REVIEW

#### 2.0 Overview

In an attempt to strengthen arguments and prove the validity of conclusions drawn from the case study, the researcher made use of the available literature on the subject of traditional leadership and governance. The research focuses on the role of traditional establishment in the electoral process in Mpezeni Chiefdom of Chipata District in the Eastern province of Zambia. In building a logical framework for this research topic this chapter is divided into eight sections lined as follows, history of traditional establishment, post-independence traditional establishment in Zambia, post-independence traditional establishment in Zambia, political functions of the traditional establishment, Legislation impacting on the chief participating in politics in Zambia, Traditional establishments' Influence in the governance and development 1 and traditional establishment's involvement in partisan politics in Zambia.

The last section of the chapter is a review of empirical research of the traditional establishments'. This section involves a selection of some major empirical research studies in the traditional establishment process correlated to the current study. The review of these studies done on traditional establishment intended to show how unique this study is compared to others. These are drawn from Nepal, Philippines, Lesotho, Sierra Leone and the Republic of Zambia. The chapter will end with a summary of the literature review.

#### 2.1. History of traditional establishment

Traditionally Chieftaincy is the main system of governance that administered combined legislative, executive, judicial, religious, and military responsibilities even before the coming of colonial government. During the colonial period, chiefs were recognized and highly involved in running the affairs of their residents through structures such as the native authorities. These arrangements were used by colonial authorities to oversee local communities on its behalf, through what came to be known as 'indirect rule'. In return they received recognition, protection

and government patronage. This close cooperation between chiefs and the colonial authorities was disliked by nationalist leaders and when they came to power they were suspicious of the traditional leaders. In some countries such as Mozambique and Tanzania the institution of chieftaincy was eradicated altogether as a way of nurturing national unity and development. Nevertheless, even with the non-recognition of chiefs in those countries, the chieftaincy has continued to exist and people have continued to recognize their traditional authorities (van, 1987).

Societies in Africa had evolved various system of political administrations based on the characteristics of these ethnic nationalities before the coming of the colonial government. These institutions had full executive, legislative and judicial powers in their different domains and exerted sovereign control over their people.

The political establishments of the pre-colonial societies included the paramount chiefs, the council of elders, age grade and religious organizations bestowing to Igwe Stephen Ngene Ede-Njoku (2014). Even though they were a contingent the Ibos at the pre-colonial period did not have a distinct political authority. Since the Ibos shunned the idea of having a single leader at that time, they operated a lineage system as a basis for political organization. This political system was formed in such a way that a man could only lead members of his ancestry hence, there were many influential and powerful men, their influence was limited to community, clan and village and at most the area in which they lived. In every village, community or clan, there was always a village head who occurred by virtue of age and who in collaboration of other elders settled disputes in that particular village. If the disputes involved another village the elders, led by the eldest from both village came together and resolved the disputes, especially those perturbing on decampment and land, which was conjoint at that time.

Rendering to (Schapera, 1982: 91), the most important political institution in pre-colonial Botswana was that of Kingship (Bogosi). The Principal Chief had political, economic, legal, religious and symbolic authority. He was assisted by senior advisors (Bagakolodi) and ward headmen in the execution of his tasks (Keulder, 1998: 96). The communal control of the tribe was administered through the Kgotla (gathering close to the Chief's house where formal announcements were made). Even though its powers were only recommended, the Kgotla played a key role in generating agreement for proposed actions. Ethnic group was usually divided into

clusters of a few families which were run by a headman with whom in most cases the families were directly related by birth or marriage. Each cluster constituted an administrative unit, the ward, and had its own Kgotla. The headman was responsible to the Chief for the activities in his ward, and together with the other headmen, made up the Chief's advisory council.

## **2.2. Traditional establishment in post-independence Zambia**

The relationship between the chiefs and the central government became uncertain subsequently to independence. The question ascended as to if chiefs should be assigned the same powers they possessed during the pre-colonial past or whether they would be bestowed the same treatment granted them during the colonial period. Some schools of thought claimed for the complete abolishing of the institution because of their role in assisting the colonial regime to oppress the indigenous. The political leadership at the time examined the space occupied by the institution and treasured the need to maintain it, but also to exercise a form of state control over it (Bratton, 1980).

Many, African governments viewed chiefs as threats to their power and impairments to modernization and nation-building, and tried to curtail their role in local government and national politics. Despite these efforts, chieftaincy endured. And since the 1990s, African governments, international institutions and donor organizations have shown a rehabilitated interest in it. As a result, a large number of African countries have boosted the position of their chiefs. At the same time, nevertheless, the renaissance of traditional authority coincides with the wave of democratization that has rolled over sub-Saharan Africa since the 1990s, and many question the attractiveness and lawfulness of traditional authority in modern forms of governance, and the compatibility of traditional rule with the principles of democratic rule of law (Kitschelt et al, 2007).

Rendering to (Holomisa, 2004), in Zambia, Traditional leaders lost almost all the powers they had received from the colonial rulers. As the new democratic state embarked on a strategy to cartelize social control, traditional leaders were replaced either by popularly elected officials or by government-appointed leaders. This was in line with the government's acknowledged socialist principles. The modern state took control of the administrative and legal structures,

thereby achieving victory over the traditional forms of government. On the other hand, the state was weak at the local level, and struggled to remain the sole supplier of survival strategies to the peasants. To compensate for this, it had to fall back on traditional leaders to heighten its ability to provide efficient legal services (Keulder, 1998: 202). Although the institution of traditional leadership was extremely weak immediately after independence, it appears that it was not absolutely without influence. Furthermore, the popular election of traditional leaders to village courts suggests that in certain areas, at least, they had the support of the local rural population (ibid.).

On closer observation, nevertheless, it is revealed that the African continent displays a surprising lack of any recovery of tradition in failed states. Slightly, the revival of traditional authorities has taken place in countries with functioning state machines, alongside the establishment of competing local institutions in the form of democratically elected councils. This can, for instance, be witnessed in South Africa, Uganda, Malawi, and Ghana. In fact, states that are more confident in their own institutions and stability might be more likely than weak states to tolerate the rise of alternative sources of authority, at least in the cultural sphere or in areas of local land management and dispute settlement (Englebert, 2002).

The work of Jonah (2003) on traditional authorities in local government participation draws the attention of the significant roles played by the institution in electoral democracy at rural and local levels in Africa. Even though chiefs seem to have lost power, they have adopted a number of methods in ensuring that their presence is felt. This is done by supporting favoured candidates to local government and parliamentary elections or by making sure their opponents are not elected into office (Jonah, 2003) that heavily interfered with the local selection of chiefs and installed many of its own allies. In some other African countries, chieftaincy was more or less unnoticed by the state administration, left to its own devices, whether to thrive in the locality or to slowly wither away. Subsequently independence many African governments saw chiefs as impediments to transformations and nation-building and tried to curtail their role in local government and national politics. But since the 1990s, a large number of African countries have enhanced or formalized the position of their chiefs.

There are many forms of associations and formal institutional arrangements between traditional authorities and modern state structures throughout Africa. Relations of chiefs set up to defend the

interests of their members have also become increasingly numerous across the continent. These cases include the national associations of traditional authorities in Ghana, Niger and Togo, which are considered important political structures and are consulted by their governments in the formulation of national policies. The resurgence of chiefs as a class is frequently embodied in the creation of national or regional Councils or Houses of Chiefs. For occurrence, in Botswana, a House of Chiefs forms the advisory, upper chamber of the country's bicameral parliament. The House of Traditional establishments has no legislative or sanction powers but acts as an advisory body to parliament and government. All bills affecting tribal organization and property, customary law, and the administration of customary courts should go through the House of Chiefs before being discussed. In Ghana, the National House of Chiefs functions as an independent institution to advise the government on traditional matters. The president of the National House of Chiefs also has a seat on the Council of State, a consultative body to the President, Ministers of State, Parliament and other public institutions, which the President is required to consult when appointing high-ranking public servants such as the Chief Justice, Ambassadors, etc. (Englebert 2002)

### **2.3. Political functions of the traditional establishment**

Comparable to the rest of Africa, conferring to (Ntsebeza, 2001: 32), and the pre-colonial Zambia governance was led by Kings and Chiefs to whom we refer as "traditional leaders" or "traditional leadership". It is evident that before colonial rule, traditional leaders had added authority and power, and they infused almost all the spheres of their subjects' lives. Chiefs had control over political functions, in which safety and security were their responsibility. The political functions included the overall protection of the inhabitants as well as relations with people from the outside. Traditional leaders also had control over the economy; they performed economic functions such as land allocations and distribution, and they also became guardians of the land. Traditional leaders facilitated economic, environmental and developmental matters, including the powers to collect tax. Social functions such as court decisions and execution, judicial administration and health systems were again the responsibility of traditional leaders.

These roles were vested in a chief and the Council of Elders of the community, which in turn were subject to the paramount chief or the king of the area. The lower level chiefs received

directives from the higher chiefs in all aspects of management. The communities and divisional chiefs had responsibility to report to paramount chiefs the state of affairs of the community during an annual meeting to deliberate on the state of affairs. Although these types of institutions were not the same as those of Western institutions, in terms of structure and organizational procedures, and the substance of the responsibilities, as well as the rights involved, they created a similar level of social and political cohesion in their respective communities as were found in Western countries at the time.

The Chiefs and their subordinate headmen were responsible for the following functions: allocation of land, defence, peace and order, co-ordination of agricultural activities, and the general progress of the group, including looking after the poor, as the legislators and policy makers of their communities. In most cases their authority was absolute, and the use of their powers was not always selfless. They recognized the political and economic elite, and their political status and material well-being rather than the well-being of the group were often the driving force behind their decision making (Fife, 1998: 35). However, their rules of governance largely established the basis of the moral economy, which is a characteristic of traditional communities.

Rendering to (Alexander et al, 2006), Pre-colonial Africa obviously was no golden age and one should be hesitant to recommend the pre-colonial social and political system wholesale to modern Ghana; the system however exhibits a high level of democracy and protection of human rights and freedom within the milieu of the traditional values and cultures of the people. The newly founded Alternative Dispute Resolution (ADR) is a reorganize of time-tested pre-colonial conflict resolution mechanisms administered through the chieftaincy institution, which sought to reconcile individuals and communities as well as improve social relations beyond mere settlement of disputes of conflicting parties. The chieftaincy institution during the pre-colonial period was not controlled by any external legislation beyond the particular traditional following the Order in Council of 1856. The Order in Council defined local norms, customary law, practices, and usages. The Order became the genesis of customary law in the new British colony

A chief is an important relic of the pre-colonial and colonial political orders that poses a special challenge to postcolonial State-makers. Over time, the establishment of traditional leadership underwent many changes: in its procedures and rules of appointment, in its roles and functions

and in its prerogatives and powers. Some of these changes resulted from the natural evolution of the institution whereas others resulted from outside intrusion. Before the inception of colonialism in Zambia, chiefs performed legislative, executive, judicial, military and religious functions. In times of war, for instance, the capture of a chief needed the capitulation of his whole army. While maintaining law and order, adjudicating on cases and resolving disputes, chiefs also served as a link between the living and the dead. On the other hand, the introduction of colonialism brought new roles to the institution. Chiefs during this period collected taxes, maintained law and order, established disputes and adjudicated on minor cases although subject to supervision by the colonial government. These new roles many scholars have argued, not only limited the powers and functions of chiefs but also made them mere instruments of the colonial masters (Odotei & Awedoba, 2006)

#### **2.4. Legislation impacting on the chief participating in politics in Zambia**

A keen analysis of the historical context of Zambian traditional establishment reveals that the subsequent to the return to multiparty democracy in 1991, there was a debate as to whether it was right for chiefs to participate in partisan politics. In 1996 the Chiluba government amended the Republican Constitution and introduced Article 129, which provides that ‘a person shall not, while outstanding a Chief, join or participate in partisan politics’. While this establishment was meant to restore the dignity of traditional authorities, it was at variance with the fundamental rights of citizens to participate in national affairs without discrimination. Thus its inclusion was controversial and received denunciation from a number of stakeholders. At the time of passing the Constitution, Senior Chief Inyambo Yeta was also the vice president of UNIP. It was felt in some quarters that the purpose of the constitutional amendment was precisely meant to bar Chief Inyambo from being involved in partisan politics. Considering that Zambian chiefs had held positions as members of Parliament, ministers, parliamentary secretaries, ambassadors, provincial political secretaries and even members of the central committee in the past, the change was not well-received by some sections of the Zambian public. (Muwowo, 2015)

The first independent elections in Zambia in 1991 marked a new era. For the majority of Zambian citizens, the new era promised freedom, justice, fulfillment, and a hope for improved living conditions. The establishment of traditional leadership was no exception. It also yearned

for improved treatment under the newly established democratic government. Instantaneously after the elections, the new government embarked on an effort to transform Zambia from colonial rule into a democratic state. Encompassed in this transformation development were the institutions of governance such as traditional leadership, in order to be in line with the new democratic order and constitutional principles as enshrined in the Constitution of the Republic of Zambia. The establishment of chiefs' leadership was, for many years, at the centre of governance for the rural population in the former homelands. This research is aimed at assessing the role of the traditional establishment in governance in the post-colonial Zambia, with specific reference to the Mpezeni chiefdom of Chipata district (Ibid).

In acknowledgment of the important role played by traditional authorities in community development and local governance, President Mwanawasa in 2003 re-introduced the House of Chiefs, which had happened prior to 1981. Article 130 of the Constitution of Zambia states that 'There shall be a House of Chiefs for the Republic which shall be an advisory body to the Government on traditional, customary and any other matters denoted to it by the President.' The House of Chiefs consists of 27 chiefs, three of whom are elected by their fellow chiefs from each of the nine provinces of the Republic. Generally, there are 286 chiefs in Zambia each of which is headed by a hereditary chief who rules for life; there are approximately three chiefs per electoral constituency (Mawere and Mayekiso, 2014:1).

As delineated in Article 131 of the Constitution functions are among others as follows; consider and discuss any Bill dealing with, or touching on, custom or tradition before it is introduced into the National assembly; initiate, discuss and decide on matters that relate to customary law and practice; consider and discuss any other matter referred to it for its consideration by the President or approved by the President for consideration by the House; and surrender to resolutions on any Bill or other matter referred to it by the President, and the President shall cause such resolutions to be laid before the National Assembly.' Thus, although chiefs (or traditional leaders in general) are not allowed to participate in active politics, they do have a limited and indirect channel to influence public policy, though restricted to matters of custom and tradition (EFZ, 2014).

Since the insertion of Article 129 in the Constitution, which bans traditional leaders from participating in active politics, there have been attempts to amend the Zambian Constitution so that traditional leaders can actively participate in politics, as was the case before 1996. For

instance, the Mung'omba draft Constitution proposed that chiefs participate in political activities and stand for any elective office. Prior to Chiluba's attempt to amend the Zambian Constitution traditional leaders participated in public life and even competed for parliamentary elections or were appointed to ministerial and other government positions. In 2004 the House of Chiefs submitted a resolution to the Mung'omba Constitutional Review Commission calling for the removal of the prohibitive clause from the Constitution and argued that it should be left to the people to decide whether their chiefs could participate in national politics.

## **2.5. Traditional establishments' influence in governance and development**

It is extensively recognized that traditional leaders have continued to exercise a certain measure of influence in the governance and developmental life of the country. They have also offered moral and traditional leadership on developmental issues, such as on health, education and community development in their individual communities. The problem is that they compete for authority and influence with local leaders, such as party officials, local authority representatives and government officials. It is this rivalry for authority and influence which has provoked the debate on what role chiefs should play in the electoral process. As things stand today, chiefs can only participate in local councils through an appointed representative (USAID, 2011:46).

In May 2005, traditional leaders in Zambia asked the government to define their role in political affairs, predominantly in the decentralization process. Speaking through a representative of the House of Chiefs, the traditional leaders argued that there was a need to clearly indicate the role of Chiefs in the decentralization policy to enable them to participate in its implementation. They noted that the decentralization policy provided an opportunity to integrate traditional leadership in the development and governance of the country. They beseeched government not to ignore and side-line them, but to clearly state what role Chiefs could play in the carrying out of the devolution policy. Perhaps it is against this background that the PF government has a specific policy on the involvement of chiefs. According to the PF manifesto, chiefs would participate in the reorganization policy through provincial and district assemblies of chiefs (ibid).

In November 2016, (Chanda, 2016), President Edgar Lungu met representatives of the House of Chiefs who paid a courtesy call on him at State House. H.E. President Lungu discussed a various

developmental issues with the 12-member delegation of Chiefs led by His Royal Highness Chief Ntambu, the Chairperson of the House of Chiefs.

The chiefs told the President that their wish is to increase the role of traditional rulers in advancing core national values particularly the improvement of peace and unity in the nation. The chiefs also informed the President about the administrative challenges the House of chiefs was encountering; the challenges regarding tractors being distributed by Government to chiefdoms; policy on building chiefs' palaces and their call to delink the House of Chiefs from Ministry of Chiefs and Traditional Affairs, among others.

President Lungu assured the chiefs that his administration holds traditional rulers in high esteem and would work closely with them to ensure that the House of Chiefs played a role in nation-building and inculcation of progressive values within communities.

Details from their meeting noted that President Lungu assured them that they are critical actors in national development and an important moral voice of guidance. Their voice on ending child marriage, campaign against depletion of forests among others, is very critical. You are an important moral voice in our society. He assured them that the PF Government does not see Chiefs as a relic from the past. (Chanda, 2016).

Further, chiefs play a part in the administration of the Constituency Development Fund (CDF) and the Farmer Input Support Programme (FISP). Nonetheless, this does not give chiefs real power and influence. It appears they will continue to play advisory roles, but that the structure of the House of Chiefs will be decentralized to the provinces and districts. It is arguable whether lifting the ban on the involvement of chiefs in the electoral process will in any way enhance the status of chiefs, as their status relics very low in the modern political establishment and they are literally dependent on it.

## **2.6. Traditional establishment's involvement in partisan politics**

Simutanyi (2013) points out that a number of political parties have continued to court the political support of traditional authorities during elections. It is not rare, for example, for candidates of various political parties to pay courtesy calls on prominent chiefs asking them to use their influence in securing the support of their subjects. Some traditional authorities have

also openly supported either the ruling party or the opposition during elections. In the 2006, 2008 and 2011 elections, for example, some traditional rulers in the Eastern, Southern, Northern and Luapula provinces publicly declared their support either for an opposition party or the ruling party.

It is important to note that despite the opposition to the involvement of chiefs in partisan politics, various political parties have continued to count on the political support of traditional authorities during elections. It is not uncommon, for example, for candidates of various political parties to pay courtesy calls on prominent chiefs asking them to use their influence in securing the support of their subjects. Some traditional authorities have also publicly backed either the ruling party or the opposition during elections. In the 2006, 2008 and 2011 elections, for example, some traditional rulers in the Southern, Northern, Eastern, and Luapula provinces publicly declared their support either for an opposition party or the ruling party. In the 2011 elections, for example, Senior Chief Kazembe of the Lunda backed the MMD candidate in Mwansabombwe and told his subjects to vote for him because he was closely related to him. Soli Chieftains Nkomeshya Mukamambo II publicly differed with President Rupiah Banda of the MMD and asked her subjects to support the PF. In both cases, their subjects defied them and voted for a different candidate. This shows that chiefs may not exercise as much influence as they are purported to, but more importantly it should be accepted that they are not politically neutral (Simutanyi ,2013).

Traditional governance does not allow for the right of citizens to elect their agents freely and according to their own choice. The position of the traditional leader is not subject to a democratic selection process even though universal suffrage in modern democratic states in theory guarantees inclusiveness. This is further compounded by the patriarchal nature of traditional leadership, which is usually not socially, ethnically, or gender inclusive. Additionally, youth often have limited possibilities to be elected or selected as traditional leaders. Leadership is often reserved for male elderly members of one ethnic group and excludes all others. Even though used as if they were representative of the local communities, chiefs often may not represent the whole community. They are also not automatically popular public figures. Traditional leaders are also not always downwardly accountable to the local populations. Responsibility is the idea that poor performance of decision makers can be sanctioned against. This requires mechanisms to penalize poor performance. An essential condition to keep authorities accountable is the

existence of sufficient transparency. The actions and decisions of traditional leaders are usually less transparent than those of governmental leaders in democratic countries. As the position of traditional leader is customarily inherited for life, the option of voting out leaders whose performance was disapproved of does not exist. However, the legitimacy and – to a certain extent – the power of traditional leaders does depend on popular support. More accountability can be achieved by establishing participatory approaches actively involving the respective communities. In sum, critics fear that traditional rule will compromise the gains promised by democracy with regard to equity, human rights, and gender equality (Arhin, 1985).

(Chakunda and Chikerema, 2014) posit that modernists have view traditional authority as a gerontocracy, chauvinistic, authoritarian and increasingly irrelevant form of rule that is antithetical to democracy. They have sceptically labelled traditional leadership systems as a major setback to democracy holding traditional values which are patriarchal, silencing the views of youth and women and have condemned traditional leaders as the least qualified to talk about democracy. The centrality of traditional leadership in consolidating the democratic dispensation should be thoroughly explored and evaluated to resolve the gaps in the practice of liberal democracy in Africa. Traditional institutions provide leadership which is rooted in culture and customs and this form of administration if reconciled with modern democracy can be used as a tool of enhancing a democratic indigenous society (Chakunda and Chikerema, 2014).

Logan (2008:5), “the question of how traditional authorities “fit” into a modern political system becomes particularly acute at the local level, where these leaders exert the most influence on the daily lives of Africans, and where the contest with government authorities for resources and responsibilities is most intense”.

Within the demesne of politics, the Zambian constitution bars traditional leaders from engaging in partisan politics. Conversely, this has not prevented some traditional leaders from publicly endorsing their preferred candidates. ECZ (2013) sadly observed that, some traditional leaders have been reported by the media of openly supporting particular political parties or candidates.

Kayed and Bluur (2006) opine that the contemporary wave of recognizing traditional leaders in governance has therefore been greeted with some uncertainty. The fear is that the gains promised by democracy with regard to impartiality, human rights and gender equality would be lost by

handing over the rudder of development to an indeterminate huddle of unelected community organizations and groups in the name of efficient, restricted governance, cultural diversity and the highly valued attribute of localization (ibid). Despite this ambivalence, in countries such as Mozambique, South Africa and Namibia, the recognition of traditional leaders has been officially launched as an element in the democratization and inclusion of local communities. In different ways in Mozambique, Zambia, Zambia and Burkina Faso, the transition to multi-party democracy has seen both the implicit and explicit involvement of chiefs in rallying the rural electorate.

Chief Mumena of the Kaonde people stated that the role of chiefs must be extended from that of merely being customary and cultural, but should have a role to play in governance issues. Adding that chiefs have the great potential to contribute to national development; just continuing them to traditional roles will not do any justice to the nations (The Post, Wed, Dec, 08, 2004). Zeller (2007) the role of chiefs as national actors is being increasingly acknowledged by the government. Chiefs in Zambia are increasingly joining forces to realize common goals, trying to carve out official roles in national and local government and engaging in debates on key issues, such as rural development, decentralization, constitutional reforms, AIDS prevention and security. As a way of creating peace building during elections, USAID (2011:46) suggests that traditional leaders can play positive roles in electoral education, Get-Out-The Vote activities and in mediation of post-Election disputes.

Some chiefs mostly from opposition strongholds have also been able to challenge the authority of the central government. Other than public pronouncements by some chiefs complaining about the failure of government to honour its pledges in terms of service delivery, there have been instances of serious confrontation between traditional establishments and the state. Several studies have been conducted in Zambia on the effects of traditional establishment's involvement in the electoral process. To the author's knowledge, there is dearth of literature on this subject. Therefore, it is against this background that this research will be conducted to fill the knowledge gap and provide literature on the established role of traditional establishment in the electoral process in Chipata district, a case of Mpezeni chiefdom. (Zambia Times, 2017).

## **2.7 A review of empirical research studies on traditional establishment in various parts of the world**

This section will provide a review of empirical research studies on traditional establishment. This part will provide historical account providing a cumulative record of such studies since it attempts to provide the historical sequencing of the work from Zambia got independence to recent times. A historical categorization will be followed in the presentation of the studies within a specific cultural sector. At the prima facie, it is also vital to state that this review of empirical research studies on traditional establishment is also culturally located (by country) and thematically focused. Despite the challenge of selecting what may be professed as the best empirical studies during the review of empirical studies, the current staging selects and concentrates on major studies only. Viz., only those research studies which have made an impact to the field of traditional establishments by opening the field to high level academic discussion and dialogue.

### **2.7.1. Traditional establishment governance practices in the Philippines**

An examination of empirical research studies of traditional establishment leads to an inevitable realization that the leading cultural setting for such activity has been the Philippines. This is because of the pluralism and variety of the Philippine nation characterized by the presence of various ethnic communities, cultures, religions, and languages, even as the people share many elements of a common heritage makes unity and national development a complex issue. (Schult, 2015).

According to (Lopez, 2011) governing a multi-ethnic nation-state makes it imperative that peoples' cultural, differences, and politico-economic structures and systems be considered in governance. In many situations, indigenous peoples' (IP) governance are very locally and lineage (clan)-based. Different aspects of IP governance vary in different settings for the reason that societies value processes, forms, and outcomes of governance differently.

In reviewing empirical research studies conducted on traditional establishment from the Philippines, it is important to consider the work by Lopez, Helbling (2003) and Schult (2015).

This is because the two works are of pioneering significance in the foundational sector of research on traditional establishment.

The study by Helbling (2003) attempted to investigate the role of traditional establishment in the electoral process. Helbling notes that it is therefore important that differing indigenous traditions and values be recognized and accommodated in a way that contributes to good governance rather than undermines it. Peoples' culture is one of the defining features of IP governance and development. Culture informs and legitimizes conceptions of one's self, of social and political organization, of how the world works and of how the individual and group appropriately work in the world. In its political-economic manifestation, culture serves as a series of implicit contracts by which individuals are credibly bound to the system of incentives and constraints embodied in formal and informal.

Mangyan Authors namely Lopez, Helbling and Schult divulged that the chief leader of Mangyan tribe selected either through voting or consensus was authorized or confirmed by a local official such as a provincial governor (Lopez 1976, Helbling and Schult 2004). The chief head appointed by the provincial governor as "Comisario de Manguianes" served as the mediator between the Mangyans and the local government (Helbling and Schult 2004:151).

According to Mangyan Authors, sometimes the Comisario tasked by the governor to rule the Mangyans was a Tagalog not a Mangyan because the Tagalog could be easily manipulated (Ibid). Therefore, the line of authority was passed on from the Spaniards to the Tagalogs to the Mangyans (Ibid). This scenario was supported by Fletcher Gardner, a US Army contract surgeon, cited by Lopez who claimed that the power of Chief Mangyan was indeed restricted (Lopez 1976:63). Therefore, as the main research finding, of the Literature by Lopez (1976:63) exhibited that the powerlessness of Mangyan leaders persisted even until the arrival of the Americans in spite of the goal of the colonizers to enable them to manage their own affairs courtesy of Act No. 547 of 1902 (Ibid: 69). Citing Buhid Mangyan as an illustration, its traditional leadership emerged from capacity of an individual to convince and influence people (Lopez-Gonzaga 1983:88).

Furthermore, the Hanunuo-Mangyan, was observed to have weak leadership (PAFID 1993). This was manifested in their traditional interaction where the tribe did not have a clear form of

political system but instead bestowed reverence and respect towards their elders (De La Paz 1968:36). Batak Similar to earlier citation wherein elders were viewed as influential to indigenous tribes, James Eder in his book *On the Road to Tribal Extinction: Depopulation, Deculturation, and Adaptive Well-Being among the Batak of the Philippines* (1993) reported that the elders or older males with qualified personality surfaced as their leader (Eder 1993:29). An elder known as “Kapitan” who was famous for his skills in hunting and fighting was selected by the adults among the roster of males as the Chief (Bailon: n.d.) Bailon added that a “masikampo” was likewise recognized as a faction expert on “customary law” comprised of men known for their wise decisions (Ibid). Agta Jean Treloggen Peterson in his work entitled *The Ecology of Social Boundaries: Agta Forefathers of the Philippines* (1978) stated that similar to other indigenous groups like the Hanunuo Mangyan, Agta had no formal government. The influential, wise and experienced elders were powerful but young leaders were not hindered from emerging (Peterson 1978:10). The leaders served as advisers (Ibid).

The researcher Mindanao Yakan Roxas Ahadas in his work entitled *Yakan* (2002) cited that a datu or a sultan governed the Yakans. Literature displayed that a certain Christian named Pedro Cuevas was acknowledged as a chief datu after embracing a life of Yakan (Ahadas 2002:8). Their Muslim faith had a huge impact in their governance. They believed that supreme power is obtained from Allah (Ibid). Laws should be consistent with their code of belief. Records manifested that the “head of the Sarah Kepepuan” or the “law of the forefathers” was known as “Pang lima” (Ibid: 13). The following were a number of Pang lima that were recorded:

- i. First Panglima – “No physical body or was unseen”; “came from the wedding ceremony when the Imam (priest) called or asked the name of the groom.”
- ii. Second Panglima – “came from the elder of the community or village, and must be knowledgeable or gifted in both Sarah Pegdunya and Sarah Pegahilat, the world law and heavenly paradise law especially the law of God called Allahu Taala.”
- iii. Third Panglima – “came from upper class of society who must also be intelligent in making decisions about conflicts or problems in community.” (Ahadas 2002:13) Ahadas explained that the position of Panglima was hereditary, appointed or elected (Ibid:13). He cited the following functions and powers of a sultan:
  - a. appoint datu and other officials;

- b. religious role; and
- c. political role (Ibid).

Records showed that the sultan had several representatives who enforced the laws decreed by the royal council. They were the hadji (male) or hadja (female) or the pakil at the village level. Some of them were elevated to barangay leader position (Ibid:16). This particular position was open for anybody who deserved it (Ibid). On the other hand, the datu emerged from the ruling class. The position was either inherited, “appointed” or “self-proclaimed” (Ibid:15).

In line with this, Bukidnon William Biernatzki in his article entitled “Bukidnon Datuship in the Upper Pulangi River Valley” discussed that the political system of Bukidnon people was characterized by a hierarchy of datus (Biernatzki 1973: 15)), meaning there Assistant of the babaylan (shaman) in religious ceremonies.

Biernatzki study is significant to the current research in a number of ways. It shows the way the traditional establishments and the governments conflicted. Residence of a datu was likewise a venue of socio-political activities (Biernatzki, 2008). Additionally, it was recorded that laws were promulgated and revised only in the assemblies of datus or when datus converged. Nonetheless, the power of datu was cut short because of the intervention of government (Ibid). The Bukidnon people believed in symbolism. NCIP detailed the following emblems: “giling”, “talakub” and “sacred stick”. Giling held by a datu symbolized high authority. Talakub, on the other hand, was carried by the datu with the “power to travel” while the “sacred stick” engraved the laws of Bukidnon (NCIP Document on Bukidnon). Biernatzki attested that the holders of these symbols were powerful (Biernatzki: 20).

It has been reported that, in the early days, the Mandayas, did not elect or appoint datus (the highest position a Mandaya can aim for in their independent political arena). They only had the Matikadong, an elderly person who is respected and obeyed by the people. The Matikadongs acted as advisers whom the people depended on for crucial decisions, specifically for problems in the community. They also acted as judges. Whenever feuds and wars broke out, they acted as mediators and tried to stop the bloodshed through peaceful processes. When meetings or general assemblies were called, they facilitated these gatherings. Their presence was also very significant in wedding ceremonies where they served as witnesses and advisers. (Ibid)

Datuship was conferred by appointment. It was not a matter of bloodlines but the qualities a person possessed which qualified him for datuship. At one time in the past, the word of the datu was the law. Whatever he said was not questioned by the people and his word was absolute. This seldom happens today. (Ibid: 183) Similar to findings the current chiefs in Zambia possess the same power.

Mandayas of the early days did not have datus to direct and supervise them. The ancient Mandayas lived in groups which when it had grown in number would then cause them to choose a leader. Since the Matikadong held the highest position, they decided what form of punishment was appropriate for a proven criminal. Furthermore, the primitive Mandaya adhered to and practiced “an eye for an eye and a tooth for a tooth.” If a member of a particular clan or family was treated harshly, the relatives would trace the one responsible for the deed and do to him what had been done to their relative, or more (Ibid).

A council of elders is consulted by the bagani on the various matters:

Research themes generated from this study were interesting and contradictory in nature because on the one hand, it could be argued that: In the early days of colonization, the church and the government were one. Political units were established, followed by massive Christianization or vice versa.

Illustrious mandayas shared in governance with the blessings of the Spaniards, and later, the Americans. Teodoro Palma Gil, who started his education in Caraga and was a classmate of Dr. Jose Rizal, became Congressman of Davao District for three terms (1916-1925). Pacifico M. Sobrecarey (governor, 1937-1939) who was born in Manay, and Fernando Generoso (governor, 1925-1928), the son of the daughter of a Mandaya chieftain, became governors. Descendants of Mandayas continued to be influential politicians in Davao during the American regime. Now known as Davaweños, they occupy key positions in the government and own vast tracts of land thereby raising the pride and superiority of the Davaweños over other indigenous groups. When the Japanese surrendered, the mayors appointed by the Japanese were replaced. Some were executed as traitors. The stigma suffered by their descendants stayed for quite a while. In 1948, the election of local officials was held. It was in 1960 that the first Mandaya college graduate was elected in Manay — Pedro Bandigan. Women also occupied high positions at the municipal

level. Amparo Moralizon-Ranon became the first woman councillor of Manay, Davao Oriental. (Ibid)

Despite the contradictory nature of the findings of (Biernatzki 1973: 15)), and (Ahadas 2002:8) studies, there is no doubt that the two studies produced some important research themes for further investigation in the role of traditional establishment in Philippines. The two studies are relevant to the current study in that they both focus on ‘the traditional establishment’ an aspect which forms the basis for the current study.

As per main findings of the study, it was observed that the chiefs had control over political system of the Philippines. At one time in the past, the word of the datu was the law. Whatever he said was not questioned by the people and his word was absolute. This seldom happens today. (Ibi)

The main objective of this research is to analyze the role played by the traditional establishment in the electoral process in Mpezeni chiefdom in Chipata district. Whatever the outcome of this analysis, it is a requirement, just like Lopez’s study, for the current study to also provide recommendations for policy changes in the policy documents above in order to enhance the role of traditional establishment in the electoral process to fully adhere in terms of identity to the constitutional requirements of Zambian constitution.

In conclusion, Lopez’s study is significant to the current study because it reveals an aspect considered as a very important feature and characteristic of traditional establishment. In his study we see chiefs carrying out tasks like the Chiefs in Zambia. Also the chiefs under study here have powers over their subjects as in case in Zambia. The chiefs here control political activities.

### **2.7.2. Thakali of Nepal traditional establishment of governance: mukhiy**

Owing to a number of historical factors, research on the role of traditional establishment in the electoral process is undeveloped in Nepal. This has led to insufficient scholarly critical literature in the area of traditional establishment in the electoral process. This problem is echoed by Tulachan (2014) when he observed that in Nepal “the main difficulty for any study of traditional establishment is to over-come the scarcity of scholarly critical literature in the area”.

In spite of the scarcity of scholarly serious literature in the area of traditional establishment in Nepal, few studies stand out as vigorous researches in the area, particularly in relation to the present study.

According to Tulachan (2014), Thakali Chief System or Mukhiya system was established around 1750-1760 AD. Custom of Khambek was established before the formation of this state. The Mukhiya used to collect revenue from the people and pay to the government. The Mukhiya are powerful as they regulate economic, social and justice system. People usually try to resolve disputes on their own but when the conflicting parties are not satisfied, then they can go to Mukhiya with an offer of 4 pennies. If the Mukhiya of that village could not resolve the dispute then the parties can go to the main Mukhiya who is called Mir Mukhiya.

According to AIPP (2007), Among Mukhiya, Mir-Mukhiya is like the president, Upamir-Mukhiya, the vice-president and Tabil-Mukhiya, the secretary. Tabil-Mukhiya documents the trial. 10 other Mukhiya are like members. All the documents are put in a copper box with three lockers, and the keys to the lockers are kept by Mir-Mukhiya, Upamir-Mukhiya and Tabil-Mukhiya. All trials were documented in Tamrapatra (copper-tooling), Silapatra (stone graving) and Bhojipatra (writing on Bhoj tree leaf/bark). Mukhiya has to be chosen by consensus.

In Nepal, Traditional political institutions embody democratic principles and are manifested in power-sharing and co-responsibility among its members. Personal integrity, reliability, honesty and far-sightedness are principles applied in selecting representatives from the community, apart from their legal knowledge, wisdom and sense of justice. Traditional institutions are made up of a council of elders or elders who administer all matters as the highest arbiter in order to maintain peace, harmony and well-being in a community. (Ramesh Jerai, 2013)

By tradition, indigenous political institutions in Nepal were generally localized, usually restricted at the village level. However, modern communication systems have allowed its administrative sphere to expand to clusters of villages or even to the whole of a community of a particular indigenous group. Their choosing of members of traditional institution or council takes different forms, but it is guided by the criteria of who is considered to be a good and a wise leader.

Supplementary analysis of the resultant data from Tulachan (2014) study confirmed that the position of some members of the traditional council may be hereditary but upholds democratic

principles by means of having adequate representation and consultations in governing a community. As a result the ills of money-oriented electioneering may be averted, while providing nuanced custom-based pressure on the hereditary or quasi-hereditary leaders to adhere to and respect community wishes.

The major research theme from (Ramesh, 2013) study above is the village chief or elder is often tasked with the overall administration of the village. He/she presides over community meetings and hearings and ensures that customary laws and rituals are followed. He/she also ensures security, peace and stability in the community. In this aspect special reference is made to the role of other council members is to advise the village chief or elders in important matters concerning the administration of the village. They take co-responsibility in the administration of the village, and help in other matters such as social relations and settlement of conflicts.

Even though Ramesh Jerai's (2013) study is deliberated a major empirical contribution to the systematic understanding of role of traditional establishment in Nepal, it was not spared from critical questions especially those concerning the relationship between his research methodology and his conclusions.

Critical questions were especially directed towards the issue of decision-making process. Decision-making process is generally by consensus and is inclusive and participatory in character. Even in hierarchical societies, the decisions by the leader (village head, chief or king) are made after seeking advice from counsellors. This applies to setting standards for the community, including guidelines for the management of resources and judicial matters. In major issues that dramatically affect the survival of the community, such as in the case of war or dispute over important resources, a unanimous decision is required from all council members and the community as a whole.

Many traditional institutions have evolved over time, but the decision-making process is basically maintained and in some cases, has involved wider sections and also different sectors of the community, especially women and youth. Improved communication technologies within indigenous societies have also made information sharing easier.

Ramesh's (2013) study is useful and relevant to the current study in a number of ways. Firstly, just like the current study which is concerned with, among other things, the interface between indigenous political institutions with the State has brought about numerous problems.

The study by Ramesh is focused on two of them, the interference of traditional establishments and the will of the people. This qualifies Ramesh's study as a prototypical role of traditional establishment enquiry.

One of the key issues in Ramesh's study is the appointment of traditional leaders by the government, such as the case in Nepal. Another issue is, in the changing times and situations, there is a requirement of resolving system conflicts caused by modern or state impositions over the traditional, or as is often the case, where a hybrid system exists. In such situations, the traditional institutions are often undermined by the state or hybrid systems. Therefore, there is a need for a re-definition of the relationship between indigenous peoples and the State through effective negotiation processes.

At the same time, customary law is also seen as being dominated by men and therefore seen to be reluctant to support changes to norms that are unfair to women. Thus, this clearly represents another area of challenge requiring reforms.

The other major challenge to the indigenous political systems is the building of the capacity of these institutions to address more effectively the more complex present-day realities and situations of indigenous peoples. For example, indigenous institutions are increasingly confronted by outside entities such as corporations, International Financial Institutions promoting "development projects" that entails the extraction or expropriation of indigenous lands and resources. Likewise, the changing patterns of land tenure, including selling of lands to outsiders, the emergence of new types of leaders that are not accountable to the indigenous communities, the influx of non-indigenous migrants among others are complex issues that indigenous political systems have to address. These developments are directly impacting on the capacity of traditional political systems to maintain cohesion, unity and cooperation of the members of indigenous communities, while at the same time ensuring and upholding the interest of the community members and the recognition of their rights and welfare.

According to Ramesh (2013) Hybrid institutions are different from the traditional institutions and they have strong support from the state. Often they bring conflict. Ramesh (2013) says that we have to be careful about the hybrid institutions as they could play the role of 'divide and rule'. Thus when we talk of development initiatives, consultation should start from the indigenous system as well as hybrid institutions but the indigenous system should be given more power in the decision making. This includes making more resources available to the indigenous leadership, supporting our indigenous system of governance and leadership.

According to Ramesh (2013) Nepal also face the problem of representation. “We need to ensure that our leadership is recognized. We need to come up with criteria and inform governments about these criteria so that they can easily determine who the real leaders are.” (Ramesh, 2013)

Ramesh’s study reveal that people also do not trust their own indigenous institutions because of mind-sets are influenced by modern education. The transfer of indigenous knowledge has also not been carried out to the new generations for the same reason. There is thus a need for awareness-raising campaigns to revitalize and to regain the respect of our customary institutions. There should also be collective reflection to take on the responsibility (as indigenous individual and leader) to implement the indigenous institutions. (Ramesh, 2013)

The study reveals that to revitalize traditional establishments is an enormous task, and there is a need to work with indigenous peoples in order to build the capacity of indigenous peoples. There is a need to promote the UN Declaration by translating it.

In 1991, an Expert meeting organized in Nuuk, Greenland, outlined the following as characterization indigenous self-government in an attempt to establish measures to recognize indigenous governance/institutions:

- The exercise of adequate powers and self-government within the traditional territories of indigenous peoples as a prerequisite for the development and maintenance of traditional indigenous cultures and for the survival of indigenous peoples;
- A redefinition of the relationship between indigenous peoples and the States in which they now live, in particular through the negotiation process;
- Self-government as a means of promoting better knowledge about indigenous peoples vis-a-vis the wider society;

- The assumption that the exercise of self-government presupposes indigenous jurisdiction, that is, the right of indigenous peoples to establish their own institutions and determine their functions in fields such as lands, resources, economic, cultural and spiritual affairs;
- The possibility to establish relations with other ethnically similar peoples living in a different region or State;
- The establishment of mechanisms for joint control by an indigenous autonomous institution and the central government;
- The necessity to delimit clearly areas of competence in order to avoid conflict; and
- The establishment of conflict resolution mechanisms.

References to the UNDRIP preamble paragraph 16 and Article 4 of the UNDRIP provides for indigenous peoples' right to establish autonomous areas or self-government as a mean of self-determination, among others, while Articles 5 and 20 (1) affirm the right to maintain and revitalize political institutions. These are further elaborated in Articles 34 and 36 which recognizes indigenous peoples' right to promote, develop and maintain their institutional structures, networks and their distinctive customs.

### **2.7.3. Traditional establishment in Sierra Leone**

Sierra Leone is one of the leading cultural settings for empirical research studies in traditional establishment. As a consequence, traditional establishment research conducted in the Sierra Leone has provided "the largest data source for other researchers and theoretical concepts and research paradigms used by researchers in other cultural settings. According to (Chakunda. And Chikerema, 2014) the Chiefdoms of Sierra Leone are the third-level units of administration in Sierra Leone. The paramount chiefs and the ruling families in the chiefdoms were recognized and empowered by the British colonial administration when it organized the Protectorate of Sierra Leone in 1896. Stereotypically, chiefs have the power to "raise taxes, control the judicial system, and allocate land, the most important resource in rural areas."

According to the study by Acemoglu, Reed and Robinson (2013), the colony of Sierra Leone was established in 1788, primarily as a settlement for freed slaves from the Americas and Caribbean. The boundaries of the colony initially extended little beyond the environs of the main

settlement, Freetown. While Portuguese and later British traders had interacted with locals, the nature of these relationships had been primarily economic; treaties were signed protecting property rights and trade routes, but the sovereignty of local peoples over their territory had been recognized unequivocally. This changed in 1896, when Governor Cardew of the colony unilaterally declared a Protectorate over the interior of the country, declaring that signatories of previous treaties with the government, then recognized as “native chiefs” with full political autonomy, were now subordinate to the Government in Freetown.

According to Lugard (1922) the colonial government proceeded to establish a system of indirect rule, assessing a house/hut tax in 1898, and often imprisoning various chiefs who refused to pay (Chalmers, 1898). Though the Cardew’s declaration of a protectorate sparked the violent “Hut Tax Rebellion” led by Bai Bureh of Bureh chiefdom and others, the government was largely successful in suppressing opposition. Over the next decade it had established the chiefdom, led by the Paramount Chief, as a unit of indirect rule that would be an almost exact example of the model later described by Lugard (1922). The law of Sierra Leone now made the Paramount Chiefs responsible for the arbitration of land and legal disputes, the collection of tax revenue, and the general welfare of their people. After the declaration of the Protectorate, the colonial government established a formal system of succession in the chieftaincy. Paramount Chiefs rule for life, and are elected by vote of the Tribal Authority", a group comprising the members of the chiefdom elite. The authority also includes the chiefdom speaker", an aide to the chief. Chiefdom speakers will often temporarily take on the role of regent" or caretaker once a chief dies. At the turn of the 20th century, these authorities were small groups of approximately 5 to 15 headmen and sub-chiefs" of the various towns and villages within the chiefdom. Their numbers have expanded over time. By the 1950s, voting roles in Paramount Chief Elections comprise 40 to 60 members. The 2009 Chieftaincy Act provides that there must be one member of the Tribal Authority for every 20 taxpayers.

Still, however, the tribal authority comprises mostly members of the rural elite; they are not elected by these taxpayers and neither is the chief.

After the declaration of the Protectorate, the ruling family became the unit of political competition within the chiefdom. Ruling families can trace their descendants to the leaders of the chiefdom at the turn of the 20th century, when the institution coalesced and began to ossify", to

use Abraham's (2003) phrase. Only members of ruling families are eligible to stand for election. The 2009 Chieftaincy Act stipulates that a person is qualified to stand as a candidate if he or she was born in wedlock to a member of a ruling family. Where tradition so specifies", this requirement is expanded slightly to include anyone with direct paternal or maternal lineage to a member of a ruling family, whether born outside of wedlock or not". A ruling family is recognized as one that was established by independence in 1961.

Across chiefdoms there is a consensus on the number of ruling families, though there is no list even in the ministry in charge of the elections. A particular person's membership in them is at times contested since most people do not have written birth certificates or other definitive methods of proving their legitimacy. These disputes are resolved in cooperation with the Provincial Secretary, and often hinge on whether the aspirant can show his or her relative was recognized by British officials as being legitimate to stand for election before independence, and thus was a member of an established ruling family. Before the 2009 Act, elections were administered under a customary law that maintained the same basic principle: only members of established ruling families could stand.

One source of variation in the number of families requires discussion. In the late 1940s and 1950s, the colonial government amalgamated certain smaller chiefdoms in order to make the collection of revenue and their administration by the District Commissioner more efficient. Before amalgamation, each of these chiefdoms had their own Paramount Chief and ruling families;

The fact that leaders under indirect rule derived their authority from the colonial government, and not their people, opened up opportunities for corruption, or at the very least irresponsible behaviour, the consequences of which are examined in Acemoglu, Reed and Robinson (2013).

In this paper, it is shown that places with fewer ruling families have significantly worse development outcomes today in particular, lower rates of educational attainment, child health, asset ownership and non-agricultural employment. Surprisingly, however, we find that these powerful chiefs' authority is highly respected among villagers, and their villages have higher levels of social capital," for example, greater popular participation in a variety of "civil society" organizations and forums that might potentially be used for keeping chiefs accountable. We

argue that these seemingly paradoxical results reflect the capture of civil society organizations by chiefs. Howard, Allen M. (1972)

Instead of acting as a vehicle for disciplining chiefs, chiefs have structured these organizations to control society. In places with fewer families, this has had deleterious consequences.

Though the British did create local councils as a counterweight to chiefs' power, they were quickly dominated by the chiefs and were abolished after independence with the chiefs remaining as the sole conduit through which the government interacted with the people (Tangri, 1978). Cartwright (1970) discusses the role of the chiefs in Sierra Leone's Legislative Council in 1947, which formed the basis for the Parliament at independence in 1961. Council representatives for the Protectorate were chosen through a process of indirect elections, at the base of which was the Tribal Authority, meaning that the Protectorate was "under the control of chiefs rather than effectively controlled by a popular electorate." It was not until 2004, under a World Bank sponsored post-war governance reform, that a system of democratically elected local councils was established to liaise with the central government in determining health, education and agriculture expenditure in rural areas (Casey, 2007).

The hereditary paramount chiefs and their sub-chiefs were the solitary local government in Sierra Leone until 2004, when the World Bank sponsored the creation of elected local councils. Local notables, known as the Tribal Authority, elect paramount chiefs for life from among the ruling families in each chieftaincy recognized by the British administration in 1896. ([https://en.wikipedia.org/wiki/World\\_Bank](https://en.wikipedia.org/wiki/World_Bank) )

Other chieftaincies have several ruling families, and the differences among them in terms of economic progress has been subject to study in 2013. They found there was a positive relationship between the number of ruling families in a chieftaincy and educational, health and economic outcomes in terms of human capital.

The districts of Sierra Leone are divided into 149 chiefdoms of chieftaincies. (<http://www.sierra-leone.org/chiefdoms.html> )

Sierra Leone's President Ernest Bai Koroma (2017) said the role of chiefs in the overall governance of the state is very important. ([www.statehouse.gov.sl/.../1322-the-role-of-chiefs-is-very-important-in-governance-pr](http://www.statehouse.gov.sl/.../1322-the-role-of-chiefs-is-very-important-in-governance-pr) ). A government report (2016)

According to JA Robinson (2017) official crowning of the most senior of traditional rulers (Paramount Chiefs) in Sierra Leone, like in most other African countries, is usually done by the head of state or his representative, usually the Minister of Local Government.

According to the Sierra Leone State House report (2016), president Koroma acknowledges that traditional leaders are expected to play a pivotal role in the ongoing implementation of post Ebola recovery programs.

Paramount Chiefs wield enormous power in rural Sierra Leone and are frequently at the center of most development projects carried out in their chiefdoms. Their support is therefore crucial for the success of any project in their sphere of influence.

President Koroma seems to have acknowledged this when he reportedly urged paramount chiefs to "utilize the Constitutional Review Process (CRC) as an opportunity to enhance and further consolidate the role of chiefs in the governance of the country. He nevertheless lamented the fact that "the customs and traditions of the respective communities have come under heavy attack over the years," but however advised that core values must be maintained. Whyte, Christine (2012)

The study by JA Robinson (2017) noted that in Sierra Leone Traditional customs and traditions have always clashed with Western traditions since the time the country was colonized by the British to the present day. The Paramount Chiefs, as custodians and symbols of traditional customs, are usually the targets of attacks by supporters of Western or modern ways of doing things. The Chiefs, like their counterparts in other African countries, however always remained steadfast in the preservation of their culture which is passed on from one generation to the other. However, because of the predominance of Western styles of governance, the Paramount Chiefs have seen their power gradually eroded as the years go but they are still a significant factor in the social, political and economic aspects of the country's national development programs. President Koroma, according to the State House release, therefore promised government's commitment to continue to "strengthen the capacity of paramount chiefs" to transform their communities and the

lives of their people adding that that the country will see great development and transformation immediately after the Ebola virus disease (EVD) would have been completely defeated.

Therefore, as the main research finding, the study by Popkin, Samuel (2014) revealed that because of the so called the "tangible development and the transformative leadership of sitting governments", chiefs have always colluded with the sitting governments. Studies also noted that in Sierra Leone Chiefs receive salaries. The government of in Sierra Leone attaches great importance to traditional establishment and paramount chieftaincy.

#### **2.7.4. Traditional establishment in Lesotho**

Lesotho is a constitutional monarchy. The King reigns and is the Head of State; however the prime minister is the Head of Government and has executive authority. The King's position is hereditary and accession to the throne is regulated by the Office of the King, Order No. 14 of 1990. The King serves a largely ceremonial function and the prime minister is appointed by the King in terms of Section 87(2) of the Constitution. (Matlanyane 2013)

According to Matlanyane (2013) Lesotho has maintained its traditional Chieftainship system and the heritage of the monarchy and has incorporated both into modern, democratic governance architecture. The co-existence of multi-party, democratic electoral systems; the separation of power between the three organs of state (the executive, Parliament and the Judiciary) and the fact that the King reigns but does not rule, are all provided for in a written Constitution and constitute a major maturity in democratic politics and governance in Lesotho.

Matlanyane (2013) study is relevant to the current study because it includes the theme of traditional establishment. This is a shared perspective with the current study as one of its objectives is to determine the extent to which chiefs engage in politics in Mpezeni chiefdom. Following an assessment of their contemporary status quo in line with the current research's main theme of 'traditional establishment, chiefs will be characterized in Mpezeni District.

According to Ismail, Bayat and Meyer (1997:2), local government is that sphere of government which is commonly defined as a decentralized, representative institution with general and specific powers developed to it by a higher sphere of government (central or provincial) within a geographical defined area.

Mofuoa's study is relevant to the current study in a number of ways. It should be noted that, unlike the BNP local government structures, the military government included Chiefs as ex officio members and Chairpersons in most of the bodies. It should also be remembered that the Lesotho Government Order No. 3 gives the King legislative and executive powers. However, during the BNP rule, the King was just ceremonial and at one stage the BNP government even exiled him. All this illustrate how the military government wanted to win the hearts and minds of Chiefs who were not so popular with the BNP Government. Modula (2005:9) argued that the military government wanted to score political points for its legitimacy and gain the support of Chiefs, who had experienced a very difficult time under the BNP government.

Lesotho has a bicameral parliamentary system, with the Legislature being composed of two houses, the Senate (Upper House) that is composed of 33 members, and the National Assembly (Lower House) that has 80 elected members and 40 proportional representatives. The Senate is not elected and it comprises of 33 members made up of as many as 22 hereditary Principal Chiefs and only eleven (11) ordinary citizens nominated by the King upon the advice of the Council of State. Principal Chiefs are descendants of King Moshoeshoe 1. The Council of State is a body drawn from a wide spectrum of the Basotho society. Its role is to advise and assist the King in the discharge of his functions. The high proportion of Traditional Leaders (Principal Chiefs) in the Senate is a clear indication of the pre-eminence of the institution of Chieftaincy (Traditional Leadership) in Lesotho. On the other hand, the National Assembly is wholly elected and comprises of 120 members, elected through the so-called Mixed-Member-Proportional representation (Commonwealth Report, 2005:108).

Gildenhuys (1997:8) acknowledges that the goal of modern local government can be none other than to create circumstances within its municipality, its jurisdiction for the attainment of a satisfactory quality of life for each of its citizens. According to Reddy (1996:3), local government is created deliberately to bring government to the grassroots, giving people a sense of involvement in the political processes controlling their lives.

The history of local government in Lesotho dates back to 1943. Reddy (1999:93) acknowledges that the modern local government goes back to 1943 when the Basutoland Council (BC), a national consultative body, discussed the possibility of increasing popular participation by establishing District Councils in order to elect two representatives. Van de Geer and Wallis (1984:17) add that, as a result, District Councils were established two years later, and in 1948 they became statutory bodies. The establishment of District Councils in 1943; the establishment of a District Secretariat flagged by various Development Councils and Committees both at district and village levels in the 1970's and early 1980's and the establishment of the Maseru City Council in 1989, all prove the previous attempts by different Lesotho Governments to give power to the people (Modula, 2005:1).

With the enactment of the Chieftainship Act, 1968 (Act 22 of 1968), the role of Traditional Leaders (Chiefs) and the Department of Chieftainship were formalized for the first time in Lesotho. According to the LMLG (2006:11), the key role of the Department of Chieftainship is to supervise the proper implementation of the Chieftainship policy by guiding Chiefs in the day-to-day execution of their duties. The department also serves as the last level of appeal in Chieftainship disputes.

The inclusion of two Chiefs in each Community Council as well as two in District Municipalities would seem a genuine attempt to ensure that Chiefs are not marginalized in this new system of local government in Lesotho. The question, however, how Traditional Leaders and their subjects feel about their role under the current system of local government in Lesotho amidst all these changes. (Matlanyane, 2013)

Lesotho is a constitutional monarchy. The King reigns and is the Head of State, whereas the prime minister is the Head of Government and has executive authority. The King's position is hereditary and accession to the throne is regulated by the Office of the King, Order No. 14 of 1990. The King serves a largely ceremonial function and the prime minister is appointed by the King in terms of Section 87(2) of the Constitution.

Lesotho has a bicameral parliamentary system, with the Legislature being composed of two houses, the Senate (Upper House) that is composed of 33 members, and the National Assembly (Lower House) that has 80 elected members and 40 proportional representatives. The Senate is

not elected and it comprises of 33 members made up of as many as 22 hereditary Principal Chiefs and only eleven (11) ordinary citizens nominated by the King upon the advice of the Council of State. Principal Chiefs are descendants of King Moshoeshoe 1. The Council of State is a body drawn from a wide spectrum of the Basotho society. Its role is to advise and assist the King in the discharge of his functions. The high proportion of Traditional Leaders (Principal Chiefs) in the Senate is a clear indication of the pre-eminence of the institution of Chieftaincy (Traditional Leadership) in Lesotho. On the other hand, the National Assembly is wholly elected and comprises of 120 members, elected through the so-called Mixed-Member-Proportional representation (Commonwealth Report, 2005:108).

Also forming an important part of the findings revealed from Matlanyane, (2013) is the revelation that Lesotho has maintained its traditional Chieftainship system and the heritage of the monarchy and has incorporated both into modern, democratic governance architecture. The co-existence of multi-party, democratic electoral systems; the separation of power between the three organs of state (the executive, Parliament and the Judiciary) and the fact that the King reigns but does not rule, are all provided for in a written Constitution and constitute a major maturity in democratic politics and governance in Lesotho.

The nurturing of a culture of consultation and dialogue among the political parties, such as the compromise that was reached by different parties that led to the MMP electoral reform, has also contributed significantly to the strengthening of the democracy and good political governance.

The research by Matlanyane, (2013) is similar to the current study in that it looks at the roles of the traditional establishments in relation to the political establishments. Through his research Matlanyane, (2013) shows how the two establishments interact which is also the objective of this paper.

Matlanyane, (2013) in his study showed how the traditional establishment has worked in Lesotho in adherence to Lesotho constitution unlike the case in Zambia where the chiefs have continuously violated the constitution in a number of ways. The chiefs in Zambia have openly engaged in tribal politics while the research by Matlanyane, (2013) doesn't show where the traditional establishment in Lesotho conflicted with the Zambia political establishment in Lesotho.

My study is unique because it seeks to establish the role of the traditional establishments in the electoral process in Mpezeni Chiefdom of Chipata district a serious and sensitive topic which many researchers have been overlooking at the expense of the subjects in most of Zambian chiefdoms.

### **2.7.5. Traditional establishment's involvement in partisan politics in Zambia**

In his 2013 study entitled 'A review by AfriMAP and the Open Society Initiative for Southern Africa 'Simutanyi reveals that there is great tolerance of the institution of chieftaincy in Zambia; tensions do exist between the state and traditional authorities. These tensions arise from the fact that chiefs control most of the land in Zambia and are believed to have substantial influence over their subjects. It is against this background that modern political leaders have pursued ways of undermining the authority of chiefs, while at the same time distinguishing their influence over their communities and role as custodians of traditional land and customs. However, during the First and Second Republics under President Kaunda, the power of the chiefs and their political authority was undermined and their authority structures, such as native authorities and native courts, were either abolished or relegated to insignificance.

Central to the findings by Simutanyi (2013) is the main theme which runs throughout his work that Chiefs had possessed these powers and authority from pre-colonial times and these had also been recognized by the colonial state. He indicates that efforts to suppress and remove the authority of chiefs, therefore, left resentment and lack of community regulation in its wake.

The study is also relevant to the current study because it highlights aspects of the 1996 amendment to the Constitution, which bars chiefs from participating in politics, has been controversial and stirred heated debate. On one hand are those who argue that participating in politics undermines the dignity of chiefs as they have to be answerable to elected commoners, while on the other are those who maintain that chiefs like all citizens are entitled to enjoy their democratic and human rights, which include the right to take part in elective office by offering themselves for election. This debate remains unresolved.

Also forming an important part of the findings revealed from Simutanyi's (2013) study was the revelation that, politicians have continued to court traditional leaders by seeking their support to turn out the vote during elections. It is not uncommon for traditional leaders to declare their support for the ruling party or for preferred opposition leaders or parties. There is a need for a sensible debate on this issue to ensure that the role of chiefs in local governance is clearly defined and the institution of chieftaincy within Zambia's democratic dispensation modernized. It is important to acknowledge that the House of Chiefs established by the 2003 legislation, while useful as an advisory body, does not enhance participation of traditional leaders in governance. Its role and functions will need to be re-defined and expanded.

From Simutanyi's (2013) study we see that since the inclusion of Article 129 in the Constitution, which bans traditional leaders from participating in active politics, there have been attempts to amend the Zambian Constitution so that traditional leaders can actively participate in politics, as was the case before 1996. For instance, the Mung'omba draft Constitution proposed that chiefs participate in political activities and stand for any elective office. Prior to Chiluba's attempt to amend the Zambian Constitution traditional leaders participated in public life and even contested parliamentary elections or were appointed to ministerial and other government positions. In 2004 the House of Chiefs submitted a resolution to the Mung'omba Constitutional Review Commission calling for the removal of the prohibitive clause from the Constitution and argued that it should be left to the people to decide whether their chiefs could participate in national politics.

Simutanyi's (2013) study reveals that is widely recognized that traditional leaders have continued to exercise a certain measure of influence in the governance and developmental life of the country. They have also offered moral and traditional leadership on developmental issues, such as on health, education and community development in their respective communities. The problem is that they compete for authority and influence with local leaders, such as party officials, local authority representatives and government officials. It is this competition for authority and influence which has provoked the debate on what role chiefs should play in their localities. As things stand today, chiefs can only participate in local councils through an appointed representative.

It is important to note that despite the opposition to the involvement of chiefs in partisan politics, various political parties have continued to court the political support of traditional authorities during elections. It is not uncommon, for example, for candidates of various political parties to pay courtesy calls on prominent chiefs asking them to use their influence in securing the support of their subjects. Some traditional authorities have also publicly backed either the ruling party or the opposition during elections. In the 2006, 2008 and 2011 elections, for example, some traditional rulers in the Eastern, Southern, Northern and Luapula provinces publicly declared their support either for an opposition party or the ruling party. (Simutanyi's 2013)

The theme of chiefs taking sides is highlighted by Simutanyi's study; in the 2011 elections, for example, Senior Chief Kazembe of the Lunda backed the MMD candidate in Mwanabombwe and told his subjects to vote for him because he was closely related to him. Soli Chieftains Nkomeshya Mukamambo II publicly differed with President Rupiah Banda of the MDM and asked her subjects to support the PF. In both cases, their subjects defied them and are purported to, but more importantly it should be accepted that they are not politically neutral. Traditional authorities have also been able to challenge the authority of the central government. Other than public pronouncements by some chiefs complaining about the failure of government to honour its pledges in terms of service delivery, there have been instances of serious confrontation between traditional authorities and the state. The example that follows is a concrete illustration of how serious such confrontation can become.

The researches by Simutanyi (2013) are relevant to the current study in that they deal with matters related to the political culture of Zambia – in which the preservation of executive power concentrated overwhelmingly in the hands of one powerful leader – will first have to change before significant constitutional and electoral reform will take place to provide for meaningful public participation in governance. By the same token, political parties will also have to inculcate the same values of equal participation in the internal democratic functioning of their organizations.

Through its main research objective, the current research also focuses on the challenges posed by the interface between tradition and democracy as demonstrated by the institution of chieftaincy and its role in local governance in Africa, also needs to be resolved. It will further require a

maturing of democracy to accept the role of decentralization and development through local government, even when these are controlled by rival opposition parties.

Many African nations either have laws in place or very strong sentiments against allowing traditional leaders to syndicate traditional and active political leadership roles. This has two intentions; to prevent traditional leaders from abusing their positions to prejudicial political advantage, and to prevent factitious political divisions along ethnic lines, which are likely to occur if traditional leaders are given free harness in party politics. But because national politics exclusive of traditional leaders also does not have a good track record on this last point in Africa, this argument seems an excuse for politicians to keep traditional leaders out of their way. However, it is a valid argument that a politicization of the chiefs' role can seriously endanger the respect and regard given to the traditional leaders. For instance, in Togo, during the administration of President Eyadema, the chief came to be seen as part of his oppressive system of political control. It should be born in mind, however, that such politicization can also occur when governments have a decisive say in the recognition or installation of chiefs, and use this power to install chiefs from a certain political denomination (Ray and Van Rouveroy van Nieuwaal 1996).

Agreeing to Richard Crook CDD/ODI Policy Brief No. 4, November 2005 2005, as Africa continues to develop its political institutions to serve demands of a democratic government in the modern state, the position of chiefs will continue to draw the consideration of politicians. Chieftaincy in Africa is not only an essential part but is also a vital element in the social, political and cultural establishment of African societies. In many countries, they still play a major role in managing land tenure; local justice, property inheritance, and the implementation of customary law, as well as conflict determination also continue to be important spheres of responsibility (Nyirenda, 2004).

Mawere and Mayekiso (2014:3) Chiefs are at a much better position to see development or lack thereof in their communities because they live in those communities unlike ward councilors, members of parliament and other such government authorities responsible for community development who mostly reside in towns away from the people they claim to be serving. Chiefs

are directly affected by lack of development and therefore it is in their interest as well to ensure that government keeps its promises.

Chiefs have a key role to play but the role needs to be redefined for the current environment and socio-economic and political indulgence (2014:3). Traditional institutions such as traditional leadership and modern government institutions should not work in isolation but co-exist and accompaniment each other in their efforts to foster democracy, social equality and community development (Mawere and Mayekiso, 2014:9).

Research by Kabemba (2011) provides detailed analysis on chieftaincy in Zambia and their involvement in partisan politics from 1992 to 2010. The 1992 Constitution of Zambia debars chiefs from taking an active part in partisan politics. This constitutional provision as argued by many scholars, policy analyst and civil society organizations is to maintain the respect, neutrality and dignity of the institution. This notwithstanding, some chiefs have openly involved themselves in partisan politics. With this background, the study examined why chiefs involve themselves in partisan politics and the effects of their involvement on sustainable development. The study found that, politicians play major roles in chiefs involving themselves in partisan politics. It was also established that it is in the right direction that chiefs are not allowed to participate in partisan politics even though it appears as an infringement on their political rights.

## **2.8 Summary**

In this chapter various forms of international and local literatures had been discussed. Literatures on the role of the traditional establishment in the electoral process and governance and a review of other researches done by other researchers on traditional leaders in comparison to this study has been done to show the uniqueness of this study. The next chapter focused on the methodological approaches to the study. Special attention will be granted to description of the methods or approaches used in the study and justification for their usage in the study.

## CHAPTER THREE

### RESEARCH METHODOLOGY

#### 3.0. Overview

The previous chapter reviewed the global, African and Zambian literature related to the topic of study. This chapter discusses the methodology employed in the study. It started with the description of the research design employed, then the target population, the sample size, the sampling procedures and the research instruments used. Furthermore, it describes the data collection procedures and how the data was analyzed in order to answer the research questions. In addition, it explains the ethical considerations made during the process of data collection. It then ends with a summary

#### 3.1. Research design

A research design refers to a plan or blueprint of how one intends to conduct a research (Mouton, 2001). The design of any research should provide a clear explanation regarding the choice of the sample population, where these respondents are situated as well as how they will be involved in the research project (McMillan & Schumacher : 2001). For the purpose of achieving the objectives of this study, the researcher chose to use qualitative research design. By definition qualitative research is a type of social sciences research that collects and works with non-numerical data that seeks to interpret meaning from the data that help us understand social life through the research of targeted population or place (Crossman, 2017). A case study was utilised in this study. The term case study pertains to the fact that a limited number of units are studied intensively (Welman, 2005). According to De Vos (2005: 272), a case study aims to provide an in-depth analysis of phenomena. Various residents were involved in the research to examine to the role of the traditional establishment in the electoral process. This type of design was used to get people's attitude and opinions. The case study approach has considerable utility in generating the answers. The data collected was quantitative in nature hence a case study was desirable. The design is valuable since it is used to narrow down a broad field of research. This research design helped the researcher to construct questions that solicited the desired information in carrying out the research and summarize the data in a way that provided the desired

information. Two (2) separate semi structured interviews and three (3) focus group discussion were used. The first interview was for paramount Chief Mpezeni, the second one was for the Indunas. The three Focus Group Discussions conducted were for the males, females and youths of Mpezeni Chiefdom.

### **3.2. Target population**

Population refers to a set of entities for which all the measurements of interest to the practitioner or researcher are represented (Powers, Meenghan and Tooney, 1985). In other words, population is the group of individuals or units where the sample for the study can be chosen or picked. Target population refers to the total number of subjects or all the people under consideration in any field of inquiry (Smith, 2013). Therefore, the target population for this study consisted of one (1) chief, four (4) indunas, ten (10) elderly me, ten (10) women and ten (10) youths coming to the total of 35.

### **3.3. Sample size and sampling procedure**

The sample size, as postulated by (Kothari, 2011), refers to the number of items to be selected from the universe. In this research the researcher targeted Chief Mpezeni (Njengembaso Jere), 4 Indunas, 10 Male Subjects, 10 Female Subjects and 10 Youths of Mpezeni chiefdom of Chipata district. The total sample size is 35 which was appropriate for a qualitative research. The researcher selected a sample size of thirty five (35) because the sample was deemed to contain a sufficient number of respondents to provide the needed qualitative information on the research. This is in line with (Rwegoshora's 2006) assertion that "the researcher can decide the sufficient number of respondents to form a sample in a research".

Table 1: Details of the sample composition

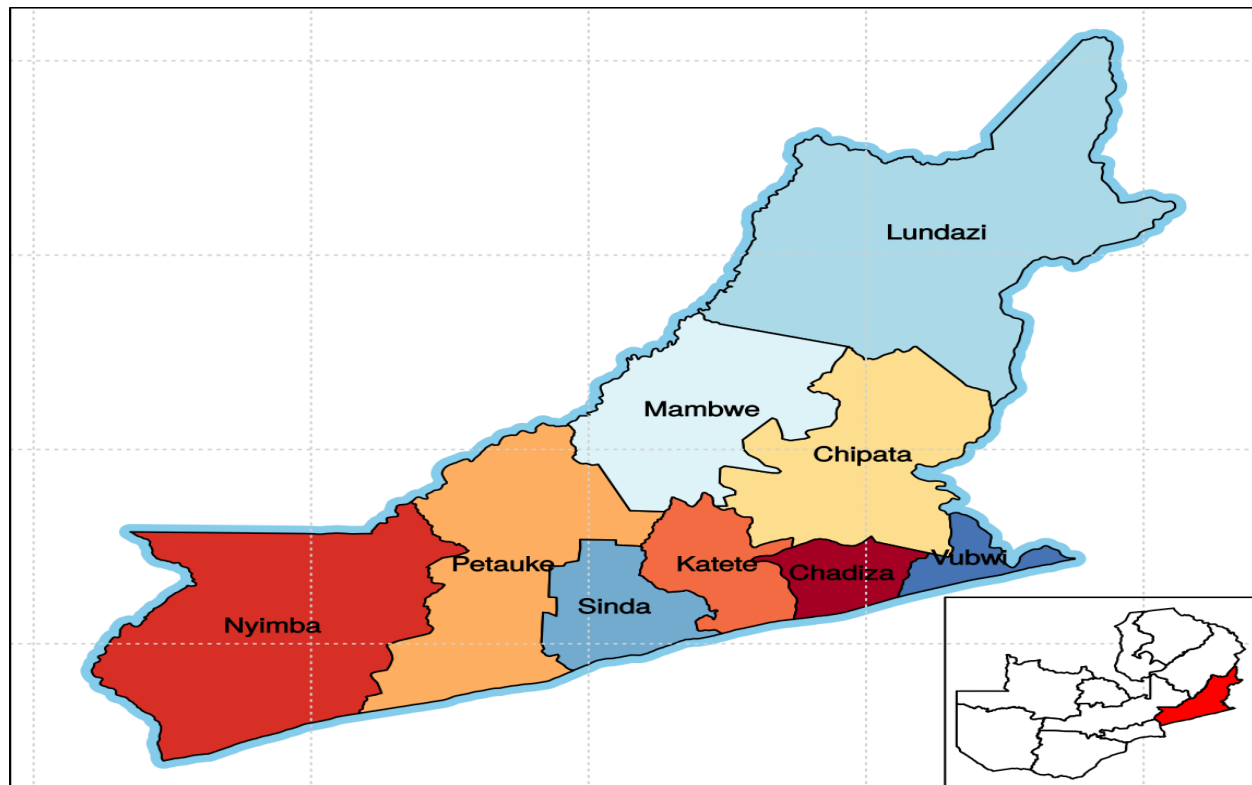
Sample Segment	Size
Chief Mpezeni	1
Indunas	4
Male Subjects	10
Female Subjects	10
Youths	10
Total	35

The respondents were; Chief Mpezeni (Njengembaso Jere), 4 Indunas, 10 Male Subjects, 10 Female Subjects and 10 Youths of Mpezeni chiefdom of Chipata district the researcher used purposive sampling. purposive sampling method refers to a type of non-probability sampling in which the units to be observed are selected on the basis of the researcher’s judgment about which ones will be the most useful or representative (De Vos,2005). Not everyone in the community being studied had the required information, for example, knowledge of the history of the Mpezeni Chiefdom, hence the sample had to be selected purposively. Some respondents had to be selected because of their knowledge of the research subject. Other respondents were identified by the positions they held in the community, such as the Chief and the Indunas.

### **3.4 Geographical location**

The Mpezeni chiefdom is situated in the northern part of Chipata city between Mchinji boarder and Mwami Adventist hospital in the Eastern province of Zambia. It was selected because the community observes a system of customary law under the authority of a traditional leader. In addition, the information is sufficient to enable one to get a better view of the status quo with regard to traditional leadership and the role it plays in the electoral process. The geographical scope of the research is Chipata city (see Figure 1 below)

Figure 1: a map of eastern province Zambia showing the area covered by chipata district



### 3.5 Research instruments

Interviews and focus group discussions were the instruments employed in the study. The researcher specifically used semi- structured interviews to collect data from the Chief and the Indunas. Focus group discussions were conducted with the male, female and young subjects of the Mpezeni Chiefdom. The semi-structured interviews are the most preferred by many researchers because questions can be prepared ahead of time. This allows the interviewer to be prepared and appear competent during the interview. Semi-structured interviews also allow informants the freedom to express their views in their own terms. Interviews can also provide reliable, comparable qualitative data.

Interviews provided flexibility and the ability to probe and clarify responses, they take noted of verbal as well as non-verbal behaviour, and they provided high response rates and were adaptable (Macmillan & Schumacher, 2001). Even though the interviews were costly, time

consuming, included interview bias, not anonymous and could contain leading questions, they were used in the study because they allowed for direct interaction with the respondents and the collection of in-depth information that the questionnaires may not gather. Three different semi structured interviews were used to collect data, one for the grade seven pupils, the other one for grade seven teachers and the last one for the head teachers. The semi structured interview guides for the Chief and the Indunas had ten (10) questions as well as a total of three Focus Group Discussions for male, female and young subjects of Mpezeni Chiefdom. The first group composed of women; the second group was made up of men and the last group was made up of the youths (both males and females) between the ages of 18 and 35.

### **3.6. Validity of research instruments**

According to (Brynard and Hanekom, 2006), validity refers to the potential of a design or an instrument to achieve or measure what it is supposed to achieve or measure, and reliability pertains to the accuracy and consistency of measures. It is also known to be the degree to which results obtained from the analysis of the data actually represents the phenomenon under study (Mugenda and Mugenda, 1999). For instruments to be valid the content selected and included in the semi structured interview guide must be relevant to the variables being investigated so as to ascertain the effectiveness of the instruments in soliciting information regarding the topic. This study ensured that the instruments used (semi-structured interview guide and focus group interview guides) were in line with the variables investigated in the study.

### **3.7. Data analysis**

Data analysis is a practice in which raw data is ordered and organised so that useful information can be extracted from it (Smith, 2003: 67). The process of organising and thinking about data is key to understanding what the data does and does not contain. In this research, data was analyzed qualitatively as the semi structured interviews and focus group discussions were used as data collection instruments. Thematic approach was used, where data analysis started with the categorization of themes from the semi structured interviews. Processing of data required that each question was answered correctly and accurately, so that there could be uniformity in the manner in which data was interpreted. The information was gathered and transformed into tables

or figures and percentages as responses from respondents were given... Thus, (Taylor-Powell & Renner, 2003) argue that good data analysis in a qualitative research depends on the researcher's understanding of the data collected.

Accordingly, the researcher read the interview manuscript in order to obtain a thorough understanding of the responses from the participants. This was an important stage of the research process. According to (White, 2002) qualitative research requires logical reasoning and it makes considerable use of inductive reasoning, organising the data into categories and identifying patterns among such categories. The processing of data in this research was done by developing the code book from the raw information, a table was made to account for the number of people who said 'yes' and 'no' to the questions. The other responses were developed in the graph form. Charts and graphs were used to analyse data. The data gathered was analyzed according to the themes of the study, the order of the research objectives and questions. These processes emerged from listening to the interviews and deciding how to organize them, in an ongoing cycle (Morrill, LeGrande, Renssen, Bakker, and Otto-Bliesner, 2013) in (Hakalo, 2014). Wholly, the interview and focus group interview/discussion respondents remained anonymous as their names were not mentioned in the resultant qualitative data.

### **3.8 Ethical considerations**

This researcher avoided pressuring respondents to take part in the research. Alternatively, permission, consents and assents were granted by respondents involved in the research. Henceforth, the respondents participated in the research out of their own will. Consequently, there was a high degree of independence on the part of the participating individuals in this research because they were free to either agree either to take part or decline.

There was no harm experienced by the respondents attributed to their participation in the research. This is because the researcher ensured that such a thing do not happen in the research and also because the research topic was strategically selected to ensure that there was no harm whatsoever to the research respondents.

In this research, the researcher was fully conscious of the need to abide by the ethical rule of respecting the privacy of individuals taking part in the research. In relation to this aspect, all

thoughts associated with the research carried out by the researcher were totally private and not public affairs. This was meant to respect the privacy of all individuals that took part in the research. This is also linked to matters of anonymity of the respondents involved in the research.

In the same way, all the respondents of the research remain unidentified to the public as all their valuable views, opinions and perceptions were only known by the researcher for use only in the research and participant's identities will forever remain hidden to the public eye. All the information provided by the respondents remains confidential and is used only for research purposes and nothing else. The researcher also guaranteed that there was completely non-betrayal of the suppliers of information in this research as the names of the respondents involved in the research are concealed from the public and their views, opinions and perceptions on the research topic are totally private and as already mentioned above are only for research purposes. Additionally, their views, opinions and perceptions on the research topic are stored with serious care in a password-locked computer for a period of five years after which they will be permanently destroyed.

It is worth mentioning that the researcher ensured that information on 'what the research was about' and 'why it was being conducted' was provided to the research respondents at all times. This enabled the respondents to fully understand the purpose of the research. Furthermore, at all times, the researcher also ensured that his own contact details were given to all the research respondents. This was meant to help the respondents contact the researcher for any matters of clarity on the research.

### **3.9 Summary**

This chapter outlined the research design and methods that were adopted in the study. The chapter clarified research design and methods that have been used to collect data in Mpezeni Chiefdom of Chipata district. In the next chapter the study focuses on the research findings obtained from the study

## **CHAPTER FOUR**

### **PRESENTATION OF FINDINGS**

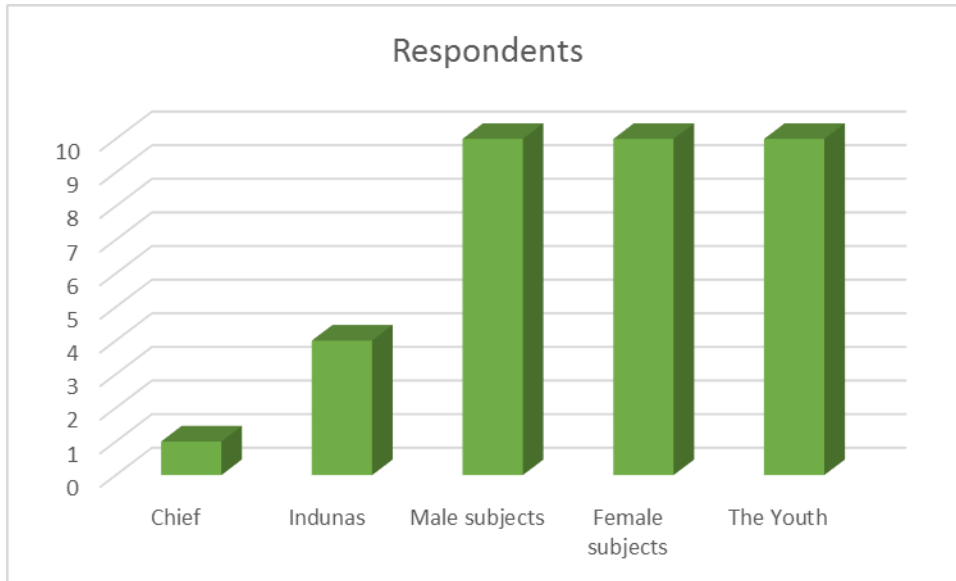
#### **4.0. Overview**

The prior chapter looked at all research methodologies employed in this study. This chapter presents the findings of the study. The researcher was interested in knowing the views of the respondents on the role of traditional establishment in the electoral process with specific focus on the Mpezeni Chiefdom of Chipata district. The intent of the study was to investigate the role played by the traditional establishment in the electoral process in Mpezeni chiefdom of Chipata district. The findings are presented in the following manner: It started with demographic information of the participants, the extent of traditional establishment involvement in the electoral process will be looked at, this will be followed by the role of the traditional establishment in the electoral process and then the effects of the traditional establishment involvement in the electoral process, in short, the findings will be done according to the research objectives. The findings from the Chief are presented alongside those from the Indunas. Though actual words said by respondents have been used as much as possible in the descriptions, other words have been paraphrased and lastly. The summary will be looked at.

#### **4.2. Demographic Information of participants**

This section gives a presentation on the demographic information of all the participants who took part in the study

Figure 2: Demographic information of Respondents



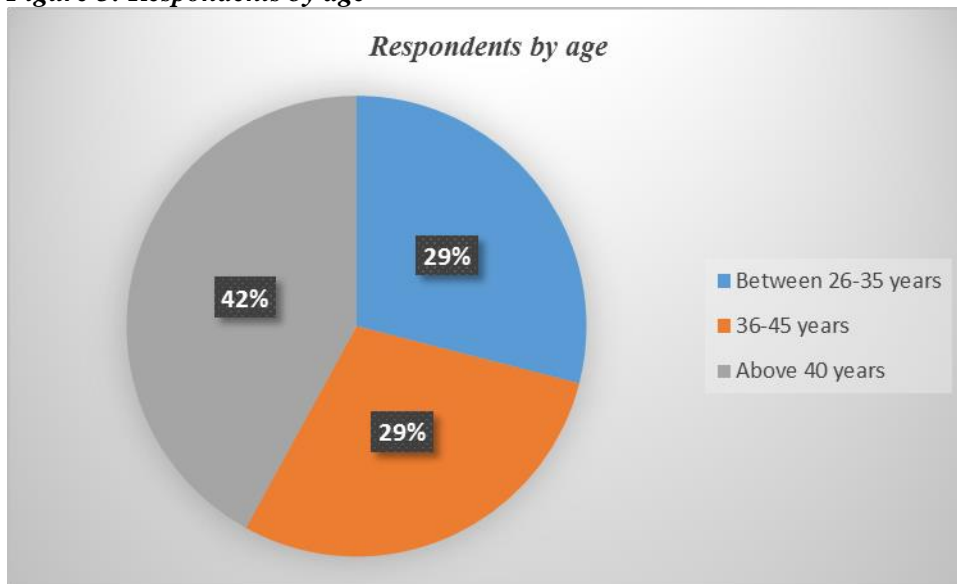
The demography of participants refers to the statistics relating to the research participants/respondents who took part in this study. This includes all the background information of the research participants deemed necessary and relevant to the study by the researcher. A research participant, informant or respondent is someone who is well versed in the social phenomenon being studied and who is willing to provide information on it (Babbie, 2007: 186). On the demographic information of the respondents, one (1) or three percent (3%) of the research was represented by the chief, four (4) or fifteen percent (15%) were the Indunas. Ten (10) or (29%) of represents the female subjects respondents, (10) or (29%) of the respondents are male subjects and finally, ten (10) or (29%) of the respondents is represented by the youths of the Mpezeni Chiefdom.

It imperative to note that the chief as the main respondent reached up to junior secondary school of education and has been experienced, he has been a chief since 1983 after the death of his uncle . This has made him see different elections being conducted to maintain or change leadership in Chipata and Zambia as a whole. The Indunas interviewed only have basic education and have been as indunas for more than 5 years. The focus group members were all subjects of Mpezeni Chiefdom. They were divided into three groups namely the males (between the ages of 36-45years), the females (between the age of 26-35 years) and the youths (both male

and female) of the 25 years and below. The focus group respondents were put in three different groups to allow them to freely express themselves. The demography shows that all the respondents have lived in Mpezeni Chiefdom for more than 5 years so they have experience on how the electoral process is conducted in Chipata district. Figure 3.0 below shows a summary of research participants by age.

The main target on respondents for the researcher were those people who have lived in Mpezeni Chiefdom for a long time and have had knowledge and experience on how elections are conducted in the chiefdom . It is also important to note that the researcher also ensured a gender balance of the participants involved in the study.

**Figure 3: Respondents by age**



#### **4.3. Findings of the research interview**

The study investigated the role of traditional establishment in the electoral process with focus on the Mpezeni Chiefdom in Chipata district.

#### **4.3.1. The extent to which Chiefs engage in politics in Mpezeni Chiefdom**

The objective on this theme was to determine the extent to which chiefs engage in politics in the Mpezeni Chiefdom. To achieve this objective, ‘the research question was to determine the extent of the traditional establishment’s involvement in the electoral process. During the interviews the Chief Nkosi yama Nkosi was asked on the extent to which traditional establishment engage in politics in Mpezeni Chiefdom of Chipata district. He responded;

*“mwana wangu, uno nimunzi wangu” meaning “My child, this is my chiefdom” as a result you don’t expect me to keep quite when my people are about to make an important decision of choosing leadership to fully represent them in parliament. So, we make sure good guidance is given to electorates so that they chose someone who will be at their service. To a larger extent we do take part in the electoral process*

*In addition to the above issue the Indunas said, “in all the elections that have been taking place in our chiefdom, the Chief has to a larger extent actively participated in the electoral process because he owns the land and should be aware of and be involved in every activities happening”.*

*In tallying, almost all the Indunas said, “to some extent the traditional establishment does not openly engage themselves but have a way of influencing the decision of their subjects especially through the use of subjects”*

#### **4.3.2. The role played by the Chiefs in the electoral process**

When asked on the role played by the traditional establishment in the electoral process in Mpezeni chiefdom; Nkosi yama nkosi responded by saying that, *“my job is to sensitize my people on the importance of elections and preach peace during and after elections.”*

Figure 4: Chief Mpezeni at his royal palace



Almost all the indunas said, “all what we know is that the role of the traditional establishment is to preach peace and tranquility among all the electorates.” The female Induna said, “Traditional leaders have a duty to unite the country, especially in times of divisions and ethnic crisis that especially occur during the electoral process which essentially requires Chiefs alongside the Zambian Government to intercede.”

#### **4.3.3. The effects of the involvement of the traditional establishment in the electoral process in the Mpezeni Chiefdom.**

On the effects of the involvement of the Traditional establishment in the electoral process in the Mpezeni Chiefdom; His Royal Highness Mpezeni said, “I entice my subjects to go and vote in numbers, this has reduced voter apathy.”

The Indunas had mixed responses on the effects of the involvement of the traditional establishment in the electoral process. They gave both positive and negative effects. 55% of the Induna respondents approved that chiefs’ involvement in the electoral process, “will promote

*development in their respective areas. They also approved that chiefs' participation in prejudiced politics will promote good governance". 12% of respondents also agreed that, "chiefs' participation in politics is their political right and that it will protect the fundamental right of freedom of association of chiefs. We can, consequently, argue that most people believe that chiefs' contribution will boost development, good governance and human rights".*

Their responses were as follows; 40% of the respondents said, *"People go and vote in large numbers because of the influence of traditional leaders, while the other 60% of the Indunas said this, "the subjects don't see the value of the influence of the Chiefs in encouraging the subjects to vote because they feel intimidated."*

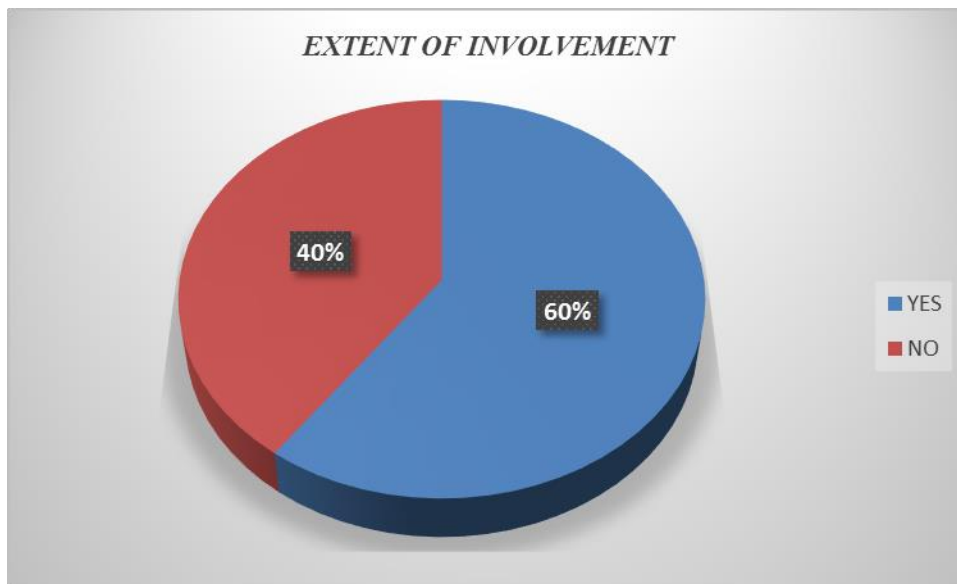
#### **4.4 Findings from Focus Group Discussions**

The group discussions with male, female and young subjects of the Mpezeni Chiefdom were conducted in a conducive environment and the responses were given in response to the outline sub-sections that follow below.

##### **4.3.1. The extent to which Chiefs engage in politics in the Mpezeni Chiefdom**

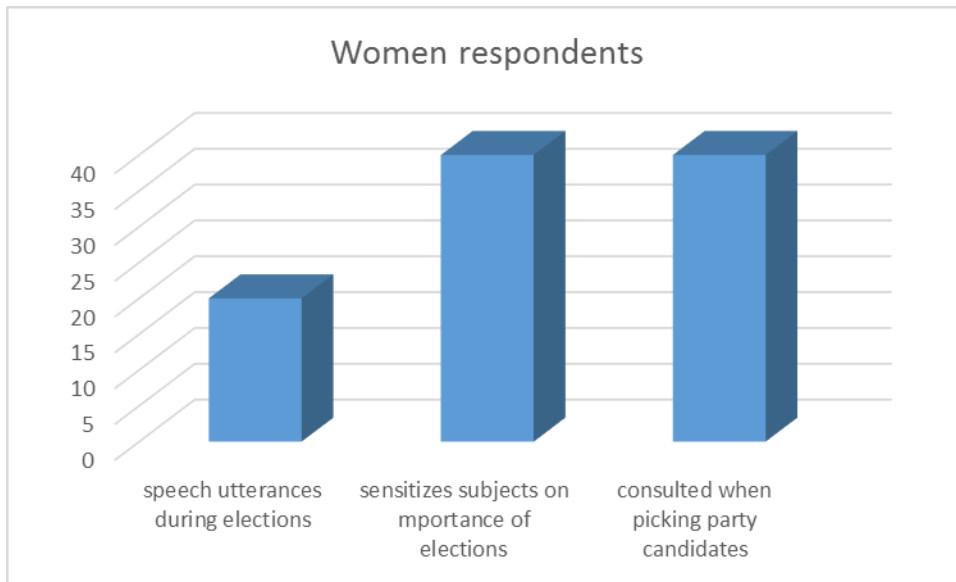
During a focus group discussion with the male subjects of the Mpezeni chiefdom, when they were asked on the extent chiefs engage in politics in Mpezeni Chiefdom, the male respondents purported, " the extent at which traditional establishment has gone to support the candidates of their choice is grave, it's like fashion where you find almost all traditional leaders support a candidate of their choice for example, *some traditional leaders in Southern, Lusaka, western, central and North Western Provinces grouped to campaign for a political party of their choice in the 2016 elections and wondered why traditional leaders in Eastern Province do the same even after condemning others.* They are equally doing the same." 40% of the respondents said that, "the chief does not engage himself in politics but just sensitizes its subjects on the importance of voting and the dangers of electoral malpractice". 60% of the respondents said that, "these days' chiefs adversely engage in politics for the love of money. The extent of engagement is enormous".

**Figure 5: The extent of traditional establishment involvement in politics**



Throughout the FGS with the women respondents, 20% of the female respondents said that, “the chief openly gets involved in politics through the speeches he utters during election, he openly shows the candidate he is supporting”. 40% of the respondents said that, “the chief sensitizes the subjects on the importance of voting and not necessarily taking part”. While another 40% of the female respondents said that, “the chief’s involvement is very grave to an extent of being consulted in the process of picking a party candidate.

**Figure 6: The extent of Chiefs involvement in politics**

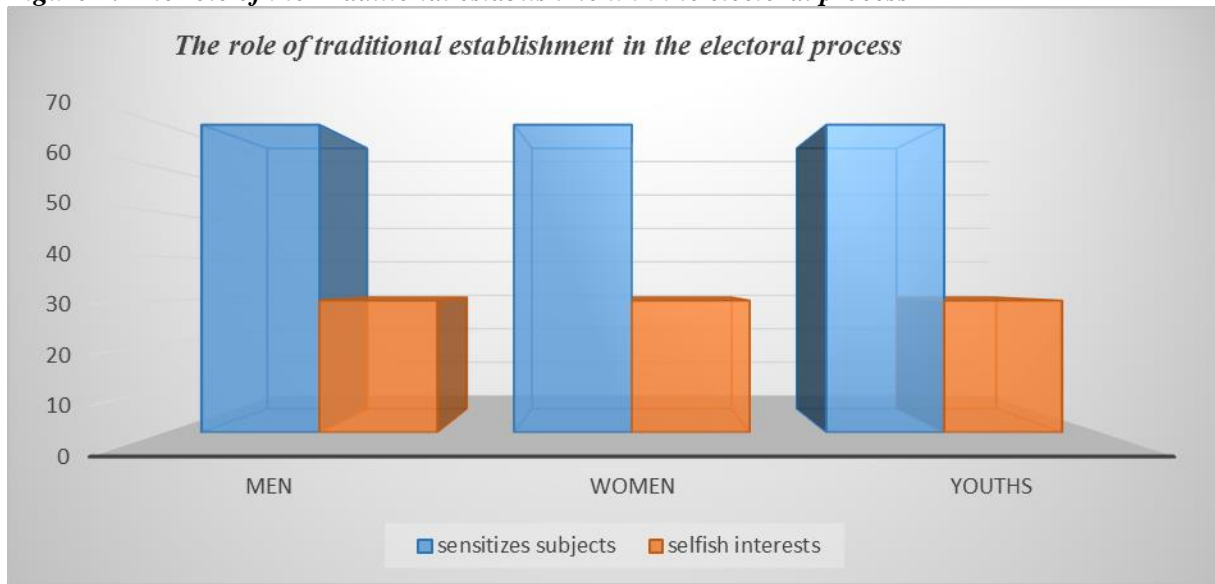


Coming to the youths, they all unanimously agreed that, “*the extent at which chiefs engage in politics is grave and that it demotivates us as future leaders because the people we are to run to have also joined a den of liars*”.

**4.4. The role of the traditional establishment in the electoral process in the Mpezeni Chiefdom of Chipata district**

This aimed at finding out the role played by the traditional establishment in the electoral process and these were responses; 70% of the male respondents pointed out that, “*the traditional establishment sensitize us on the dangers of engaging in electoral malpractice and also encourage us to take up our civic right and vote for a candidate of our choice*”. 30% of the male respondents strongly feel that, “*chiefs engage themselves in campaigns and have lost self-respect*”. Both the female and the youth respondents were agreeable with the male respondents of Mpezeni Chiefdom of Chipata district as shown on the table below.

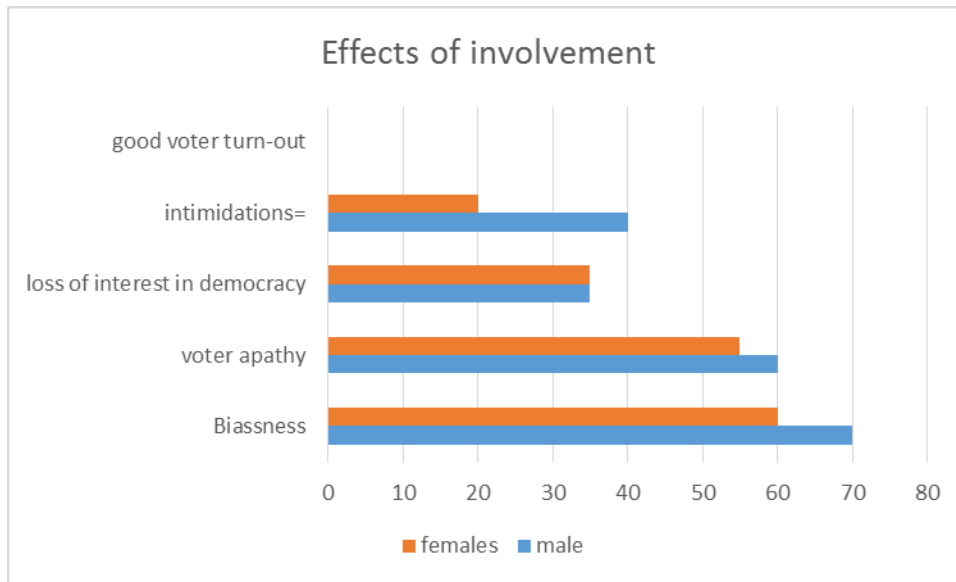
**Figure 7: The role of the Traditional establishment in the electoral process**



#### **4.5 The effects of the involvement of the traditional establishment in the electoral process in the Mpezeni Chiefdom**

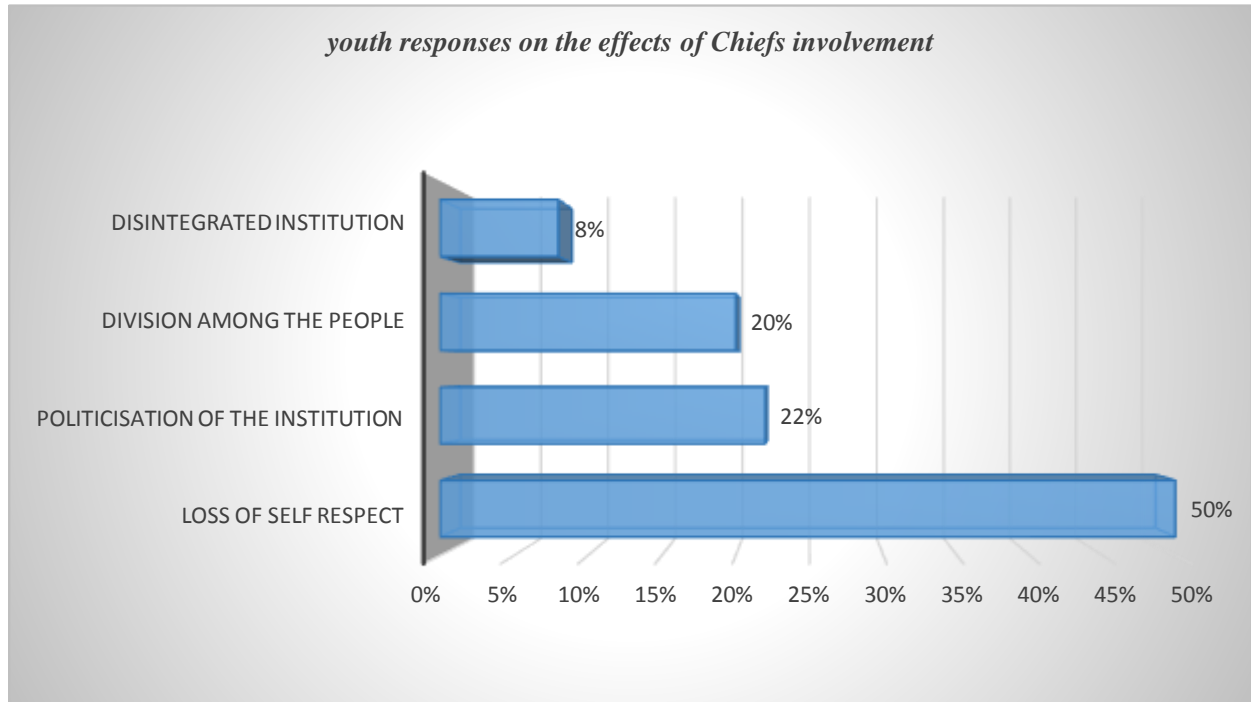
On the effects of the involvement of the traditional establishment in the electoral process, 70% of the male respondents had this to say, *“Of late, the behaviour of some of our chiefs has become hostile to the functioning of a vibrant and peaceful multi-party political system that we are attempting to create. For examples in recent times many traditional leaders/chiefs have pledge their support and openly declare their affiliation to political parties this is against the constitution of the Republic because of this, people have opted to stay away to avoid intimidations by traditional leaders, there is an increase of voter apathy, people have lost trust in democracy.”*. 30% of the male respondents said, *“The involvement of chiefs in elections has caused widespread bitterness among us and we feel there is biasness in terms of how we are treated in our communities”*.

**Figure 8: Effects of traditional establishment involvement in the electoral process**



50% of the youth respondents interviewed argued that, “*chiefs’ involvement in the electoral process will make them lose their respect*”. Other factors that are negative effects of chiefs in partisan politics were identified as; “*politicization of the institution of chieftaincy (22%), division among the people (20%) and disintegrated institution (8%)*”. Majority of respondents agreed that the negative effects of chiefs’ involvement in partisan politics outweigh the positive effects.

**Figure 9: The youth responses on the effect of traditional establishment involvement**



#### **4.6 Summary**

In summary, the data had been presented in line with the research objectives. The first research objectives was on the school based on the extent at which the traditional establishment involve themselves in the electoral process. Furthermore, data on the role of the traditional establishment in the electoral process with specific focus on the Mpezeni Chiefdom and finally the effects of the traditional establishment's involvement in the electoral process. The next chapter will discuss the findings of the research

## CHAPTER FIVE

### DISCUSSION OF THE FINDINGS

#### 5.0. Overview

This chapter discusses the research findings as guided by the objectives of the study stated in chapter one of this dissertation. Discussions of the findings are presented with reference to the specific objectives of the study in the following order: To determine the extent to which Chiefs engage in Politics in Mpezeni Chiefdom of Chipata District, to identify the role played by the chiefs in the electoral process in the Mpezeni Chiefdom in Chipata District and to assess the effects of the involvement of the traditional establishment in the electoral process in Mpezeni Chiefdom of Chipata District. The chapter will close with a summary.

#### 5.1 The extent to which Chiefs engage in politics in the Mpezeni Chiefdom

There was a debate on the extent to which chiefs are to be engaged in partisan politics in Mpezeni Chiefdom Subsequent to the return of multiparty democracy in 1991. In 1996 the Chiluba administration amended the Republican Constitution and introduced Article 129, which provides that ‘a person shall not, while remaining a Chief, join or take part in partisan politics’. While this provision was meant to restore the dignity of traditional authorities, it was at variance with the fundamental rights of citizens to participate in national affairs without discernment. Thus its presence was controversial and received condemnation from a number of stakeholders.

There was evidence that most people are aware of the constitutional provision in the 1996 Constitution of Zambia that debars chiefs from taking an active part in partisan politics. This provision most respondents argued has little effect on the role chiefs’ play in their respective traditional areas. For instance, the Chief in admitting had this to say;

*“Mwana wangu, uno nimunzi wangu” meaning “My child, this is my chiefdom” as a result you don’t expect me to keep quite when my people are about to make an important decision of choosing leadership to fully represent them in parliament. So, we make sure good guidance is*

*given to electorates so that they chose someone who will be at their service. To a larger extent we do take part in the electoral process*

The research also found out that both chiefs and Indunas blame politicians for chiefs' participation in partisan politics. The respondents perhaps based their arguments on the fact that some chiefs by virtue of their professional competence are allowed by the constitution to work in the areas where their skills are needed (Gyamfi, 2004). This notwithstanding, the likelihood for them to side with the incumbent government, in particular, makes it a difficult position. Another factor accounting for chiefs' participation in engaging in politics was identified as the personal interest of chiefs. This is quite ironic because chiefs are supposed to represent the wellbeing of their people. But for non-chiefs to acknowledge that chiefs enter into partisan politics to seek personal interest even beyond national interest is an indication of changing values, perhaps of some of the chiefs. What is more interesting is that the shift of power from traditional rule to democratic government has not been identified as a reason for partisan politics. The response by both chiefs and Indunas had it that the change has had little impact on them.

Generally, the respect for the institution will deteriorate. In the same way, the traditional role of the chief will be seriously compromised and this will have a negative impact on chieftaincy. It is against this background that there exists an overwhelming agreement by the majority of respondents that chiefs should be limited by the provisions of the 2016 Constitution that debar the institution from taking an active part in partisan politics. Chiefs as dispute settlers can only achieve peace if they show absolute neutrality in their dealings and activities. Once a chief side with a political party, they risk the ability to resolve disputes and maintain peace, especially during a crisis. If peace remains elusive when chiefs identify with a political party, then respect cannot be guaranteed either. It will be extremely difficult for one to react positively to his chief who is also his political opponent.

Governments have a fixed tenure of office but traditional leaders do not, hence they should not be lured by appetizing offers and gifts by politicians to openly declare their support for them. Traditional rulers should remain neutral in politics and must be prepared to work with any government to ensure national development and safeguard the unity peace and security in their communities

In the Zambian constitution both Article 65 (3) & (4) and Article 129 recommend that chiefs cannot express active political opinion. If this has either been misunderstood or if not, it should be reinterpreted in ways that give effect to the constitutional liberties and rights that the chiefs, as citizens of Zambia, should enjoy. Undeniably, if the interpretation of the said articles yields to the result that chiefs should have no political opinion, whatsoever, then these particular articles will deserve not our loyalty but our contempt.

The research found out that as a critical analysis of both Articles 65 and 129 yields to a clear conclusion that in fact, as the constitution stands, Mpezeni did abrogate it by actively campaigning for the Patriotic Front. Consequently, chiefs and other traditional leaders should not be granted the freedom they need to champion their involvement in the electoral process. This is not good for modern democracy and indeed it is not for Chipata as a district and Zambia as a whole.

The idea that chiefs should not participate in politics is perhaps one of the greatest milestones in reshaping Zambian politics to come out of the 1996 amendments to the constitution of Zambia. President Frederick Chiluba and two of his closest collaborators Godfrey Miyanda and Michael Sata had pushed through constitutional amendments in 1996 whose main motive was to disadvantage some of their most vocal political opponents.

The data from the field shows that each time we condemn an outspoken chief like Mpezeni from holding political views we assert this unfair chapter of our history. Every time we convict a chief for holding and communicating political views we renovate a play designed by the political engineer himself. In fact each time we condemn Mpezeni, we play into a story that was hatched in 1996 by none other than Michael Chilufya Sata and his associates in the MMD.

## **5.2. The role played by the Chiefs in the electoral process**

Participants in this research had a consensus on the fact that the Mpezeni Chiefdom recognises the role of traditional leaders in the electoral process. During the voter registration exercise, prospective voters had to acquire and present the necessary documentation for them to be registered as such. The law prescribes that one acquires and presents an identity document and proof of residence provided that they are 18 years and above and they are Zambian citizens. For

one to get an identity document one needs a letter from the traditional leader. The discretion of providing such a letter lies solely with the traditional leader and reports of refusal to issue such documents were presented ahead of the August 2016 polls.

Even when such identity documents were available, one of the male respondents said, “*the largely accepted proof of residence that Chipata residents can issue to register to vote included letters from their traditional leaders*”. Some reports of potential voters with letters from their traditional leaders getting preferential treatment ahead of their affidavit bearing counterparts were also received from some observers in the run up to the elections.

In terms of voter mobilisation, candidates fully endorsed by traditional leaders have always tended to have greater access to communities than those not endorsed. Such access includes the authority to convene meetings, the authority to invite subjects to the meetings and the introduction of the candidate to the community. In constituencies such as Luangeni under Mpenzeni chiefdom, the role of traditional leaders in this regard was quite evident during internal party processes of PF and during the August 2016 election itself, the respondents said;

*“Paramount Chief Mpezeni of the Ngoni and Chief Chanje of the Chewa peoples in Chipata endorsed the candidature of President Edgar Lungu in this year’s general elections”.*

Traditional leaders, by virtue of their convening power can instruct how voting would occur in their communities. Such instructions, coming from a traditional leader, cannot be refused or ignored. This was confirmed by the following comment from Paramount Chief Mpezeni when he was asked specifically about the chief’s role in the electoral process, Paramount Chief Mpezeni of the Ngoni said that, “*if a chief wanted unity in his/her community, partisanship had no role to play*”. Based on the comment, it is evident that traditional leaders have a significant role to play in the electoral process that of mobilizing, sensitizing and encouraging people to turn out in numbers to register as voters and cast their votes. But other respondents felt that traditional leaders are not making much effort to encourage community members to exercise their rights of taking part in national affairs, instead they opt to be campaign managers putting their subjects who support other political parties in jeopardy.

*“The role of traditional leaders in electoral processes in general and elections in particular remains a major hazard to democracy and a challenge to the credibility of electoral processes.*

*Such a role, as defined by politics not only affects national elections as seen in most of Zambia's political contests but even internal party democratic processes such as primary elections or the election of office bearers within parties,"* said one of the Indunas.

Although the Constitution captures the functions of the traditional leaders as the following: promote cultural values; preserve culture, tradition, history and heritage of their communities; facilitate development; resolve disputes, administer communal land; and protect the environment; evidence on the ground shows they are heavily engrained in the politics of the day.

### **5.3. Effects of the involvement of the traditional establishment in the electoral process in Mpezeni Chiefdom**

The interest of this study was to ascertain the effects of chiefs' involvement in the electoral process. The study revealed that the involvement of the traditional establishment in the electoral process has both positive and negative effects

The traditional establishments' participation in the electoral process has led to the disintegration of their chiefdoms. A number of scenarios which have culminated in such a situation are;

Firstly, a chieftain is, ideally, an impartial leader of all the people in his chiefdom regardless of their political affiliations. However, his or her participation in partisan politics has inevitably placed them in an adversarial position against subjects who may have different political alignments.

Secondly, the political arena naturally requires participants to advocate certain causes and articulate their ideological convictions which, for a traditional leader, are likely to be at variance with the causes and convictions of some of his or her subjects.

Thirdly, partisan politics is troubled with insults, arrogance and disrespects to which traditional leaders can choose to subject themselves only at the immense cost of losing the plentiful and unconditional respect accorded to them by their subjects.

Further, chieftains' participation in active politics have frustrated efforts aimed at creating a level playing field for all political contestants, since they (the traditional establishment) already have a faithful following in their areas of jurisdiction.

There are allegations of election-rigging, vote-buying, intimidation, and access to public resources by the ruling political party without opening up other avenues for unfair political advantage

It was revealed that Chiefs engage themselves in partisan politics fail to serve citizen in totality. The core function of their societal contribution has been rendered less important. If we are not careful, we could be paving the way for anarchy in our 286 chiefdoms by pushing the traditional establishment into the political arena. We could be planting the seeds of destruction for the Zambian nation, and for our emerging democracy; we could be starting a vicious fire for our children and grandchildren to extinguish—and they will not judge us kindly if we leave them a country that will be in flames!

As found out, the partisan stance by some of our traditional establishment is partly promoted by the subsidies, electrification of palaces and the car loans extended to them through the office of the Republican president. “Chiefs are not politicians, they are advisors. They have different children. So the traditional establishment has to embrace all children be it from the ruling or opposition, they are all their responsibility. Now if the politicians want to drag them into politics then that is a big mistake. The citizens’ understanding of the traditional establishments’ roles in the electoral process in the Mpezeni Chiefdom is by and large poor, but it appeared during interviews that the men and the youths have a better understanding than the women respondents.

## **5.7. Summary**

The chapter looked at the discussion of finding in line with the research objective. The first research objectives based on the extent the traditional establishment get involved, their role and the effects of their involvement in the electoral process of the Mpezeni Chiefdom in Chipata district (see pages above) where the discussion had been explained in details. In addition, discussion of the findings were also presented. The next chapter will be based on the conclusions and recommendations of the study

## **CHAPTER SIX**

### **CONCLUSION AND RECOMMENDATIONS**

#### **6.0. Overview**

This chapter concludes and gives recommendations of the study based on the findings of the study. The study was conducted to investigate the role of the traditional establishment in the electoral process of the Mpezeni Chiefdom in Chipata District. The conclusions will be made in line with the research objectives and theoretical framework as presented in chapter one (1). Study recommendations and suggestions for future research will be provided. Lastly, the chapter will end with a summary.

#### **6.1. Conclusions of the study**

From the findings of the study presented in chapter five, several conclusions were arrived at based on the research objectives and reflective research questions. On the first objective, that was ‘to determine the extent to which Chiefs engage in politics in Mpezeni Chiefdom of Chipata District,’ it was clear that the extent at which the chiefs engage in the electoral process is enormous and this has led to insecurity among the subjects. The study also revealed that the Chiefs take the clause which bars them from taking part in politics lightly, the politicians are the ones on forefront to court their support during elections in Chipata District.

On the role played by the Chiefs in the electoral process in the Mpezeni Chiefdom of Chipata district, it was established that the traditional establishment’s role is to mobilise, sensitise and educate the subjects on the importance of voting and turn out in numbers in the whole electoral process. This helps the people who tend to lose trust, feel intimidated to pick their pieces and start believing in democracy. The study also established the specific roles the traditional establishment has to play in electoral process like mobilizing voters, sensitizing citizens, give advice to erring subjects and also uniting all the subjects.

The research found out that most people are aware of the constitutional provision in Article 129 and 131 of the Constitution of Zambia that debar chiefs from taking an active part in partisan politics. This provision most interviewees argued has little effect on the role chiefs' play in their respective traditional areas. The research also found out that both chiefs and the Indunas blame politicians for chiefs' participation in partisan politics. The respondents perhaps based their arguments on the fact that some chiefs by virtue of their professional competence are allowed by the constitution to work in the areas where their skills are needed (Silwamba, 2011). This notwithstanding, the likelihood for them to side with the incumbent government, in particular, makes it a difficult position. Another factor accounting for the traditional establishments' participation in partisan politics was identified as the personal interest of chiefs. This is quite sarcastic because chiefs are supposed to represent the wellbeing of their people. But for the youths to acknowledge that chiefs enter into partisan politics to seek personal interest even beyond national interest is an indication of changing values, perhaps of some of the chiefs (Silwamba, 2011). What is more interesting is that the shift of power from traditional rule to democratic government has not been identified as a reason for partisan politics. The response by both subjects had it that the change has had little impact on them.

By and large, the respect for the establishment will deteriorate. In the same way, the traditional role of the chief will be extremely compromised and this will have a negative impact on chieftaincy. It is against this background that there exists an irresistible agreement by the majority of respondents that the traditional establishment should be limited by the necessities of the Article 129 of the Constitution that debar them from taking an active part in partisan politics. Chiefs as dispute settlers can only achieve peace if they show absolute neutrality in their dealings and activities.

Once a chief side with a political party, they risk the aptitude to resolve disagreements and maintain peace, especially during a crisis. If peace remains intangible when chiefs identify with a political party, then respect cannot be guaranteed either (Chilemba, 2014). It will be extremely difficult for one to react positively to his chief who is also his political opponent.

Another objective was to scrutinize the role played by the traditional establishment in the electoral process in Mpezeni chieftaindom in Chipata district. Based on the evidence gathered from the interview and the legislation, it is concluded that the Chiefs shouldn't participate in politics

apart from carrying their roles outlined in the constitution. There is also a need to uphold Articles 65 (clauses 3 and 4) and 129 of the 1996 constitution (as recommended by the National Constitutional Conference), which bar chieftains from participating in or joining partisan politics unless they formally abdicate their traditional leadership roles. If they are allowed to participate in partisan politics, they can consciously or otherwise abuse the absolute traditional authority they exercise by imposing their political views and choices on their subjects — a situation which can lead to tribal politics in our country.

The effects of the involvement of the traditional establishment in the electoral process in Mpezeni Chiefdom. The results indicated that effects of Traditional leaders' participation in politics have both positive and negative effects. If only the traditional establishment took their full responsibilities, this can lead to the subjects turning up in large numbers to go and vote and electorates would be in a position to know and understand the essence of taking an active role in the electoral process in Mpezeni Chiefdom. On the other hand, if full responsibility is not fully taken can lead to the disintegration of their chiefdoms, people end up losing respect for the traditional establishment. Furthermore, traditional establishments' participation in active politics can frustrate efforts aimed at creating a level playing field for all political contestants, since they (the establishment) already have a faithful following in their areas of jurisdiction.

The submissions were made that the traditional establishment should not lower themselves to the standard of partisan politicians because they are beyond prejudiced politics. The subject of politics should be left to politicians because the Royal Highnesses are too good to be brought to the level of prejudiced politics. The traditional establishment shouldn't allow politicians to bring them to their level but keep advising government and politicians when they are wrong. Chiefs should positively advise politicians before, during and after elections for purposes of developing the city of Chipata and the whole country at large and not dividing it. It was unacceptable that some traditional leaders had reduced themselves to a level of political cadres through their public disposition.

## 6.2. Recommendations of the study

Arising from the above findings and discussions that addressed all the objectives, this study

Makes the following recommendations;

- Workshops, Conferences, public forums and symposiums should be organized sporadically for chiefs regarding the content and interpretation of the constitution. Members of the chiefs' council should be allowed to participate in such programs for a better appreciation of the course of democracy and good governance.
- Civic education on the constitutional provision that prohibits chiefs from taking an active part in partisan politics should be done more effectively especially among rural, semi-illiterate and illiterates dwellers
- Chiefs' role should be to act as a body of specialist knowledge that scrutinizes in greater details bills passed by the first chamber.
- Article 129 is currently outdated and needs to be re-drafted in order to accommodate the current developments, amongst others an inception of the current local authorities
- Satisfactory institutional measures should be put in place to enforce the constitutional provision that debars chiefs from taking active parts in partisan politics. This may include but not limited to establishment of a special court those trials chiefs that engage in partisan politics.
- Finally, the National House of Chiefs should come up with a code of conduct which chiefs will have to abide by as far as partisan politics is concerned. The National House of Chiefs should also liaise with the Regional Houses of Chiefs to monitor the activities of chiefs in the regions so as to be kept informed of what chiefs are doing.

### 6.3. Recommendations for further research

This study was centred on the role played by the traditional establishment in the electoral process in Mpezeni Chiefdom of Chipata District. Whilst revealing the various factors that have contributed to the involvement of the traditional establishment in the electoral process, the following gaps were noticed and are therefore some of the issues for future research:

- No research has been conducted in Chipata district on the role of the traditional establishment in the electoral process and yet it is a city where people have been complaining on the traditional leaders involvement in the electoral process Since this research was limited to only one chiefdom, it gives a true picture of that chiefdom, whilst providing some indication of what may be happening countrywide. To acquire a more accurate national picture, it is recommended that a countrywide research be conducted. The research found a lack of understanding on the role played by the traditional establishment in the electoral process.
- There is a need for further examinations to be made on how the traditional establishment status in governance has been since independence and at what extent have they been involved in the electoral process and what the law says about their involvement. Later, the suggestions on the ideal roles to be played by the traditional establishment in the electoral process will be discussed. Relevant research methodologies shall be employed in the research.
- Why chiefs engage in partisan politics
- The nature of collaboration between the institution of chieftaincy and political institutions in Zambia.
- How chiefs are able to collaborate with development agencies to improve the living standards of the people instead of engaging in politics.
- The practices in which chiefs involve themselves in partisan politics.

#### **6.4. Summary**

Conclusions and recommendations of the study had been done according to the research findings. The chapter was closed with suggestions for future research.

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# ANNEXURE

## Annex A: Focus Group Discussion Guide

### **Research Topic: The Role of Traditional Establishment in the Electoral Process: A Case study of the Mpezeni Chiefdom**

*(Note: the objective of the focus group discussion with men, women and youth is to obtain an in-depth understanding of the current situation regarding the role traditional establishment in the electoral process The focus group discussion is also aimed at verifying the information gathered during interviews with the key informants.*

*Questions are open-ended and are designed to serve as guidelines only. Quantitative data is not required for statistical analysis).*

**1. Please introduce yourselves?**

**2. Please give as much detail as you can on the traditional authorities in this area, including**

- History of traditional establishment in the area (pre-colonial, colonial and post-colonial)
- Knowledge of what is currently written in the constitution about traditional leaders and their role in governance

The traditional establishment's role after independence

**3. The extent to which traditional leaders engage in politics and their role in the electoral process Please assist in understanding the local political dynamics in the area, including**

- The relationship between traditional leaders and local government structures
- Which political parties are active in the area, and how they are represented in local

Government

- The relationship of the different political parties to the traditional authorities in the Mpezeni chiefdom

- The attitude of traditional establishment towards all political players who come during elections period.

**4. The effects of the involvement of the traditional establishment in the electoral process in the Mpezeni Chiefdom in Chipata district**

Give both positive and negative effects of the traditional establishment in the electoral process

**(This section applies to the discussion with the youth)**

5. How do you feel about the role currently played by the traditional establishment in the electoral process?
6. As young people, do you think traditional leadership's role in the electoral process is still relevant at present?
7. What do think would be ideal roles of traditional establishment peace and security in the chiefdom?

## **Annexure B: Indunas Questionnaire**

How is your working relationship with the Area Chief?

What are your Views on the success of development programmers without Chiefs' active involvement?

8. Why do you think the chief is the Main person to be consulted when there is a need for a development project?
9. Are you satisfied with the role of Chiefs in the current local governance structure?
10. Why do chiefs engage in politics?
11. What are your Views on the success of development programs?
12. Working relationship with the elected leaders in your area
13. What is your level of cooperation from the political leaders?
14. **Chiefs Questionnaire**
15. Why do you think that the institution of chieftaincy in Zambia has displayed extraordinary resilience to political change in the periods before, during and after colonial rule in many parts of Africa?
16. What are the overall cause(s) of chiefs' involvement in partisan politics?
17. What major effect(s) does chief's involvement in partisan politics have on sustainable development in?
18. Zambia?
19. Do you think chiefs are significant development partners?
20. Do you think that chiefs seem to have lost their traditional power?
21. Which methods have chiefs adopted in ensuring that their presence is felt?
22. Are you satisfied with the role of Chiefs in the current local governance structure?
23. Why do chiefs engage in politics?
24. What are your Views on the success of development programs?
25. Working relationship with the elected leaders in your area
26. What is your level of cooperation from the political leaders?