

THE ROLE OF THE TRADITIONAL AUTHORITY IN THE CONSERVATION  
OF NATURAL RESOURCES IN THE WESTERN PROVINCE OF ZAMBIA,  
1878 - 1989

BY

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DEDICATION

To Mum, Dad, brothers and sisters for their contribution towards the completion of this work.

DECLARATION

I, NAWA NAWA do hereby declare that this dissertation represents my own research work and that it has not been previously submitted for a degree at this or any other University. ~~SECRET~~

Signed: .....N. Nawa.....

Date: .....09/01/91.....

APPROVAL

This dissertation of NAWA NAWA is approved as fulfilling part of the requirements for the award of Master of Arts in History at the University of Zambia.

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## ABSTRACT

This dissertation is a study of the role of the Traditional Authority in the conservation of natural resources in Western Province of Zambia. The study highlights the conservation of trees, animals, birds and reeds. By so doing, the study analyses issues behind the conservation of these respective resources. Conservation was realised through the passage of laws by the traditional Kuta and their implementation by appointed Silalo Indunas or overseers. That was usually done with the full participation of local communities. The local communities were an integral part of the traditional conservation strategy.

The B.S.A. Company did not alter the traditional set up existing in Western Province. By the 1900 Agreement, the Western Province's natural resources were left squarely in the hands of the traditional authority. As a result, this study argues that departments like Forest and Game and Fisheries did not operate in Western Province during the B.S.A. Company period of administration. However, it was only the Forest Department, which worked with the Traditional Authority during the colonial office period of administration. As a result of that cooperation, the old system of forest conservation was revamped. The study argues that the bulk of conservation work in the forest reserves in Sesheke district, was

carried out by a Forest Induna System initiated by J.D. Martin, an Assistant Conservator of Forests.

Political and economic developments during the colonial era did not affect conservation greatly. This study argues that this was the situation because of limited urbanisation and the fact that the laws allowed local people good access to the conserved resources.

However, this study demonstrates also that the categorisation of wild game as royal animals did not augur well for conservation. The traditional authority simply legislated that to exclude the majority of the population. The Lozi royal family realized huge profits out of ivory trade and this led to a depletion of the royal animals, especially elephants.

Independence for Northern Rhodesia opened another chapter for conservation in Western Province. Through the Barotseland Agreement of 1964, the traditional authority still continued to exercise its rights over the natural resources. However, political considerations led to its cancellation in 1969. This followed a period of new legislation that considerably affected conservation. This study argues that the negative development was mainly brought about by the fact that people were alienated from their resources. In addition, the study equally argues that the law enforcement mechanism that replaced the old order was inadequate due to financial constraints. Also, security problems in Sioma-Ngwezi

National Park allowed a catastrophic degree of poaching to take place.

The study further argues that resources like birds and reeds were never catered for by the new legislation. Being unguarded, the situation gave way to a wanton destruction of wild life and a reduction in the area of reed reserves. Finally, the study argues that the relaxation of influx control regulations and an end to private fishing sites, coupled with drought and a lack of fish conservation measures led to a depletion of fish stocks.

## ACKNOWLEDGEMENTS

I would like to express my thanks to my first supervisor, Professor M.H.Y. Kaniki, who initially supervised this work and whose guidance and advice I found invaluable. I would also like to thank my last supervisor, Dr. F. Gadsden, who helped me refine this work into a meaningful piece of information and whose advice and critique encouraged me to work very hard. I am also indebted to the Government of Zambia through my employer, the Ministry of General Education Youth and Sport and the sponsors, Directorate of Manpower Development and Training (DMDT) for granting me a study leave and financial assistance to undertake the study programme.

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The list is inexhaustible but it would be dishonest to my conscience if I fail to mention my wife, Namboo Muimui, who endured very long periods of my absence while I worked on this dissertation. I really appreciate her understanding and love during the trying moments.

CHANGED CURRENCY 1968

Six pence (6d) .. .. .	Five ngwee (5n)
Twelve pence (12d) .. .. .	Ten ngwee (10n)
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One pound (£1) .. .. .	Two Kwacha (K2)

## ABBREVIATIONS

ADMADE:	Administrative Design for Game Management Areas.
ANC:	African National Congress
B.S.A.Co.:	British South African Company
E.S.M.:	Equator Saw Mills
Km.:	Kilometre
Mm.:	Milimetre
NAZ:	National Archives of Zambia
PLAN:	Peoples Liberation Army of Namibia
UNIP:	United National Independence Party
UNITA:	National Union for the Total Independence of Angola
SADF:	South African Defence Force
NPWS:	National Parks and Wildlife Services
ZSM:	Zambezi Saw Mills

Glossary of Silozi words used in the text.

Translation

- |     |                        |                                                            |
|-----|------------------------|------------------------------------------------------------|
| 1.  | Imuceke                | basket made out of papyrus reeds.                          |
| 2.  | Induna                 | Headman.                                                   |
| 3.  | Kuta                   | Court.                                                     |
| 4.  | Lilalo (silalo)        | Wards, Sectors                                             |
| 5.  | Lindaleti<br>(ndaleti) | Overseer                                                   |
| 6.  | Linjoka (njoka)        | Youngmen who assist in the<br>protection of bird reserves. |
| 7.  | Liteku (teku)          | Hafts for spears.                                          |
| 8.  | Liuba (suba)           | Artificial mounds.                                         |
| 9.  | Lyandi (sandi)         | Heart-fence traps                                          |
| 10. | Mukusi                 | Zambian Teak                                               |
| 11. | Sipo                   | Game reserve                                               |

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## INTRODUCTION

Present trends indicate that there could be an ecological disaster if man ultimately upsets the complex and delicate network of life on earth. These sad trends are seen in the excessive destruction of forests, air and water pollution and the uncontrolled killing of wildlife. Efforts aimed at checking this development have resulted into the creation of associations like the International Union for the Conservation of Nature and Natural Resources. Its prime objective is to conserve the world's natural resources to maintain the ecological balance for sustainable development.

The concern to conserve natural resources is an old practice in Africa as some societies did, in fact, practice nature conservation. This study is an attempt to investigate the role of the Traditional Authority in the Western Province of Zambia, in the conservation of natural resources between 1878 and 1989. In this dissertation, the term Traditional Authority is used to refer to the Lozi Royal Establishment. The resources conserved were; forests, reeds, birds and animals.

Let us, at the outset establish what is meant by conservation. Firstly, it is generally agreed in literary circles that the definition of conservation basically depends upon how one perceives the whole concept. There is so far no universally accepted

definition. Black argues that conservation means to save although it is meaningless if it is without consideration of the future.<sup>1</sup> On the other hand Pollock points out that conservation is the process of keeping together.<sup>2</sup> Musonda also says that 'conservation is a form of co-existence between man and nature.'<sup>3</sup> In addition, Dasman points out that conservation in terms of environment ecology refers to the "rational or sustainable management of resources to ensure continued exploitation or to serve a large percentage of the population".<sup>4</sup>

From the above definitions, it is apparently clear that a universal definition is not feasible as 'conservation is a subjective matter involving value judgements.'<sup>5</sup> However, our understanding of conservation is that, it is the controlled use by man, of the available natural resources for his continued survival.

This study will attempt to achieve the following objectives. Firstly, it will attempt to establish the relationship between the ecology of the Zambezi Floodplain and the conservation of certain resources by the Traditional Authority. Secondly, it will analyse the way conservation was organised, the role played by local people and how it affected their economic activities between

1878 and 1964. Thirdly, it will investigate possible ulterior motives behind the conservation of certain resources. Fourthly, it will show how political, economic and social development affected conservation. Finally, the study will assess how the relationship between the Post-colonial state and the Traditional Authority affected conservation. In that respect, it will look at the demise of the role of the Traditional Authority and how new legislation affected conservation in Western Province.

#### LITERATURE REVIEW

Literature which refers to traditional conservation practices in Western Province is extensive although there has never been a coherent study of the practice anywhere.

Max Gluckman led the study of the role of the Traditional Authority in conservation. In his study, he argues that it was an economic responsibility on the part of the political authority to conserve certain resources for the public.<sup>6</sup> Gluckman's argument give us ideas with regard to the factors that led to the conservation of specific resources.

Hellen writes about the existence of the Liuwa

and Sioma-Ngwezi game reserves in Western Province.<sup>7</sup> Apart from indicating that they were established by the Traditional Authority, he also discusses the importance of forest reserves in Sesheke district.<sup>8</sup> His writing clearly demonstrates the existence of game sanctuaries created by the Traditional Authority.

Clark and Loe give illustrative information on the National Parks of Zambia. They indicate that the Liuwa and Sioma-Ngwezi National Parks were established and managed by the Traditional Authority until 1972.<sup>9</sup>

Prins observes that all game was owned by the Litunga but that it could be released from his control to his subjects.<sup>10</sup> He also indicated that large game was even more controlled. That analysis, though not detailed, remains useful as it shows that restrictions on hunting activities did exist.

Matakala analyses the history of forest conservation and extension work in Sesheke district. He argues that the Forest Laws that existed in Western Province before 1973 were drawn by J.D. Martin, an Assistant Conservator of Forests and became effective in 1936.<sup>11</sup> He further documents the role of the Forest Indunas system in forest conservation. In addition, he argues that extension

work became difficult following the repeal of the Barotse Forest Order in 1973 as peoples' attitudes changed.<sup>12</sup>

Nzila writes that the Traditional Authority established forest reserves as a source of timber, food and medicine.<sup>13</sup> He also indicates that there was cooperation between the Traditional Authority and the colonial state in forest conservation. His writing gives us some insight into why forest reserves were created.

In his article on traditional conservation, Musonda argues that the Litunga had Liuwa and Sioma-Ngwezi game reserves exclusively reserved for his hunting.<sup>14</sup> He also points out that large animals such as elephants, eland and hippopotamus and the crested crane could only be hunted by the Litunga. Although not a detailed study, Musonda's work adds substance to our study. This study will investigate the extent to which the indicated game reserves were conserved by the Litunga. In addition, it will try to find out why the mentioned animals were a prerogative of the Litunga.

Studies on indigenous conservation practices exist in other regions. Although not entirely a study on conservation, in his study, Musambachime

points out that the fishermen of Mweru-Luapula area observed a closed season during the floods to allow fish to spawn and also let fingerlings grow undisturbed.<sup>15</sup> That was arrived at after people realised how destructive fishing during that period could be to fish stocks.

In his study on field trees in Southern Zimbabwe, Wilson discovered that certain species of trees were intentionally left standing in people's gardens as they provided fruits, timber, firewood, fibre, shade and a whole host of other products.<sup>16</sup> That measure clearly demonstrated the importance people attached to tree species that sustained their lives.

Further, the advent of white elephant hunters in Matabeleland prompted Mzilikazi, later Lobengula to impose restrictions on elephant hunting. For instance, Mackenzie argues that Lobengula issued hunting regulations restricting whites to a particular route and charged a licence for a gun (to a value of K30.00) and ammunition.<sup>17</sup> Although not successful, he aimed at curtailing the destructive nature of the white traders who would deprive him of the important trade items with their superior weapons.

ORGANIZATION OF THE STUDY

The first chapter discusses the geographical location and features of Western Province. It also gives an historical background of the area and the economic activities people engaged in. Finally, the chapter explains laws pertaining to the preservation of royal game.

The second chapter deals with the organisation of conservation from the time of Lewanika (1878-1916) to the end of the colonial period. It therefore looks at forest, animal, bird, fish and reed conservation. The bulk of the portion on forest conservation discusses the operations of the Forest Induna System in Sesheke. The Forest Induna system was more developed in Sesheke district than anywhere else in Western Province. It also analyses political, economic and social influences on conservation during the indicated period. In addition an assessment of the whole concept is attempted at the end.

The third chapter takes a look at the relationship between the Post-colonial state and the Traditional Authority and its impact on conservation. The issues discussed include, among other things, the area's special status and how that culminated into the Barotseland Agreement of 1964. It also discusses the politics of the late 1960s and how that led to the cancellation of the Barotseland Agreement in 1969. In addition, the issues behind the legislation of 1972 and 1973 are dealt with at length. In fact, the new legislation replaced the traditional conservation network in Western Province. Finally, the chapter analyses the impact of the legislation on conservation in Western Province.

The major justification for the study is that the study has demonstrated how small-scale indigenous conservation practices were successful in Western Province.

#### METHODOLOGY

Material for this dissertation was collected in the following manner. From the University of Zambia Library, we collected relevant information from books, journals, periodicals, government reports and dissertations. At the National Archives of Zambia, we consulted files

containing tour reports and district notebooks. Also, at the headquarters of the National Parks and Wildlife Services at Chilanga, we consulted files for Liuwa and Sioma-Ngwezi National Parks and these contained Western Command annual reports as well as policy issues pertaining to conservation work there. Also, at Sesheke, we consulted files, annual reports and Working Plans of the Zambian Teak headquarters. All this was done between September and December, 1989.

The whole episode of collecting oral testimonies was simplified by the fact that the language of the areas visited is our mother tongue. We interviewed old men reputed to be knowledgeable in traditional laws that applied to the fauna and flora sanctuaries. Also, a good number of people who served the traditional authority in areas that concerned wildlife and those that lived near/in the forest, game, bird and reed reserves were interviewed. In addition, we documented their views on the situation that prevailed after the scrapping of the Barotseland Agreement in 1969. Finally, we interviewed officials from the Forest Department at Sesheke, Fisheries and the National Parks and Wildlife services to get their views on their mammoth task of preserving these resources.

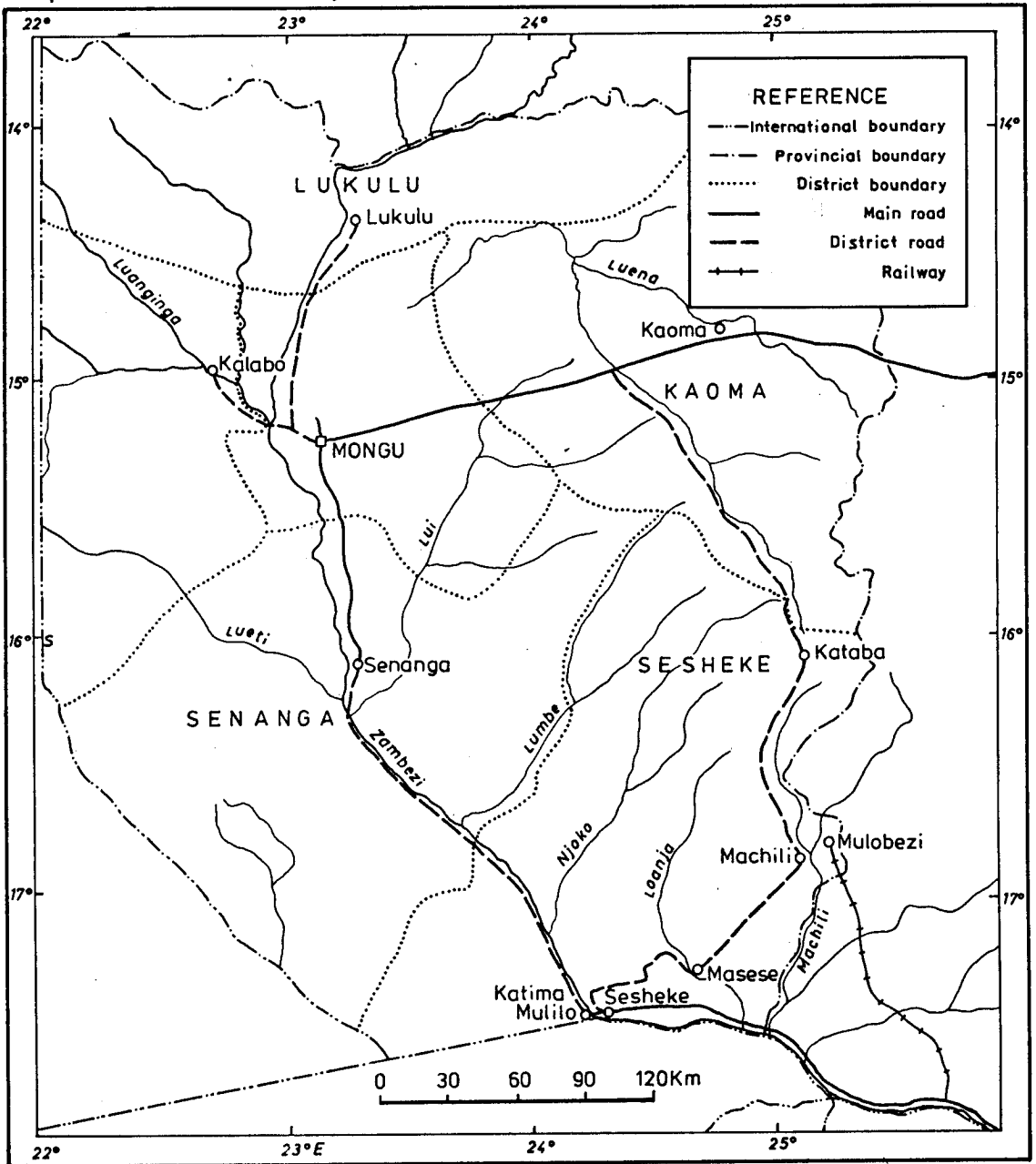
The methodological approach in this study has been to combine the written and oral material and use them to supplement each other.

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Map 1: STUDY AREA, THE WESTERN PROVINCE



Source Resource Atlas for Zambia

GEOGRAPHICAL FEATURES AND PEOPLES' ECONOMIC  
ACTIVITIES IN THE MID- 19TH CENTURY

The area of study is the Western Province of Zambia consisting of six districts namely; Mongu, Kalabo, Senanga, Kaoma, Lukulu and Sesheke. To the west the province shares the boundary with Angola and to the south with Namibia. To the east lie the Southern and Central Provinces and in the north lie the North-Western Province.

The most prominent geographical features are the Zambezi river and the Bulози Floodplain. A number of rivers flow into the Zambezi river and these are; the Kabompo, Lukulu, Luena, Lui, Lumbe, Njoko and the Machile rivers in the east; and the Lungwebungu, Luanginga, Lueti and the Linyanti rivers in the west. Plains such as the Liuwa, Siloana and Mulonga exist to the north and south-west of the Bulози floodplain.

The floodplain is bound on both sides by forests and hills. The eastern forest is traditionally known as Nyunyi. Prominent hills overlooking the floodplain are; Mongu, Mombo, Mutwiwambwa and Lianyi on the eastern side and the hills of Sikundangombe in the west. On the western side of the Lukona forest, but parallel to it, is the long low woodland belt of Kalamba interrupting the western edge of the plain. The Bulози floodplain is extended eastwards by the Luena flats found in the north-east towards Lukulu. The Wanyau plain lies in the south of the floodplain and is formed at the confluence

of the Lui river with the Zambezi river.

Beyond the floodplain, the sandy forest is dotted with round pans such as Nalulao, Makapaela and Lutende in Mongu District and Lilambo, Liande and Sihole in Kalabo District.

Western Province experiences three distinct seasons. The rainy season stretches from October/November to March/April. There is a marked decrease in average rainfall as one goes further south into Sesheke district. For instance, Lukulu district in the north receives an average rainfall of 1021mm per year while Sesheke in the south receives an average of 703mm.<sup>1</sup>

The cold dry season lasts from May to the first half of August. During this season, temperatures vary in extremity. Daytime temperatures are relatively high and night temperatures reach freezing point in July. The southern areas experience more frosty nights than the northern areas. Van Gils indicates that frost occurs 2-8 days in Mongu but up to 16 days in Sesheke in the south.<sup>2</sup> The hot season usually spreads between the months of August and the onset of the rains around October/November. Day time temperatures may reach 38.4°C in Mongu.<sup>3</sup>

The Bulози floodplain is virtually treeless except for trees such as guava, mango and eucalyptus planted by man on mounds. The eucalyptus is a colonial introduction. Certain areas of the plain are covered by phragmites reeds and papyrus reeds. The latter is usually a feature of

the plain in the south in Senanga district. The Liuwa plain further north in Kalabo district is exclusively covered by Russet grass (Loudetia Simplex).<sup>4</sup>

Upland areas to the north of the floodplain are dominated by Julbernardia panicolata (Mutondo) and Erythrophloem africanum. These two tree species are usually accompanied by Brachystegia Spiciformis (Mutuya) and Cryptosepalum pseudotaxus (Mukwe) and these predominate in the western areas of Luampa river in Kaoma district.<sup>5</sup>

To the south of the floodplain, the predominant vegetation comprises the Zambezi Teak (Mukusi) with Pterocarpus Antones (Mwangula) usually accompanied by the Mutemwa thicket. Other species of trees in this area include the Terminalia Sericea (Muhonono) in association with either Burkea africana or Acacia. The Simalaha floodplain that starts from Mwandi in Sesheke district is bound at its eastern edge by Mopane woodland.

### HISTORICAL BACKGROUND

The Western Province is inhabited by twenty-five ethnic groups who speak similar languages. The main group is that of the Lozi who inhabit the Bulози floodplain. There are other related groups in Kalabo and Mongu East. For instance, the Kalabo area has the Makoma, Nyengo, Imilangu and the Liuwa. The Kwangwa inhabit the eastern areas of Mongu district.

Controversy surrounds the origins of the Lozi

(formerly Aluyana). For their part, the Lozi claim that they are descendants of Nyambe (God) and Nasilele and that they have always lived in the floodplain. However, recent historical findings and interpretations link them to the dispersals that were characteristic of Central Africa around the 17th Century. It is said that they were led by Queen Mwambwa, later succeeded by her daughter Mbuyu, from the Lunda Kingdom of Mwata Yamvo in present day southern Zaire.<sup>6</sup> Mbuyu later abdicated the throne in favour of her son, Mboo, who became the first male ruler of the Lozi people. This incident angered Mboo's brothers who left the area in protest. For instance, Mwanambinyi went southwards into Senanga district and his followers became known as the Akwandi. Mange went eastwards and his followers became known as the Kwangwa. According to Lozi tradition, the fourth Litunga Ngalama, reconquered the breakaway groups of Mwanambiyi and Mange and also extended his rule widely beyond Sesheke.<sup>7</sup> It could have been about the late 17th or early 18th Centuries as written records do not mention dates for that development.

During the reign of Mulambwa (1780 to 1826), reputed to be the tenth and greatest Litunga, a group of Mbunda-speaking immigrants from Angola were allowed to settle in the Kingdom. These were led by Chiefs Mwene Kandala and Mwene Chiengele. Being bush cultivators, they were set along the edges of the plain in areas such as

(formerly Aluyana). For their part, the Lozi claim that they are descendants of Nyambe (God) and Nasilele and that they have always lived in the floodplain. However, recent historical findings and interpretations link them to the dispersals that were characteristic of Central Africa around the 17th Century. It is said that they were led by Queen Mwambwa, later succeeded by her daughter Mbuyu, from the Lunda Kingdom of Mwata Yamvo in present day southern Zaire.<sup>6</sup> Mbuyu later abdicated the throne in favour of her son, Mboo, who became the first male ruler of the Lozi people. This incident angered Mboo's brothers who left the area in protest. For instance, Mwanambinyi went southwards into Senanga district and his followers became known as the Akwandi. Mange went eastwards and his followers became known as the Kwangwa. According to Lozi tradition, the fourth Litunga Ngalama, reconquered the breakaway groups of Mwanambiyi and Mange and also extended his rule widely beyond Sesheke.<sup>7</sup> It could have been about the late 17th or early 18th Centuries as written records do not mention dates for that development.

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Liamutinga, Mabumbu and Namitome.

A civil war broke out following the death of Mulambwa around 1826, over succession. This was between groups supporting Mubukwanu and Silumelume, both Mulambwa's sons. At about the time Mubukwanu was to assume responsibility over the kingdoms, following Silumelume's death, the area was invaded and conquered by mfecane fleeing Sotho group led by Sebitwane.

As a result of the defeat, the royal family was split and ended up in Kalabo's Nyengo plain and further north in Lukwakwa. However, the Lozi kingdom was restored by Litunga Sipopa in 1863 following the defeat of the Kololo. The ultimate consequence of the Kololo occupation was that the Luyi adopted the language of the conquerors and Sikololo (Lozi) became the lingua franca of the kingdom. Their close associates in Kalabo and Mongu East retained their Siluyana dialects though learnt Sikololo as well.

It was during the reign of Litunga Sipopa that external contact was established between a Lozi chief and white traders and hunters from the south. That was realised with the arrival of George Westbeech at Pandamatenga in the south of the Lozi Kingdom. Being an enthusiastic hunter himself, Sipopa established a close relationship with Westbeech who was allowed to hunt elephants freely in his kingdom. Mackenzie states that the situation allowed Westbeech to 'send out no fewer than ten to fifteen tons of ivory each year

between 1871 and 1888.<sup>8</sup> Subsequent chiefs did not curtail this privilege enjoyed by Westbeeck.

Litunga Lewanika succeeded the throne in 1878 following the overthrow of Mwanawina II. However, he was briefly out of control when he was deposed in 1884 by Tatila Akufuna, one of his cousins. He settled around the Mashi area in the southwestern part of the kingdom.

Largely under the influence of Francois Coillard of the Paris Evangelical Missionary Society, Lewanika accepted the protection of Great Britain through treaties in 1890 and 1900.<sup>9</sup> Unlike most areas occupied by the British in Africa the treaties reserved special rights for the Litunga and his people. For instance, the Zambezi floodplain (Bulozi proper) was closed against farming and mining and was reserved for the Lozi people only.<sup>10</sup> Also, the Litunga was given a free hand over land, fishing, game and forest management. These arrangements were respected by the colonial office which replaced the British South Africa Company administratively in 1924.

### ECONOMIC ACTIVITIES

The people of Western Province were cattle keepers, crop cultivators, fishermen, hunters and gatherers of wildfruits. Seasonal variations determined the economic activities of these people. This aspect was more pronounced within the floodplain where the absence and

and level of the flood literally determined every aspect of economic activity.

Agricultural production was a predominant economic activity in this region. People used hoe and axe technology in agriculture. The people of the floodplain grew a wide variety of crops such as millets, maize, sorghum, rootcrops, pulses, cucurbits etc. in about a dozen different gardens. This number of gardens allowed them to harvest more than once a year considering the variety of crops. The gardens on the plain were permanently cultivated as they did not lose their fertility because of the annual floods that continuously deposited silt on them.

However, the gardens were very susceptible to climatic hazards. For instance, an early flood or an usually high flood brought about serious food shortages as the gardens got submerged and the crops were subsequently destroyed. In acute situations, people had to gather wildfruits from the forest.

On the other hand, people inhabiting the forest areas practised bush cultivation. In the southern areas of Senanga and Sesheke, the Shanjo, Southern Simaa and Subiya cultivated the 'Mukusi Mutemwa' forest and the period of cultivation was five to seven years. That was followed by a rest period of two to four years and a final period of recultivation for four to six years.<sup>11</sup> The cultivated crops were maize, bulrush millet and

sorghum. The Totela of Sichili area in Sesheke district grew the same kind of crops but in Mukusi woodland.

The northern and central areas were occupied by the Luchazi, Mbunda, Chokwe, Nkoya and Kwangwa. These communities made matema gardens in woodlands which were cultivated for three to six years. A fallow period of five to six years was allowed and then gardens were recultivated for a further three years before abandonment.<sup>12</sup> Principle crops grown were millet and cassava that were usually interplanted.

This agriculture system clearly shows how people adapted to their environment. Their knowledge of the environment allowed them to exploit it in the best way considering the level of technology then. The rest period that was characteristic of bush cultivation allowed the soil to regenerate. These people knew the marginal nature of this environment which is dominated by Kalahari sands. Continuous cultivation, they realized, could have rendered the area a wasteland with very low yields. It was an acceptable system of agricultural production as the population density was low at this time. In addition, this practice did not bring about extensive deforestation as the rest period as well as final abandonment allowed the trees and shrubs to grow again.

People's knowledge of a fragile environment was also evident in agricultural practices in pre-colonial

Namwala district. Agricultural activities were very much related to the ecology of the area. For instance, Mulongo points out that in gardens in the forests on the sandbelts, trees were cutdown, burnt and the ash used as fertilizer.<sup>13</sup> This was done as people knew that the soil had to be fertilized for meaningful yields to be realized. Population levels at the time allowed this kind of agricultural production without necessarily bringing about extensive deforestation.

All indicated cereals together with cassava were ground into a fine flour. A thick porridge (buhobe) was made out of this flour and that constituted the staple diet of the people. This thick porridge was usually eaten with a sauce of fish, meat, wild spinach etc.

As stated above, one of the most prominent geographical features in Western Province is the Bulozhi Floodplain. It gets inundated annually from about January to May as a result of the Zambezi river overflowing its banks. Annual floods compelled people to build villages on mounds which are either artificial (liuba) or natural (mazulu). These mounds have to be abandoned for the plain edges during the highest levels of the floods. People return to the plain when the floods subside around May and June.

The environmental setting of the area brought about interdependence between the plain and forest communities. That was a result of clearly defined ecological

differences between the plain and the forest. In that situation, each region had products unique to itself which could be obtained outside only through trade. For instance, the plain people turned to the forest areas for wood suitable for canoes, drums, paddles, spear handles etc., axes, hoes, bark for bark cloth, and bark ropes, bush medicines, grasses for certain baskets and mats.<sup>14</sup> The chief items secured from the plain were cattle, milk, fish and mats made out of papyrus. This symbiotic existence allowed both communities to sustain their communities.

Another important activity was fishing. Fish were plentiful in the Zambezi river and its numerous tributaries and lagoons, as well as lakes that dotted the plain. As a result, the Lozi people had been fishermen ever since their early days in the Bulozzi floodplain. Gluckman records that they had twenty-two ways of catching fish according to the state of the flood.<sup>15</sup> These methods were used at widely separated places during one season. However, Kashimani argues that the major ways of catching fish have always been with nets, spears and hooks.<sup>16</sup>

Fishing was a major occupation - that provided relish for the plain dwellers. It was an important source of protein. It was usually roasted, fried or boiled. Holub points out that in comparison to other activities that provided relish, fishing provided about 20% of all the

food.<sup>17</sup> A control mechanism existed where fishing was concerned. That was seen in the existence of fishing rights within the plain. In fact, fishing sites were divided up into public and private sites. One had to ask for permission to fish in privately owned sites. Similarly, in the Kafue Flats of pre-colonial Namwala, the existence of these fishing rights prevented uncontrolled fishing.<sup>18</sup>

Also, the Lozi people had been keeping cattle for a long time. This activity was conducted in conjunction with agricultural production and fishing. Gluckman argues that the Lozi were not keen herdsmen like the Zulu of South Africa as cattle occupied a minor part of their attention and interest.<sup>19</sup> However, Kamayoyo disagrees with that observation and instead argues that cattle keeping had been the backbone of the Malozi economy particularly in the floodplain.<sup>20</sup> That could be a realistic argument considering the benefits got from their cattle. Cattle were valued for milk, hides, manure and meat. They were also valued for trade, marriage transactions, adultery disputes, theft and homicide cases. However, it was quite rare that beef was eaten as game supplied the meat required by people.<sup>21</sup> Milk was a very popular form of food and was mainly eaten in its sour form that was mixed with thick porridge.

The transhumant way of life existing on the plain affected cattle raising as well. The annual floods compelled the Lozi to drive their cattle to the forest

areas at the onset of the flood season. Cattle are usually driven back to the plain around June and July.

Western Province contained large herds of game and species of wild fowl. The dry season usually saw the congregation of large herds of antelopes, buffalo, elephant etc. in the floodplain. The aquatic red lechwe was a more or less permanent resident of the floodplain. In addition, there were more birds in the plain than anywhere else in Western Province. Like agricultural and fishing activities, hunting was influenced by seasonal variations especially the level of floods.

Hunting game in the plain usually took a serious turn during the floods especially around May. At this time, the floods are receding and mounds and ridges become uncovered. This allowed buck to return to the plain and graze on the uncovered grass. Being isolated on their mounds, they were easily driven into the water and stabbed. This was done with the assistance of dogs and dugouts.<sup>22</sup> Also the Litunga organised game drives (lisulo la loonga) against animals trapped by the flood on islands. This involved large numbers of people and was usually carried out once a year. Moreover, any influential man, especially any induna, could summon a hunting party and kill in a similar manner. These were communal hunts similar to Chila on the Kafue flats.<sup>23</sup> In both cases,

the meat and skins were divided, 'the hind halves of all animals went to the Litunga, the fore-halves were shared by all hunters.<sup>24</sup> Individual hunting was also practised.

Furthermore, people inhabiting forest areas were great hunters as well. Hunters used to dig great pits for big game like buffalo at the bottom of which long pit assegais were set.<sup>25</sup> To confuse the animals, the pits were dug in the usual paths of the animals especially near waterholes and covered over with branches to avoid detection. Elephants were hunted with iron spears and hippos with harpoons.

In addition, the end of the flood season witnessed yet another great hunting activity. This involved the killing of nestlings (ku loba sitaka) in reed beds. It was done around June and July and people made their way to the nesting grounds through hippo paths and killed nestlings with fishing spears. Most of the fish eating birds breed there.

Apart from the drives against young birds, the plain dwellers usually went out to catch young spur-winged geese (machikwi).<sup>26</sup> This was a more specialised art of hunting as hunters went out in small and light dugouts to isolated areas. These young birds were integrated into their flocks of muscovy ducks and eaten later when old enough. However, their wing feathers were constantly trimmed to preempt escape.

The onset of the winter season saw large numbers

of birds return to the plain and congregate in shallow lagoons and intermittent streams in the plain. These feed on grass roots and water lily tubers. Prominent amongst these birds are spur-winged geese, knob-billed duck, whistling duck, mallard and the teal. The Lozi killed them with the aid of traps set at the edges of lagoons and streams. Also, with the aid of well trained dogs, the hunters plied the marshy areas hunting down birds of the same species that pluck off their feathers and remain flightless for some time.

As a mode of obtaining food, hunting was of great importance to the people of this area. That was more so in forest areas that lacked fish. For instance, Holub argues that in comparison to other methods of providing food, hunting was only surpassed by agriculture. Most hunting activity was for subsistence not trade. In fact, game was hunted when needed. As a result, taking into consideration the populations of that time, the effect on game population was insignificant. Livingstone indicated the abundance of game whilst passing through the kingdom in 1853.<sup>27</sup>

The Barotse Kingdom had a set of laws pertaining to game. These laws were supposed to be followed by all residents as the animals in question were reserved for the royal family as exclusive monopolies.<sup>28</sup> According to the law, elephant, hippo, red lechwe, rhino, leopard, eland and the crested crane, were categorized as royal

animals. This game law existed well before the advent of Kololo rule in Western Province. The indicated animals were generally not supposed to be killed by commoners. They could do so upon securing permission from the Litunga. Permission was usually granted although the hunter had to surrender certain parts of the animal to the Litunga.

The law on elephants had been in existence ever since time immemorial. It should be mentioned here that ivory bracelets could only be worn by royal family members as they were a sign of royalty. Ivory had no special value, especially to commoners, before the coming of traders. In the event of an elephant being killed by a commoner, after being given permission, he had to surrender both tusks. Apart from keeping some of the meat, the hunter could not retain one of the tusks. The hunter was rewarded in any way deemed fit by the Litunga. The Kololo chiefs retained both tusks as it was their custom.<sup>29</sup>

Unlike the situation in Western Province, the Bisa hunter did not necessarily have to secure permission from the chief. However, the hunter delivered both tusks to the chief who later rewarded him with one of the tusks. In some cases, the right tusks (mwana ndelwa) could be retained by the hunter and the chief would not complain.<sup>30</sup> During the advent of ivory traders during the 19th Century, the hunter could sell it if

he so wished.

However, during the brief reign of Tatila Akufuna (1884-1885) the hunter was given one of the pair of tusks brought to the Litunga. Lewanika did not repeal this law after regaining the throne in 1885.

The red lechwe was safeguarded because of its limited numbers.<sup>32</sup> Any lechwe killed had its skin handed over to the Litunga. The skins were processed into clothing and blankets. The crested crane (Liowanyi) was not supposed to be killed as it was regarded as a flower of the kingdom because of its beauty and its peculiar dancing patterns that Lozi men copied.<sup>33</sup> Also, the restriction was brought about by its limited numbers.

The eland was especially preserved because of the status of its tail. Barotse laws stipulated that only the Litunga should possess it as a sign of royalty. The leopard was preserved for its skin. Gluckman points out that leopard skins were used to make karosses and cloaks for the king and his queens together with princes and princesses.<sup>34</sup> The rhinoceros was protected for its horn which was used to make knobs of walking-sticks for important princes and councillors.<sup>35</sup>

Although their skins and manes were worn by important councillors on state occasions, the lion was never categorized as a royal animal. In fact, lions were ordered to be killed if seen around villages.

This was the ruling as they were regarded as a danger to both human and cattle life. People did not eat lion meat. Lion hunters were usually rewarded by the Litunga for the job well done.

The hunting restrictions imposed over the royal animals brought about control in their slaughter. For instance, the coming of ivory traders during the second half of the 19th Century did not bring about a recorded drastic reduction in elephant herds. It was not a surprising development as only chiefs could hunt and sell ivory. In fact, there were virtually no professional African hunters as it was in Bisa country. The existing elephant hunters were those in the service of chiefs, or given special permission like Westbeech. In addition, guns and ammunition were not allowed to be sold in the kingdom.<sup>36</sup> However, more important Indunas could get permission to buy sporting guns and limited amounts of ammunition after getting authority from the Administrator upon the Litungas request. That was the situation up to the reign of Yeta III.

The situation differed sharply with what happened in Chokwe country in present day Angola when the demand for ivory increased. With no restrictions over elephant hunting and the acquisition of guns by a central authority, the Chokwe completely wiped out elephant herds from their country by 1854.<sup>37</sup>

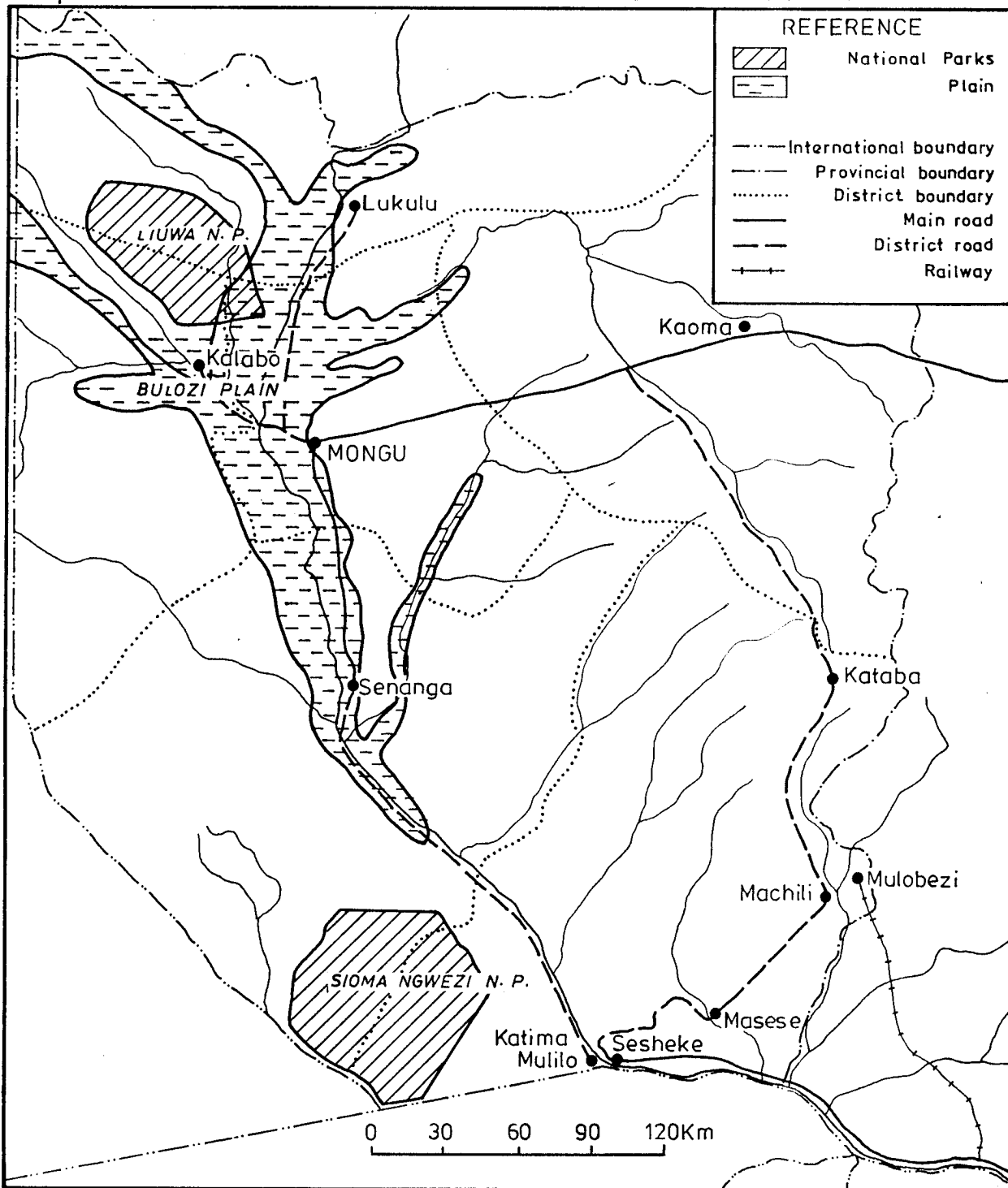
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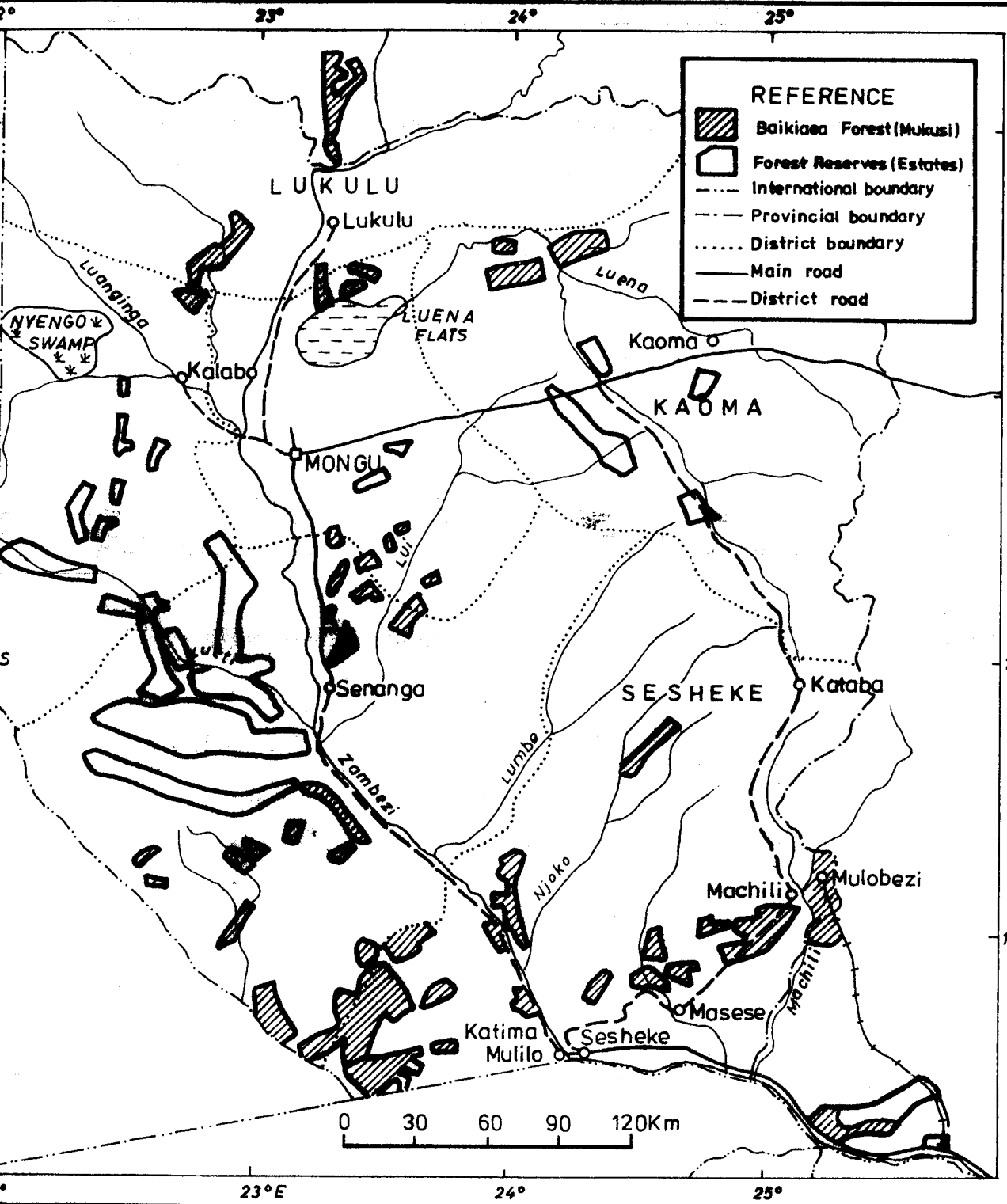
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# Map 2 : WESTERN PROVINCE NATIONAL PARKS



Source: Resource Atlas for Zambia

# Map 3 : THE VEGETATION OF WESTERN PROVINCE



Scale: 1:500,000 Sheets 1,2&4 of Vegetation of map of Zambia, 1976, 1:1,500,000 Forest Estate map 1

## CHAPTER 2

### THE ORGANISATION OF CONSERVATION, 1878-1964

This chapter takes a close look at the organization of conservation during the stipulated period. In that respect, it shows the measures employed by the traditional authority to conserve specific resources and why. By so doing, it analyses the role played by local communities and how they perceived the concept of conservation. In addition, it looks at the influences of the colonial regime and also attempts to analyse why the traditional authority followed this policy.

#### FOREST CONSERVATION

The Lozi people, under the guidance of their Litunga had a profound sense of value for their forests. This value was seen in the existence of native forest laws and the vesting of some forest reserves in the Litunga as royal forests. These laws on forest conservation were initiated by Litunga Lewanika and implemented by various courts of the Kingdom. In that respect, forest conservation owes its existence to Litunga Lewanika. He inaugurated this concept through the protection of fruit trees against wanton destruction. That was an insurance against famine which was not infrequent in this area where rainfall was usually uncertain coupled with the ravages of unusually early

floods. Trapnell and Clothier state that there was a law or custom prohibiting the cutting of fruit trees, namely, Copaifera Coleosperma (Munzauli), Parinari Mobola (Mubula), Strychnos Punges (Muhwahwa), Strychnos Spinosa (Muhuluhulu), Vangueriopsis Lanciflora (Mumonsomonso) and Dialum Simii (Muhamani).<sup>1</sup>

The specified fruit trees could not be cut down under any circumstances. For instance, even in the event of clearing bush gardens, they were to be left standing.

Additionally, the value attached to forests was again seen in the terms of the 1900 Agreement between Litunga Lewanika and the B.S.A. Company. In this Agreement, as Martin says, 'Lewanika retained rights in Livingstone District over large areas on the banks of certain rivers.'<sup>2</sup> The area included most of the Masese group of forests and the Machili forests, formerly known as Yeta's forests. This was a clear indication that Lewanika was prepared to part away with large tracts of land but not big stretches of valuable woodland areas needed by his people. He further declared a number of forest reserves for specific purposes in 1912. These reserves were for fruit production, canoes, timber and bark, arrow poison and commiphora medicine.<sup>3</sup>

In 1924, the colonial administration, having no forest service itself, suggested to the Traditional Authority to place further cutting restrictions on

important timber trees. As a result, the following timber trees were protected; Copaifera Coleosperma (Manzauli), Baikia Plurijuga (Mukusi), Pterocarpus anglonsis (Mukwa) and Ricinodendron Rautaneni (Mongwamui).<sup>4</sup> The advice was given after the colonial administration realised that there was more emphasis on fruit trees at the expense of timber trees.. It seems people had not exercised conservation concepts where important timber trees were concerned.

Moreover, more drastic measures were instituted following an influx of Mawiko immigrants from Angola in the late 1920s. These immigrants extensively cleared forests for their matema gardens. Because of that development, silalo indunas were summoned to Lealui by Litunga Yeta III in 1931 and instructed to establish forest reserves and also indicate areas of settlement in their location.<sup>5</sup> The ultimate result of this measure was the declaration of forest reserves in Western Province as follows; Lealui (Mongu) 35, Nalolo (Senanga) 25, Kalabo 29 and Sesheke 50.<sup>6</sup> Figures indicate the number of forest reserves in each district.

Guidelines were issued to safeguard the forest reserves. For instance, no one was allowed to cut trees in the reserves without the Litunga or Kuta's permission secured through the silalo induna. Also, the silalo induna was responsible for the prevention of illegal cutting and settlement. Violators of these

guidelines could be fined K4.00 or two beasts (cows).<sup>7</sup>

Although the forest reserves were known just by name not by area, the indicated district numbers shows the extent of the kuta's concern. They indicate as Pim pointed out, that the Lozi had on their own initiative produced an excellent schedule protecting precious trees, having realized the dangers of deforestation in all parts of the territory.<sup>8</sup>

However, despite the apparent awareness of the dangers of deforestation, the laws were not strictly adhered to. As Martin points out, 'the weakness of the system lay not in its conception but in its application.'<sup>9</sup> In fact, the check and balance mechanism in existence was a shaky one. The silalo induna had little interest in the work and was also left to reign free by the kuta without any supervision. This was the unfortunate nature of the situation and it led to a fair degree of deforestation in the forest reserves.<sup>10</sup> The problem was more extensive in areas occupied by Mawiko people.

#### THE BAROTSE FOREST SERVICE AND ITS OPERATIONS IN SESHEKE

The existence of native forest conservation laws in Western Province made the work of the Forestry Department quite easy. In fact, all that the colonial Forestry Department did was to improve upon an already existing

system.

Although forest laws were not respected on a wider scale, they were more strictly enforced in Sesheke district than anywhere else in the province. That was a result of the economic importance of the Zambian teak that became apparent following the introduction of Zambezi Sawmills operations in 1912 as the traditional authority received royalties for such operations.<sup>11</sup> In addition, the district had the largest concentration of tree species that were suitable for dugouts badly needed for the survival of the people on the floodplain.

The colonial authorities' involvement in forestry work only emerged in the early 1930s. It was only in 1929 that a Senior Assistant Conservator of Forests was attached to the Department of Agriculture.<sup>12</sup> This development was followed by the appointment of Assistant Conservators of Forests in subsequent years. By the end of the 1930s, the Forestry Department had been established independent of Agriculture Department, and operated in the Baikiaea forests of Livingstone and Sesheke, the forest reserves around the copper mines and forest reserves required for the provision of fuel for the principal towns.<sup>13</sup>

Efficient management of forests in Sesheke started in 1931 when an Assistant Conservator of Forests, J.D. Martin, was sent there on a reconnaissance survey.

The scheme for forest conservation was drawn up after the survey. It was accepted by both the Mwandu and Sesheke kutas, thus paving the way for the creation of a single native forest service in the district. It was because of his experience in Sesheke that Martin later drew up the Barotse Forest Orders which were accepted by the Litunga and kuta of Lealui. These became the Forest Laws of Barotseland in 1936.

The operations of an improved forest management scheme, as from 1935, in Sesheke, saw a remarkable organisational change from the old system. Firstly, all those who became engaged in forest work were paid unlike in the past. This incentive motivated them to participate in the forestry programme on a serious note. Secondly, forest indunas were appointed from better silalo indunas.<sup>14</sup> That step was brought about by the fact that despite the absence of incentives, some silalo indunas had done their work quite remarkably.

From an organisational point of view, the Barotse Forest Service was headed by induna Ilubonda who was responsible for the legal and political aspects of forestry work in the province. He was the overall supervisor of the Barotse **Forest Service**. He was assisted by a Protectorate Technical Assistant who was responsible for forest protection and demarcation of boundaries.<sup>15</sup> These worked in liason with the Provincial

Forest Officer representing the Forest Department.

In Sesheke district, the native forest service was headed by an induna with the title of Head Forest Induna. He was usually a senior Mwandu Kuta induna, the third man in the hierarchy. He was responsible for all forest matters in the Mwandu kuta and all other forest indunas below him. In addition, he was responsible for carrying out the forest policy of Barotseland and coordinated with the Provincial Forest Officer.<sup>16</sup>

Below the Head Forest Induna were two Assistant Head Forest Indunas whose main task was the supervision of labour usage and protective burning of certain forest reserves. These indunas either hired paid labour or organised villagers for particular tasks like protective burning. Forest contract indunas followed the previous category. These were part-time departmental employees and supervised work in Mukusi forests close to their villages of residence. Their principal work was fire-protection and also they saw to it that Barotse Forest Laws were strictly adhered to in their operational areas. In fact, they carried out educational campaigns in their areas. In addition, they performed tasks in situations where their local knowledge was of vital importance. For instance, Watson points out that they accompanied officers on survey duties or those inspecting remote areas far away from administrative areas.<sup>17</sup>

Further, another category comprised the Burning Contractors. These were not selected by the Mwandikuta. They were local people employed by the Department on annual contracts to carry out protective burning and patrolling forest reserve boundaries.

The last category comprised the Honorary Forest Indunas. These were indunas who had served the Forest Department for a considerable length of time but had retired by then. They assisted the Department in various ways. Firstly, they promoted interest in forests amongst their villagers. Secondly, they provided local knowledge, guides and labour to the Forestry Department when called upon to assist.<sup>18</sup>

The Forest Induna Service specifically operated in protected forests in the unexploited areas and those already exploited by the Zambezi Saw Mills. This operational policy was aimed at ensuring the availability of exploitable forests in future. For the names of forest indunas, charges remunerations etc., see Appendix 1.

However, in 1947, it was realized that silalo indunas had too many administrative commitments to carry out forest work as well. They were, therefore, replaced by influential headmen appointed by the Mwandikuta and became known as Forest Indunas.<sup>19</sup> Their duties remained unchanged as laid down by J.D. Martin.

THE BAROTSE FOREST FUND

The Barotse Forest Fund was a brain child of J.D. Martin, the Assistant Conservator of forests responsible for the Baikiaea forests in Livingstone and Sesheke districts. Its creation emerged out of his concern about the very future of forests being exploited by the Zambezi Saw Mills. The existing arrangement before 1936 was that, none of the funds paid as royalties to the Litunga by the Zambezi Saw Mills was allocated for conservation work. The royalties amounted to K1,500 annually. Apart from that, there was no money forthcoming from the central government as the forests solely belonged to Barotseland. However, the Barotse Treasury did not have adequate resources to bear the heavy expense out of their annual income once exploitation had ceased.<sup>20</sup>

The Barotse Forest Fund was officially inaugurated in 1936. It was a special fund created to manage forest reserves and also ensure the availability of money for that purpose in future. In essence, the money from the fund was used in fire protection, tending and maintenance of forests in Sesheke district before they were exploited. Also, it was from this fund that all forest indunas and Burning Contractors drew their wages. The fund received its money from the royalties paid by the Zambezi Saw Mills to the Litunga. It is of importance to mention here that all royalties in excess of K1,500 per annum

paid to the Litunga for ten years, went into the coffers of the Barotse Forest Fund.

Before 1940, the Barotse Forest Fund was administered by the colonial government's Accountant General.<sup>21</sup> Thereafter, its operations were transferred to the Barotse Native Treasury as a separate Forest Fund, and estimates of expenditure had to be approved by the Litunga and kuta.. The Fund continued operating smoothly except in 1962 when it was frozen by the Barotse Government because of liquidity problems as Barotse Treasury was forfeited to the state.<sup>22</sup> By the end of 1968, the Fund still remained frozen although recurrent expenditure was paid from annual royalty payments. Its future hung in balance as its operations and financing of forest operations were under the Zambian government's consideration. However, by then, the fund stood at K442,000.<sup>23</sup> Table 1 shows the Barotse Forest Fund's income and expenditure in the first few years of the existence.

TABEL 1: BAROTSE FOREST FUND INCOME AND EXPENDITURE,  
1936 - 1938; 1940 - 41

YEAR	REVENUE	ESTIMATES	EXPENDITURE ACTURAL+
1936	K360	K2078	K1760
1937	K4,158	K1656	K1444
1938	K3,116	K1560	K2708
1940	K4,839	-	K674
1941	K4,644	-	K714

NOTES + Included half salaries of European staff engaged in forest work up to 1939 after which there was a sharp drop in expenditure.

SOURCE: NAZ SEC1/970, Forest Development Report by J.B. Clement, Department of Agriculture Annual Report for the year 1938.

The experience in the forest service in Barotseland differed sharply from what existed in Kenya's Lembus forest during the colonial period. Just like the Baikiaea forest in Sesheke, Lembus was awarded to a timber concession company for exploitation. However the terms of the contract brought a lot of problems for the operation of the Forest Department in the operational areas of the Equator Saw Mills (ESM). It so happened that, Eliot, the then colonial governor up to 1904, had placed substantial powers in the hands of ESM.

In that situation, the role of the Forest Department in checking the operations of ESM was curtailed. It literally did not have control over its operations.

Major problems that confronted the forest department were the difficulty in carrying out reforestation work in Lembus as well as the loss of revenue because of extremely low royalty rates paid by ESM. Financing of forestry work became a problem. The royalties were calculated on the basis that all merchantable timber extracted from the forest would be set at a reduced rate.<sup>24</sup> As Anderson points out, 'it was set at only two rupees per 100 cubic feet of timber with an additional sum payable on each acre clear felled.'<sup>25</sup> That situation allowed ESM to be paying only six cents per cubic foot of timber, while sawmillers elsewhere in Kenya paid 50 cents per cubic foot.<sup>26</sup>

Apart from the problems of meagre royalties, the operations of ESM equally frustrated the reforestation work of the Forest Department. Although the ESM was obliged to pay for each acre clear-felled, the company deliberately left trees standing in the exploited areas. That automatically made the ESM avoid payment as well as preventing the Forest Department from carrying on with its reforestation programme as ESM could still go back to such areas as per clause of the agreement.

Because of this arrangement, the Forest Department

did very little or literally no afforestation work in Lembus. The situation allowed ESM to reap huge profits at the expense of reafforestation. It was only after 1945 that the Forest Department could exercise any great control over ESM operations following government intervention.<sup>27</sup>

FOREST UTILIZATION UNDER THE BAROTSE  
FOREST ORDERS

Forest utilization was subject to laid down procedures. In the forest reserves, irrespective of the purpose, one had to secure permission from the local kuta or buy a licence from the Forest Department. A distinction existed between an item intended for sale and one for domestic use. Those who wanted trees for domestic purposes like making a mortar secured free permits from the kuta. However, those that wanted to make items for sale like dugouts, had to buy licences from the Forest Department or kuta.

Also, in the event of a protected tree like Mukusi (Zambian teak) in one's garden and wanted for domestic purposes, the Forest induna could issue a free permit. The people of Sesheke, especially those on the fringes of the reserves, were part of the conservation network and that was provided for in the Barotse Forest Orders. They worked in collaboration with Forest Indunas

appointed for specific forest reserves. The main issue behind their willingness to cooperate in conservation was the involvement of the traditional authority. For instance, Makole argues that the traditional authority allowed people to have access to the forest resources as stipulated by the Barotse Forest Orders.<sup>28</sup>

Further, the use of influential indunas brought about this sound commitment as well. This was inevitable as they (indunas) could easily divert the people's thinking towards favourable conservation. This was possible as they were the Litunga's representatives in these areas and therefore highly respected. Unlike in the past, the indunas were motivated by being paid.

The greatest threat to conservation during this period came from man's agricultural activities. Man has always chosen suitable areas in his agricultural endeavours. In Sesheke, the most suitable areas of agricultural production are found in designated forest reserves. That was mainly because of the nature of transitional sands found there, as Wood explains:

The major advantage of transitional sands is their greater capacity to retain rainfall in their upper layers and so provide crops with a continual source of moisture when dry spells occur during the rains.<sup>29</sup>

This characteristic of transitional sands makes the areas more suitable for agricultural production

considering the unreliable nature of rainfall as already shown. In addition, the transitional sands are more fertile than the undifferentiated sands that exist elsewhere. Because of these factors, farmers have always preferred to cultivate mukusi forests thereby contributing to deforestation.

Attractions that the mukusi forests offered made it extremely difficult to control agricultural activities in the reserves. In fact, the control of such activities had been quite unpopular and difficult to enforce. Even the Barotse Forest Orders, with their bias towards local induna participation proved ineffective in that respect.<sup>30</sup>

However, although agricultural activities sometimes encroached **upon** designated forest reserves, the local communities did not cut down protected trees. For instance, Andrew had this to say concerning the Mawiko bush cultivators:

Some Mawiko villagers complained bitterly of having to leave protected trees standing in their gardens. As I had a copy of Barotse Native Government Orders with me I read them the full list of protected trees and emphasising that the order was a very good one...31

The quest for sound agricultural production posed a serious threat to the survival of forest reserves. However, that gloomy picture did not mean that the forest reserves were almost on the brink of extinction.

People in this area were virtually subsistence producers and as such, land clearing did not involve large tracts of land. Besides, as already shown above, protected trees were left standing in the fields. It was an offence to cut them down. In addition, the population was not so big enough to threaten forest reserves.

Finally urbanisation and the cash economy did not affect forest conservation very much in Sesheke. The nature of tree species found in the forest reserves accounted for that situation. The reserves are predominated by Zambian teak. It is undoubtedly a very hard wood which is very difficult to work on. As a result, it has very limited use amongst local people. The Zambian teak is mostly used in the making of dugouts and stamping poles for construction purposes. Also, very few people would risk buying unstamped dugouts as indunas and forest officers constantly checked their legitimacy at river banks. Therefore, there was no market for illegally acquired dugouts. The licence issuing authorities stamped all legally acquired dugouts upon completion.

#### GAME CONSERVATION

The Liuwa game reserve is situated to the north of Kalabomboma and has an area of 3,660 square kilometres.<sup>32</sup> It had been in existence for a very long time. Gluckman

points out that some Lozi informants confided in him that it was established during the ancient times, and the word for reserve, Sipo, is ancient siluyana.<sup>33</sup> However, it was during the reign of Litunga Lewanika that an elaborate conservation strategy was adopted. The following arrangement in the reserve became operational during the reign of Lewanika.

In the reserve, the most predominant animal is the wildebeest and its population was estimated at about 100,000 in 1938.<sup>34</sup> Other animals are: zebra, oribi, duicker, eland, buffalo, lechwe, reedbuck, tsessebe, lion and hyena. A wide variety of bird species exist there as well.

The Liuwa plain had been a favourite hunting ground for the earliest Litungas. It is therefore not a surprise that one of these ancient Litungas decided to declare it a reserve for that tradition to continue. In that situation, one can argue that it was never established as a result of an apparent decline in game in the Kingdom. My informants advance two major reasons for the establishment of Liuwa game reserve.<sup>35</sup> Firstly, the Litunga wanted a secure place where game meat and skins could be acquired in large quantities. These were very necessary during famous state ceremonies like Kuomboka. Secondly, it was created as a training ground for young men in the use of

spears on the animals. This was very essential during the pre-colonial days of tribal wars and was usually organised by the Lealui kuta.<sup>36</sup>

Game reserves in the Lozi Kingdom fell under the authority of the Game and Fisheries Induna with the title of Imukondo. In the Liuwa game reserve, the overall boss was induna Seenge who was the most senior game induna and guided the work of other lesser game indunas. In addition, he protected animals within the plain area of the reserve.

Another game induna was Mwaiba. His sole responsibility was that of protecting the eland. All forest ranges inhabited by elands fell under his command. He was the final authority in any activity that had to do with the eland. Together with Seenge, Mwaiba was responsible for Liuwa central that was found in the Mukola-Mushitu Area.<sup>37</sup>

Further, the lechwe and reedbuck was under the protection of induna Liimba. He was in command of the Muenyi - West Area. In addition, he checked the outbreaks of fire, over grazing practices and disease outbreaks amongst animals. The Muenyi East Area was under the jurisdiction of induna Kashweka. He protected the wildebeest oribi, zebra and quicker.

Finally, Induna Kumbinga of Mulonga Area looked after the wildebeests and zebras. The wildebeests

migrate to his area in May when they fall under his control until August when they go back to the plain.

All the mentioned game indunas used to carry out educational campaigns in their areas of operation. They worked hand in hand with the local communities in their task of protecting the animals. In fact, the local people of the Liuwa reserve were charged with the task of protecting the animals given to them by Nyambe (God). They were supposed to be the ears and eyes of the game indunas.

According to the kuta's regulations, all hunting activities in the reserve were to be carried out with permission from the Litunga. Europeans were also supposed to get special permission to hunt in the reserve. However, colonial officials on tour needed not get permission if they killed for their rations. But that excluded royal game from the list on which they could kill. The position of European hunters was part of the 1929 laws on game.<sup>38</sup> It appears the kuta had realised the impact of European hunters on game elsewhere. This law had existed since the inception of colonial rule.

Despite the clear-cut restrictions, the local residents' hunting activities were tolerated. Most Litungas did allow hunting by the local people, except for royal game. Luyanga argues that the Litungas allowed that the local people were the policemen of

the reserve and therefore had a natural right over the animals.<sup>39</sup> As a result, together with the Lozi concept of Mutenda Silya, the people of Liuwa could kill for the pot.<sup>40</sup>

A laid down procedure existed in the event of people's gardens being destroyed or their cattle killed by wild animals. The provision was that the aggrieved party could not take the law in his own hands. He should instead report to the local kuta that would summon a hunter from either Libonda or Lealui kuta to come and examine the extent of damage and recommend the next move. Most probably, the hunter would kill some animals within the vicinity to scare them and compensate the aggrieved party with some of the meat if the species was edible. In most cases, the hunter was obliged to kill a good number of animals for villagers in the surrounding areas. Only animals that belonged to the non-royal category could be killed. However, during such operations, the villagers were always cautioned against the indiscriminate killing of animals.<sup>41</sup>

The Sioma-Ngwezi game reserve is situated in the Senanga and Sesheke districts west of the Zambezi river. It covers an area of 5,276 square kilometres.<sup>42</sup> It was declared a royal game reserve in 1961 after the traditional authority realised that animals in this part of their country should be protected.<sup>43</sup> The most prominent

species of animals found there include: elephant, buffalo, giraffe and roan antelope. Like the Liuwa reserves no one was allowed to hunt there without the permission of the Litunga. Local people were specifically instructed to guard against the indiscriminate killing of animals. An elaborate conservation strategy similar to that in Liuwa did not exist here except that in the late 1960s, Mr. Simpson, a Veterinary Officer, represented the Litunga as an honorary ranger.<sup>43</sup>

Penalties existed for offences committed against the existing regulations in the reserves. For instance, if one was caught with elephant tusks secured illegally, the contraband was confiscated by the kuta and also fined a pregnant cow.<sup>45</sup> This was a mandatory fine that could not be commuted. The culprit was expected to bring a pregnant cow in all circumstances. It was an important deterrent in this environment where the Litunga was held in high esteem. Besides, it was seen as very shameful to be caned before the kuta.

As the two game reserves were purely under the traditional authority, no game count could be carried except for rough estimation made by colonial officials. For instance, Hellen argues that there were about 20,000 animals in the Liuwa by the late 1960s.<sup>46</sup>

However, it was only in 1964 that Benson carried out a count of the ungulates in the two reserves. For the Liuwa he estimated that the wildebeest may have

totalled 7,500, tsessebe 1,300, oribi 2,000, zebra 53, buffalo 122, eland 24, reedbuck 2, and roan antelope 31.<sup>47</sup> For Sioma-Ngwezi, he just pointed out that most species were in reasonably good numbers. The indicated figures were just conservative estimates as he admits that not all areas of the Liuwa reserve were visited and also that some herds were too concentrated for a proper count.

In other areas of Northern Rhodesia, game conservation started with the administration of the B.S.A. Co.<sup>48</sup> In 1891, it passed a law that was aimed at curtailing the number of guns and powder in African hands. They were convinced that the apparent game decline was brought about by African hunting practices. In addition, it established the Mweru - Marsh Game Reserve in 1899 and it became the first game reserve in Northern Rhodesia.<sup>49</sup> In 1902, another game reserve was established in the Luangwa valley specifically for the preservation of a rare type of giraffe.<sup>50</sup> However, hunting restrictions were extended to other animals in the reserve. A Game Ordinance was passed in 1925. It aimed at cutting down on illegal hunting in the territory although there was no limit placed on the number of animal species one could kill in a hunting season. Additional reserves were established in 1931 and these were: Victoria Falls, Kafue George and David Livingstone Memorial.<sup>51</sup>

Further, a game department was established in 1942 and it carried out the task of safeguarding the animals in the game reserves and also checking on illegal hunting. The Kafue National Park was proclaimed by the Governor on 20th April 1950.<sup>51</sup> However, the game department did not operate in Western Province. That was because the 1900 Agreement made the responsibility of game preserving a prerogative of the Traditional Authority.

#### BIRD RESERVES

With the exception of the crested crane that was protected by law, the rest of edible species of birds were not protected. As a result, Lozi people had been killing birds unchecked for generations. During the reign of Yeta III, hunting activities against nestlings were controlled to prevent the birds being killed out.<sup>53</sup> In the wake of that ruling, almost all the nestling grounds were declared bird reserves.

These reserves existed in the districts of Kalabo, Mongu and Senanga. Some of the well known bird reserves were: Inyandala, Lundai, Musilomenga, Mande and Sisindela.<sup>54</sup> A few prominent men were assigned to each reserve and worked as guards (lindaletu). Together with fellow villagers, the guards kept vigilant eyes over the reserves guarding against law breakers. The

guard, together with a group of youngmen (linjoka) of his choice, were the only persons allowed to visit the reserves and check on the progress of the nestlings.

Guards used to indicate to the kuta when the birds were ready for slaughter. To signify that period, usually in July, the guards killed some birds, half cooked (a preservative measure) and carried in special baskets (imuceke) to the Litunga. It is of importance to note that by July, almost all the birds are ready for slaughter as breeding starts in April. After being satisfied with the size of the birds, the kuta would thereafter decide on the date of slaughter and send word around through the guards.

During the early hours of the actual day, the guards with their assistants, would go inside the bird reserve and locate areas where birds were still very young or where eggs had not yet hatched.<sup>55</sup> Participants were instructed not to venture into such areas. After that inspection, the operation would be declared open. This was a day's event and no one was allowed back after the guards had declared the operation over. Guards would then go around collecting what was due to the Litunga. For instance, for every fifteen birds killed, four were surrendered to the guards for the Litunga.

It is of great importance to mention that children and young men (not yet married) were not allowed to participate in this activity.<sup>56</sup> There were quite

understandable reasons advanced for that restriction. Firstly, their safety could not be guaranteed as the bird reserves were frequented by dangerous snakes and crocodiles that fed on young birds. Secondly, it was feared that young people could defy the instructions of the guards by destroying eggs and killing young birds. Finally, there was a possibility of them reorganizing and visiting the reserves again which was contrary to laid down regulations. My informants argued that a single day's operation could not have a serious impact on the number of nestlings as birds breed in their hundreds of thousands in a single reserve.<sup>57</sup>

### FISH

On the other hand, there were virtually no laid down conservation laws on fishing activities. People carried out their fishing activities well into the spawning period. For instance, there was no law forbidding the killing spawning barbel at the onset of the floods. The only conservation measure that was implemented was the ban on the use of fish poison. This was aimed at curtailing the killing of fish in large numbers in stagnant pools. It was only implemented in 1959.<sup>58</sup> The measure was introduced as the fish poison was not selective. However, it was not a result of an apparant decline in fish stocks as the poison is only used in stagnant pools and these

are not rich fishing sites.

### GAME

Political and economic developments during the indicated period do not seem to have driven people in the game reserves to excessive poaching. A lot of factors account for this state of affairs in the Liuwa game reserve. Firstly, game was so plentiful that any attempt to kill for monetary gain could have drawn a blank. The market for game meat was just not there. Secondly, most people did not have access to guns, they simply maintained their traditional hunting practices that had not changed for generations.<sup>59</sup> These traditional practices, especially in Liuwa where communal drives were forbidden, could not lead to great reductions in animal population. Thirdly, the people of Barotseland, especially the real Lozi, had great respect for authority. As a result, whatever was labelled as royal property was treated with great respect. In that situation, there have always been thousands of animals in the Liuwa game reserve.

Game availability in the Liuwa reserve is a well documented fact. For instance, Campbell reported in 1938 that although game was virtually non-existent in Kalabo district because of hunting activities of Angolan migrants, the Liuwa game reserve was an exception as game was plentiful.<sup>60</sup> Game that was non-royal and not in designated game reserves could be hunted without any restrictions.

Further, the Kalabo District Commissioner had this

to say on the number of animals during a tour in 1952:

I recommend, therefore, that either the Paramount Chief be requested to organize a game drive on Liuwa plain covering the area up to Luanginga river or the ban on hunting in the reserve be lifted until the animals have been thinned.<sup>61</sup>

As a result of their numbers, the animals were proving a big nuisance to agricultural production in the game reserve. Requests for game drives are a common feature of most of the tour reports in this area.<sup>62</sup> Unfortunately, no game drives were conducted after 1915. The Litunga just stationed two hunters who killed animals whenever they were requested. The Litunga objected to the idea of a communal drive except that he allowed residents to kill animals that destroyed their gardens. My informants lamentably failed to give a convincing answer on the issue of communal drives after 1915.

The declaration of the Sioma-Ngwezi game reserve late in the colonial period, was an indication that game was plentiful there. No reports on poaching appear anywhere after it was declared a game reserve.

Bird reserves were untouched by the political and economic developments during this period. Guns could not be used against nestlings as the cost of ammunition could not be justified. Besides, the nature of the places made the use of guns undesirable as people could be killed in the process. Also, there was virutally no market for nestlings in this situation where people could kill older

birds unhindered.

On the other hand, the cash economy brought about some excesses to some extent. However, this was not necessarily with animals in reserves, but with the royal animals. That was seen in people selling royal trophies instead of surrendering them to the Litunga. For instance, Gluckman observed that well decorated eland tails were being sold to whitemen and hippo meat was sometimes sold instead of being surrendered to the Litunga.<sup>63</sup> As a result, in 1929, the Lozi kuta enacted a law that stipulated penalties for the unlawful killing of royal animals.<sup>64</sup>

In the wake of that development, those who killed an elephant or hippo without permission or did not surrender tusks or meat, were charged fines not exceeding K100.00 for the former and K30.00 for the latter. In the case of an eland, the culprits who did not surrender the tail, were liable to a fine not exceeding K10.00 for the first offence and K20.00 on second offence.

In addition, the drastic decline of the hippo population brought about a reaction from the colonial government. At the government's request in 1942, a five year ban on the shooting of hippo was imposed throughout the province.<sup>65</sup> However, the Litunga and the Princes chief at Nalolo could still shoot five each while district chiefs could shoot two hippo.

A number of scholars on indigenous conservation have argued that the stated game reserves were specifically

for the royal family.<sup>65</sup> In other words, it is argued that the so-called commoners were not allowed to utilise the conserved resources. However, my research findings contradict such arguments.

Although it cannot be denied that, in theory, the law said people were not allowed to kill animals without permission, things were quite different in practice. Firstly the organisational set up included a prominent role played by the local communities in the game reserve. In fact, as already pointed out, some Litungas actually allowed them to kill for the pot. However, it was undoubtedly not a free for all situation as people could not kill animals **openly** in large numbers. This situation applied to non-royal animals. For instance, most of my informants were of the opinion that they had never known anyone being prosecuted for killing an animal (non-royal) for the pot. But they generally agreed that all was done with restraint.

What was actually forbidden in the game reserves was the whole concept of communal drives during the flood season. This was the prerogative of the Litunga. Even then, the killed animals were shared between the Litunga and the local people who participated. But royal animals, if amongst those killed, were not shared. It is of great importance to note that the last game drive in Liuwa game reserve was carried out in 1915. That was an inevitable development as the game population was greatly reduced by

pleuro pneumonia that broke out in the same year. Subsequent drives were carried out in areas outside the reserve even after the recovery of the game population.

The restriction on the bird reserves did not spill over to open areas. People were allowed to kill birds outside the bird reserves with no restrictions at all. As a result, the restrictions in bird reserves did not affect their hunting patterns.

### REED RESERVES

Reeds are important building materials on the plain. They are used, tied in bundles, as poles for building, as well as walls and fences. Fishermen also use them in the making of heart-fence traps (lyandi) and hafts (liteku) of fish spears. Reed beds existed along the banks of rivers especially the Zambezi river. Reed-reserves were an ancient creation because of the importance of this material in a plain environment like the Zambezi flood-plain<sup>66</sup>

The Litunga owned most of the reed-beds along the Zambezi river. However, a few commoners owned stretches of this commodity. Conservation practices were applied to the utilisation of this commodity. These practices applied to those reed-beds owned by the Litunga. Reed-beds had particular individuals appointed by the kuta

to look after them. It was from this overseer that permission could be sought for cutting purposes. The reed-beds were not open for cutting all the time. In fact, it was normally after birds had left their nests that the areas were declared open for cutting. That took place between August and January when the area was free from floods.

Permitted persons had to cut a certain amount for the Litunga. For instance, Gluckman mentioned that 'a man who wanted to cut reeds had to cut 10 for the King for every 100 he cut for himself.'<sup>67</sup> In some cases, people were allowed to cut any amount after they had cut a sizeable amount for the Litunga. It was strictly forbidden to set fire to the reed-beds as that would deprive people of this vital resource and also kill wildlife that inhabit the areas. People who violated these restrictions were punished by being forced to cut a lot of reeds for the Litunga. Anybody who set fire to the reed-beds was fined a pregnant cow.<sup>68</sup>

#### WHY THE POLICY OF CONSERVATION WAS PURSUED BY THE TRADITIONAL AUTHORITY: AN ASSESSMENT

One thing that became apparent in the previous analysis, is the genuineness of the idea behind the conservation of certain resources. First and foremost, although the Litunga realised hefty royalties from the

operations of the Zambezi Saw Mills, that was not the main reason behind the establishment of forest reserves in Sesheke district. As already shown in the chapter, the whole concept of conservation started well before 1912 when fruit trees were protected and that was before Zambezi Saw Mills started its operations. Also, the reasons behind the establishment of the forest reserves have been elaborated.

The bird and game reserves have their reasons explained clearly. Although the Litunga had a share of whatever was secured from the reserves, it cannot be argued that local communities were excluded from the benefits of such schemes. In fact, local communities enjoyed the fruits of the concepts. The same applied to reed reserves.

However, the categorization of certain species as royal animals was a source of conflict. It did not augur well with the whole concept of conservation being practised by the Traditional Authority. As already shown, a commoner had to secure permission to kill these animals. But the existing situation was that commoners were not compelled to seek royal items. If one was lucky enough to secure permission, he had to honour the royal obligations by surrendering some parts to the Litunga.

In the event of one killing a hippo, all that the hunter got was the foreleg, the bowels, and the strip of

of meat from the tail to the nose.<sup>69</sup> The rest of the carcass was shared between the Litunga and his numerous councillors. This sharing arrangement made the whole idea of having secured permission a mockery. That was a clear case of royal monopoly.

Though statistics are not there, the categorization of animals as royal, may have led to their decline. That was more so during the colonial period and beyond as monetary gain for selling items like ivory became apparent. For instance, the Litunga together with other district chiefs had elephant hunting parties.<sup>70</sup> These groups continuously hunted elephants without making any conservation considerations. It is not a surprise that Campbell talks about elephant herds as being always on the move because of being continually harried by the chiefs's elephant hunters.<sup>71</sup>

Further, the idea of securing permission first was ignored in hunting communities like that of the Nkoya in Kaoma district.<sup>72</sup> All that Nkoya hunters did was to take one of every pair of tusks as required by the custom. Incidentally, the Litunga did not object as long as tusks were delivered. However, that practice was possible because the Nkoya were renowned elephant hunters. Other communities of the province did not resort to that because they could not.

The decline of hippo population that brought about the five years' hunting ban, could have been brought about

by the Traditional Authority's hunting activities. That is undoubtedly a possible reason as the Traditional Authority was well represented in the province as silalo indunas and headmen represented the traditional authority. As a result, a hippo kill could not have escaped the eyes and ears of Traditional Authority considering the size of the animal. It was not possible for illegal killings to take place on a large scale without the knowledge of the Traditional Authority. The animal is so massive that some pieces of its meat would definitely get to its 'owners'.

Monopolisation of these profitable resources was determined at the point of acquiring hunting guns. The procedure in Barotseland was that an application for a firearm certificate had to be accompanied by a recommendation from the district kuta. The councillors in that particular kuta held the final decision. Commoners were usually encouraged to buy shotguns which cannot kill either elephant or hippo.<sup>73</sup> Rifles were a speciality of the indunas and royal family members. This arrangement automatically disqualified the commoners from securing permission to kill big game like hippo or elephant. It is therefore not a surprise that some quarters within Western Province were happy when the authority of the Traditional Authority over firearms and game was scrapped in 1969.<sup>74</sup>

NOTES

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58. Interview: Leonard Nawa Luyanga, Limulunga, 11-12-89.
59. Interview: Samende Nyambe, Liuwa, Kalabo, 17-12-89, NAZ SEC/2/477 Kalabo Tour Report, 1948.
60. J. Soane Campbell, 'Report on the Fauna of Barotse' in C.R.S. Pitman, Report on the Faunal Survey of Northern Rhodesia with special Reference to Game, Elephant Control and National Parks, (Livingstone: Government Printer, 1939), p.53.
61. NAZ SEC2/479. Kalabo Tour Report, 1952.
62. See NAZ SEC2/480, Kalabo Tour Reports, 1952; and SEC2/481 Kalabo Tour Reports, 1953.
63. Gluckman, Essays, p.89.
64. NAZ KSH2/1: The Barotse Native Laws, Custom and Administration, August 1929.
65. Gluckman, Essays, p.88.
66. Interviews: Bornwell Mangolwa, Mande, Senanga, 13-12-89, Muyoyeta Samutumwa, Kapungu, Senanga, 13-12-89.
67. Gluckman, Economy, p.93, Interviews: Muyendekwa Mulako, Likombe, Senanga, 12-12-89, and Kalaluka-Liyungu, Lusaka, 17-02-90.

68. Interview: Liyungu Kalaluka Liyungu, Lusaka, 17-02-90.
69. Gluckman, Essays, p.87.
70. Interviews: Joseph Kataama Walubita, Likombe Village, Senanga, 11-12-89, Mubiana Samutumwa, Kapungu Village, Senanga, 13-12-89 and Liyungu Kalaluka Liyungu, Lusaka, 17-02-90.
71. Cambell, 'Fauna', p. 52.
72. Cambell, 'Fauna', p. 53.
73. Interview: Leonard Nawa Luyanga, Limulunga, 11-11-89.
74. Interview: Leonard Nawa Luyanga, Limulunga, 11-12-89.

## CHAPTER 3

### THE RELATIONSHIP BETWEEN THE POST-COLONIAL STATE AND TRADITIONAL AUTHORITY AND ITS EFFECT ON CONSERVATION, 1964-1989

This chapter draws our attention to the birth and demise of the Barotseland Agreement. It also analyses the introduction of laws that replaced the older ones and their impact on conservation in Western Province.

The special status enjoyed by Barotseland during the colonial period, brought problems for an emergent independent Zambia. The Traditional Authority wanted the status to continue even after independence if Barotseland remained an integral part of Zambia. However, the United National Independence Party leadership was not prepared for the maintenance of the status after independence. It would be against their slogan of 'One Zambia, One Nation.' To pre-empt a nasty situation before the pre-independence elections the two parties reached a compromise in their discussions. As Caplan points out:

It was agreed that Barotseland would remain part of the wider part of the territory and participate in the 1964 elections, but the final discussion of Barotseland's relationship with independent Zambia was postponed to a later date.<sup>1</sup>

UNIP swept the 1964 elections and formed the first black government. Discussions on the future of Barotseland started immediately. The Traditional Authority

insisted that the special status should be not only maintained but enshrined in the constitution as well. The UNIP government accepted the maintenance of the status but not its inclusion in the constitution. Deliberations culminated into the signing of the Barotseland Agreement In 1964. It was signed by Sir Mwanawina III, the Litunga of Barotseland, and President Kaunda with Britain represented by Duncan Sandys, the then Colonial and Commonwealth Affairs Secretary, as a witness.

Provisions of the Agreement made the dream of the Traditional Authority a reality. With regard to conservation issues, the Agreement entrusted the Litunga and his council the power to make laws for Barotseland in relation to the following matters: land, forests, fishing, control of hunting, game preservation, control of bush fires and the reservation of trees for canoes.<sup>2</sup>

However, the signatories of the Agreement had contradictory hopes of its implications. The Traditional Authority was convinced that it perpetually preserved the status of Barotseland. For UNIP, as Caplan argues, "it was a simple expedient which it could if necessary repudiate in imposing its authority over Barotseland."<sup>3</sup> Later development made this position a reality.

From 1965, the government appeared determined to end the status. That was initially seen in the abolition of the powers of the National Council in February, 1965. Also, the Litunga lost his grip over the Barotse Native Treasury.<sup>4</sup>

Squabbles within UNIP had a strong bearing on the future of the Barotseland Agreement. In 1966, Nalumino Mundia and Mubiana Nalilungwe were kicked out of UNIP for alleged financial irregularities. The latter was a Cabinet Minister and the former a Minister of State. Nalumino Mundia was later called upon to lead the United Party formed the same year by Mufaya Mumbuna who had quit the United Front. At the Mulungushi National Conference in 1967, the Lozi members of UNIP's Central Committee were removed. These were Arthur Wina and Munukayumbwa Sipalo. This development brought about discontent in Barotseland and was compounded by lack of development. The United Party focussed its attention on the Bemba domination in UNIP and an 'intentional' neglect of Barotseland. That gave way to serious talk of secession in the area. However, nothing concrete happened to that effect.

Moreover, the 1968 elections were a blow to UNIP in Barotseland. Before the elections in October, the United Party was banned following the death of six UNIP officials. They died as a result of a clash between UNIP and United Party supporters on the Copperbelt. Leaders of the United Party joined the African National Congress and contested the October general elections. The ANC carried the day in Barotseland as it won eight out of the eleven seats. The ANC candidates who won were:

Nalumino Mundia, Mufaya Mumbuna, Ndangwa Noyoo, Mbambo Siyanga, Sefulo Kakoma, Morgan Simwinji, Maxwell Mututwa and Mukwenje Chikulo. This development undoubtedly influenced the President's stand on the Agreement. That was echoed by sentiments expressed by UNIP officials after the elections as Caplan observed:

According to a senior member of the government, the Cabinet had already decided that the Lozi were to be punished, not placated, for their imprudence in electing, 'former Johannesburg waiters' to replace some of the best brains in President Kaunda's former Cabinet.<sup>5</sup>

Although this punishment was not carried out plainly as the sentiments threatened, the demise of the Barotseland Agreement was a clear manifestation of that threat. This political crisis came to a head in August, 1969. At the eleventh UNIP National Council, President Kaunda, amongst other things, announced the forfeiture by the Litunga of his remaining concession rights. In addition, a few hours later after his inaugural speech, he unexpectedly announced that Barotse Province would be known as Western Province and that traditional rulers would lose their rights over wildlife and fishing.<sup>6</sup>

Further, the announcements were reinforced by a bill introduced by the government in October, 1969 that cancelled the Barotseland Agreement and all its attachments.<sup>7</sup> The announcement and the bill were met with total disbelief in Barotseland, especially by those from the Traditional

Authority. ANC members of parliament , especially Mumbuna and Noyoo, fiercely attacked the bill that aimed at scrapping the Barotseland Agreement.<sup>8</sup> However, being in the minority, it was to no avail.

The bill brought the area at par with the rest of other provinces. This development had a lot of implications. By losing control over land, the Litunga lost all the powers he had over everything in Western Province. That marked the formal destruction of the old kingdom of Barotseland. Also, it implied that the traditional conservation set up already explained was thrown away. In addition, the National Forest Laws that had been existing since the 1930s could not operate. New laws had to be passed to replace the old order.

The first target was land. In October, 1969 a new land tenure legislation was passed by parliament.<sup>9</sup> It transferred control over the use of land from the Litunga to the state. Land in Western Province was now the prerogative of the President.

Legislation covering natural resources conserved by the traditional authority were next to be passed. Through a statutory instrument passed in 1972, the Liuwa and Sioma-Ngwezi traditional game reserves, were declared National Parks. As a result, the National Parks and Wildlife Act of 1968 became applicable in the reserves. By so doing, they came under the management of the National Parks and Wildlife Services. Finally, in 1973, a new Forest Act

was enacted and this replaced the National Forest Laws of Barotseland.

### THE IMPACT ON CONSERVATION

The existence of new legislations automatically brought the role of the Traditional Authority in conservation to an abrupt end. A completely new set up was introduced in an environment where people regarded the old order as simply part of their tradition.

### FOREST CONSERVATION

The unexpected legal changes had serious consequences for the very survival of forest reserves in Sesheke district. It so happened that the changes filtered through the concerned communities like wildfire. In this area where traditional loyalty was more important than national politics, their response was hardly surprising. As a result, peoples' attitudes towards forest conservation changed. In fact, people viewed everything as an outright punishment for having voted for ANC candidates.<sup>10</sup> In that respect, they resorted to an intentional and extensive burning of the forest reserve so that the government would not find anything worth a forest reserve.<sup>11</sup>

Undoubtedly, the last quarter of 1969 stands out unparalleled in the history of forest conservation in

Sesheke. It experienced the worst forest fires ever. The Masese and Machili blocks of forests were the hardest hit. These form the biggest blocks of forest reserves in the district. Three fires during the month of September badly damaged 12,950 hectares of forest and destroyed between 18,408 cubic metres and 19,824 cubic metres of timber respectively

Irrespective of what happened, the government went ahead with the legal changes. The new Forest Act of 1973 implied that the Litunga would no longer continue receiving royalties from the Zambezi Saw Mills operations. Also, the Forest Induna System was scrapped and replaced by appointed forest officers who were supposed to carry out all that the indunas used to do. In addition, honorary forest officers appointed under the Forest Act were no longer going to receive any payment for any work they were to do. Everything was to be done on purely voluntary basis. In this situation, the incentive of money that encouraged people to soldier on was cancelled.

Furthermore, the free permits that local people enjoyed were abolished. If anything, all issues to do with trees had to be paid for. Also, local people could no longer graze their cattle in the reserves without paying a fee. The Act did not contain any role for local communities in forest conservation.

Since the introduction of the Forest Act, forest conservation has suffered greatly. Local people no

longer felt that the forest reserves were for their benefit. Its implementation proved problematic from the beginning. For instance, local communities, especially in the Machili area, went as far as arguing that if the Forest Act was to be implemented, then the government should uproot its trees and take them where there were no people so that they could be left in peace.<sup>13</sup> These sentiments were expressed upon their realization that the Act would alter their traditional life.

One area that greatly suffered as a result of this change was forest extension work. It should be borne in mind that the scrapping of the Barotse Forest Orders meant that local people lost employment opportunities. With the economic crisis engulfing the nation from the mid-1970s, the desire for employment became acute. Local people had to find a way out of this dilemma. Matakala argues that people tended to cause late fires through incendiarism as one way of securing temporary employment.<sup>14</sup> With limited departmental staff, the villagers know quite well that they would be called upon to extinguish the same fires whilst they got paid at the end of the operation. This trend does not augur well for conservation as it reduces the area of the reserves.

Further, the Forest Department has literally failed to fill the gap left by the Forest Induna system. Available government resources cannot realise that in any

way. As a consequence, this lack of adequate manpower led to a relaxation of the check and balance mechanism that was an important deterrent in the old order. Also, there are virtually no people to carry out the educational campaigns that some Forest Indunas used to carry out. In that respect, traditional forest values that people learnt have steadily disappeared. Respect for the new legislation has continued to decrease with the passage of time.<sup>15</sup> Makole has likened the demise of the Barotse Forest Orders to a village that has lost a headman.<sup>16</sup> A lot of local people commit various offences against legislation but go scot free as there is no one to check against that.

Above all, an apparent lack of patriotism on the part of some forest officers has aggravated the situation. Forest officers in the field are easily corrupted and end up surrendering stamping instruments to sawyers.<sup>17</sup> That is deliberately done as they know that District Forest Officials have no transport to check on their work in the field. Ultimately, the sawyers cut down more trees than those reflected on the licences.

Although a considerable length of time has elapsed, the old legacy still lingers on. People are still apprehensive about the demise of the old order and the unkind nature of the Forest Act. For instance Sipilanyambe had this to say:

We are convinced that the Forest Act restrictions are very unfair. If it were possible, the old order must be reintroduced as it took into consideration local people's needs. We cannot all afford to buy licences and besides, some items to be secured from the forests do not warrant a licence, like a cooking stick.<sup>18</sup>

Incidentally, even forest officers who worked during the pre- 1973 years agree that the Forest Act has brought a lot of problems, especially where their work is concerned.<sup>19</sup> They point out that the Act cannot be implemented in totality and a lot of relaxation has taken place. However, that is not the final solution as what is at fault is the Forest Act itself.

### GAME CONSERVATION

The NPWS started operating in Liuwa National Park in 1972. Four camps- namely, Munde, Suumbo, Sililo and Loola were established. From the beginning, the implementation of the 1968 Act faced very strong opposition from the local people. Liuwa, unlike most other parks, contains about 107 villages within its boundaries.<sup>20</sup> The Act was implemented without necessarily making adjustments considering the unique nature of the park. This state of affairs created the following problems: human settlement, traditional fishing rights, traditional rights, traditional land tenure system, defence of

property, crops and cattle in particular, the extent of the boundary, law enforcement in regard to free movements of residents and politics.<sup>21</sup>

The very nature of the Act was problematic as most of human activities in the park, apart from traditional fishing which had been regularised, were declared illegal. In fact, the local villagers were supposed to vacate the park upon its declaration. However, the crux of the matter was that people had lived side by side with wild animals ever since time immemorial. Above all, they had been part of the conservation strategy devised by the Traditional Authority which was scrapped in 1972.

This problem was taken before the National Parks Board in 1979 so that an amicable solution could be found. The Board proposed that the **bona fide residents of the park** should do the following: reside, carry on with traditional fishing, cultivate, construct buildings, walk freely in and out any time, graze their cattle, collect firewood and fell timber.<sup>22</sup> However, it was also stated that the people cannot be allowed to kill birds or animals for the pot in the park.

With more pressure from local Members of Parliament, the then Minister of Lands, Water and Natural Resources amended the NPW Act through a statutory instrument in 1982 specifically for Liuwa Plain National Park. That accepted the proposals of the National Parks Board. However, the

residents could not do the following: driving a predator off a kill, disturbing of historical articles, destroying wildlife and the obedience of any lawful orders given by wildlife officers.

The ultimate victims of these problems were the animals themselves. A crucial aspect with the Act was that it put the interests of the animals before those of local people living side by side with them. In fact, the park inhabitants, especially traditional hunters with no firearm certificates, were not given an alternative. As a result, people living in the park had no incentive to deter poaching. In this respect, the period from 1972 witnessed commercial poaching rising and mainly carried out by urban dwellers from Kalabo, Lukulu, Mongu and Zambezi.<sup>23</sup> It should be noted here that most of the arrests were made in Kalabo town as poachers try to sell the game meat.<sup>24</sup>

This unfortunate development actually led to the 'extinction' of the eland from the park. The last eland was reliably reported in 1976.<sup>25</sup> Previously, it was categorized as a royal animal and therefore jealously protected.

TABLE 2: GAME POPULATION IN THE LIUWA PLAIN NATIONAL PARK

SPECIES	POPULATION
Buffalo	85
Zebra	843
Tsessebe	844
Lechwe	232
Roan	35
Wildebeest	33,988

NOTES: The figures do not indicate the true picture as they were just estimates.

SOURCE: NPWS, Western Command Annual Report (Mongu: 1975)

Above all, educational campaigns cannot be carried out any more. The main constraint is that there is nothing NPWS officers can talk about in justifying the continued protection of the animals. Local people do not see the benefits of keeping animals like that. As a result, villagers have distanced themselves from any effort aimed at deterring commercial poaching. The apparent lack of tourists development in the park is a common complaint there. (see Appendix 3).

Lack of tourist development and logistical problems

have aggravated the position of NPWS officials. Transport, arms and ammunition have been problems for a long time. Together with inadequate personnel, it has reduced their work to irregular foot patrols. It was this situation that prompted the Provincial Warden at Mongu to suggest the involvement of Silalo Indunas as Honorary Rangers to supplement departmental effort.<sup>26</sup> That was arrived at as he recognized their role in wildlife conservation in the past. However, the suggestion did not materialise as they declined to operate under the prohibitive NPW Act provisions.<sup>27</sup>

On the other hand, some people have argued vehemently that the park should be developed.<sup>31</sup> But such calls have always fallen on deaf ears. In fact, other people have argued that the terrain of the area makes any tourist investment unjustified.<sup>28</sup> Such arguments literally overlooks the size of game available and the natural beauty of the place.<sup>29</sup>

Although the National Park remains a wildlife paradise with no equals in Western Province, the alienation brought about by the Act poses a serious threat to the very survival of the animals in the area. This lack of people's involvement has automatically meant the non-existence of the ears and eyes that jealously guarded the reserve during the traditional authority days. Unscrupulous urban people have taken advantage of this loophole.

They have always found assistance from villagers angered by the provisions of the NPW Act.<sup>30</sup> The Administrative Management Design for game management programme being implemented seems to bring some hope.<sup>31</sup>

The ADMADE programme entails the involvement of local communities in the conservation of wildlife in the park. Local people will be involved in income generating projects funded by the World Wildlife Fund for Nature. The proceeds from those projects will be reinvested in the park for people to appreciate the necessity of preserving animals. Although it is specifically aimed at Game Management Areas not National Parks, Liuwa has been included as it has people within its boundaries.

In Sioma-Ngwezi National Park, traditional control came to an end in 1972. The NPWS started operating there immediately and established the following camps: Kalobolelwa, Sinjembela, Shangombo, Mufulani, Ngwezi, Sioma and Kalongola. Sioma is the Senanga district headquarters.

The location of this park brought a lot of problems for NPWS officials. This accounts for the great reduction in animal population. First and foremost, the Sinjembela, and Kaunga Mashi areas, found in the park, were operational areas during the liberation wars for both Namibia and Angola. As a result, large numbers of Peoples Liberation Army of Namibia and National Union for the Total Independence of Angola combatants had camps within the park. Together with units of Para-Military and Zambia Army, these people heavily

poached the Sioma-Ngwezi National Park and the adjacent Game Management Area for their rations.<sup>32</sup> In fact, the greatest source of raw ivory in the 1970s and early 1980s was from these people.<sup>33</sup>

Officials of the NPWS were virtually handicapped to control this serious situation they were confronted with. In a war environment, it appeared these people were above the law. Their vehicles could not be searched at road-blocks jointly manned by soldiers and game scouts.

Further, the incursions of the South African Defence Force (SADF) during the late 1970s aggravated the situation. As a result all camps with the exception of Kalobolelwa, Sioma and Kalongola were subsequently closed down because of insecurity as fighting raged between PLAN combatants and the SADF. These operational camps are found along Senanga-Sesheke road which is very far away from the park. However, even they were virtually under SADF control as it controlled the area between Katima-Mulilo and Kalongola. In addition, the SADF heavily poached the elephant as well. Ultimately, the NPWS was left doing virtually nothing in terms of protecting the animal population in the park.

The long residence of various armed groups brought other problems. Local people acquired sophisticated weapons from them. With no apparent economic avenues, they further poached the remaining animals, especially elephants, to make ends meet.<sup>34</sup> It is of interest to note

that the area is very prone to drought and that automatically rules out viable agricultural production. Also, it is tsetse infested and therefore cattle cannot be kept there. I was reliably told that if nothing concrete is done immediately, elephants will be wiped out within the next ten years. Law enforcement is virtually grounded as the NPWS only makes roadblocks that can be avoided.

The 1968 NPW Act also entailed that only those with firearm certificates can kill birds for the pot. This is so as one cannot buy a bird licence without a firearm certificate. No alternative was given to those without guns. That automatically turned a lot of people into potential poachers.

Unfortunately, the old mechanism that safeguarded bird reserves was never replaced. The relevant authorities took it for granted that the Act was enough deterrent. No people were assigned to guard these vulnerable areas. This misconception has allowed a wanton destruction of bird life.

With no people responsible for the bird reserves, people virtually visit the places at any particular time of their choice.<sup>35</sup> The whole issue of being restricted to a single day in a year is a thing of the past. Unlike in the past, children are now at the forefront of this indiscriminate slaughter of young birds.<sup>36</sup> They frequently visit the places and even collect large

quantities of eggs for sale or home consumption.

Gloomy economic prospects have also aggravated the situation. **Men kill young birds** in their hundreds and take them to urban areas for sale.<sup>37</sup> This is usually a lucrative business around the months of June and July. However, very few people are caught as the checking mechanism is just not there. Also, very few people can endeavour to report such activities to the authorities as it is the only time wild birds can be consumed and are usually reasonably priced.

The abrupt change and the an unkindness of the NPW Act accounts for this sad development. For instance, Mangolwa lamented thus:

The Act is very unfair as we poor people will never eat birds within the law. It could be a good thing if local people were allowed to buy licences without necessarily possessing a gun. However, that appears impossible and one cannot even make an attempt. In that situation, we shall continue stealing from the unguarded bird reserves and we are prepared for any eventuality.<sup>38</sup>

However, some local people are not happy with this free-for-all situation. They argue that immediate steps should be taken to arrest the situation. For instance, Muyangana argued that a new approach is needed to curtail this wholesome destruction of birdlife.<sup>39</sup> He is convinced that some species of birds are bound to disappear from the plain if the situation is not corrected.

No legislation was passed for the conservation of reeds. That was for the simple reason that they are only vital to the people of the plain. However, the demise of the Barotseland Agreement entailed an end to the supervisory role of the Traditional Authority in conserving reeds. As a result, the reed-beds became very vulnerable to many kinds of mischief. With no guards around, the reedbeds were now open to people all the time. In fact, some people have specialised in selling bundles of this commodity. This has led to serious reductions in the number of reed-beds available on the plain.

Moreover, the most serious development concerns the hunting activities of the people. It should be remembered that people were not allowed to hunt animals there, let alone set fire to these places. But with the current lax situation, unscrupulous people have turned to these areas for their hunting activities. This has brought about two serious developments. Firstly, the fire used in hunting, and usually during the dry season, has greatly damaged a lot of reed-beds. Secondly, there has been a wanton destruction of wildlife as a lot of animals get trapped in the mayhem. Those that survive are subsequently stabbed as they try to escape through the water. The greatest victims are the sitatunga and crocodiles. For the latter, the dry season is their breeding time and are usually found deep inside the reed-beds on their eggs.<sup>40</sup>

These changes affected fishing as well. Private holding of fisheries and influx controls were abolished. Ultimately, the post-colonial state did not restrict the movements and operations of fishermen. A lot of people took advantage of this freedom by migrating to the fishery and the fishing population apparently grew. This development was further boosted by the increased use of modern nylon nets that increased catch per effort.

Increased urbanisation has increased the demand for fish as the market was expanded. This had a marked effect on fish stocks as it led to over-fishing in order to meet demand. That automatically threatened fish stocks especially immature fish and there were virtually no mesh restrictions.

What became apparent in the fishery was the depletion of fish stocks due to lack of conservation measures. It was therefore imperative that the Fisheries Department introduces steps aimed at reducing the fishing effort and catch by way of introducing conservation measures. Normally, fish conservation measures include: imposing a ban on harmful fishing methods, restricting fishing to certain times of the year and researching into the best way of utilising the fishery in question.<sup>41</sup>

The Fisheries Department was prompted, in the early 1970s, to strictly control the mesh size to ensure that only nets with recommended mesh size were used in the fishery. However, that good effort was paralysed by

logistical problems as from the late 1970s. Their patrols were abruptly halted.

With increased fishermen population, the over-fishing situation grew out of proportion. The economic decline worsened the situation as it drew a lot of the unemployed in fish trade as producers or retailers. An attempt was made in May 1986 to implement the 1974 Fisheries Act. A meeting was called at Limulunga to inform people about the details of the Fisheries Act. It was attended by the Ngambela, Members of Parliament, Silalo Indunas, village headmen and Fisheries Department officials. The whole exercise was aimed at checking the worsening fish stocks decline in the fishery.

This attempt drew a blank as village headmen and silalo indunas vehemently resisted the introduction of conservation measures imbedded in the Act. In fact, the Provincial Fisheries Officer was nearly beaten up by an irate mob as they associated him with the restrictions. They unequivocally stated that they were not going to cooperate with anyone who would try to enforce the Fisheries Act.<sup>42</sup> However, the most unfortunate aspect of the episode was that, the people who were at the forefront of the protest, were not the commercial fishermen who were depleting the fish stocks. These were just poor villagers who carried out fishing activities on a subsistence scale.

This unfortunate state of affairs obtainable in Western Province is a source of great concern. Although some individuals were happy over the legal changes, the subsequent developments were definitely not expected. This apparent lack of control over the utilization of natural resources greatly worries those that monitored their use in the past. It is therefore not surprising that both Walubita and Luyanga were of the opinion that the situation must be checked immediately as the current irresponsibility and lack of control will not help anyone.<sup>43</sup>

NOTES

1. Gerald L. Caplan. The Elites of Barotseland: 1878-1969: Political History of Zambia's Western Province. (London: C. Hurst and Company, 1970), p. 204.
2. The Barotseland Agreement, 19 May 1964. Cmnd 2366 (London: 1964).
3. Caplan, Elites, p. 210.
4. Caplan, Elites, p. 212
5. Caplan, Elites, p. 218.
6. Caplan, Elites, p. 220
7. Caplan, Elites, p. 221.
8. Times of Zambia, 10th October, 1969.
9. Caplan, Elites, p. 221.
10. Interview: Sipilanyambe Tubakome, Masamu village, Sesheke, 29-1-90.
11. Interview: Ernest Mazila Makole, Lusheshe village, Sesheke, 2-2-90.
12. Interviews: Mubita Minyoi (Retired Conservator of Forests), 10th December, 1989, Senanga and Nyambe Miyengo (Provincial Teak Forests Officers), 23-12-89, Sesheke; Forest Department, Annual Report for the Year 1969, (Lusaka: Government Printer, 1970).
13. Interview: Mubita Minyoi, 10-12-89, Senanga.
14. Matakala, 'Extension Work', p. 424.
15. Wood, 'Man's Impact', p. 33.
16. Interview: Ernest Mazila Makole, Lusheshe village, Sesheke, 2-2-90.
17. Interview: Mubita Minyoi, Senanga, 10-12-89.
18. Interview: Sipilanyambe Tubakome, Masamu village, Sesheke, 29-12-89.

19. Interview: Nyambe Miyengo, Sesheke, 23-12-89.
20. Interview: Simasiku Indala, (Principal Scout), Kalabo, 15-12-89.
21. NPWS, Annual Report for the Year 1976, (Lusaka, Government Printer, 1977).
22. NPWS, Minutes of the 7th Meeting of the National Parks Board held on Tuesday, the 4th of December, 1979.
23. Interviews, Simasiku Indala, Kalabo, 15-12-89, Namushi Namuchana, 4-4-90, Lusaka; NPWS, Western Command Annual Report, (Mongu: 1979).
24. Interview: Simasiku Indala, Kalabo, 15-12-89.
25. Interviews: Namushi Namuchana, 4-4-90, Lusaka; NPWS, Western Command Annual Report, (Mongu: 1979).
26. NPWS, Western Command Annual Report, (Mongu: 1984).
27. NPWS, Western Command Annual Report, (Mongu 1984).
28. NPWS, Western Command Annual Report, (Mongu: 1985).
29. The author has never seen such a large concentration of wild animals before. During a visit to the park in December, 1989, the Principle Scout estimated that there could be about 200,000 wildebeests in the Liuwa National Park. Also, it has some of the largest concentration of birds I have never come across. And prominent amongst these are Crested and Wattled Cranes. The terrain is definitely not bad especially on the plain itself. You can go anywhere on the plain without necessarily using a four wheel drive vehicle.
30. Interviews: Muyauluka Ngombo, Shingwa village (Liuwa National Park), 17-12-89, Kalabo; Namushi Namuchana, 4-4-80, Lusaka.
31. The programme was in its second week during my visit to the Park. It appears there was a propaganda campaign carried out by NPWS officers to justify their presence there with regard to the newly introduced programme. Villagers were happy about it and actually lamented that it is long overdue.

32. Interview: Mabyana Mulala (Game Scout), Kalongola Wildlife Camp, Senanga, 8-12-89.
33. Interview: Mabyana Mulala, 8-12-89, Senanga; NPWS, Western Command Annual Report, (Mongu: 1977).
34. Interview: Mabyana Malala, 8-12-89, Senanga; Mufalali Mangolwa, 27-3-90, Sesheke.
35. Interview: Jonas Muyangana Kawana, 12-12-89, Likombe village, Senanga.
36. Interview: Patrick Mwangala Nawa, 12-12-89, Likombe village, Senanga.
37. In 1982, I witnessed an arrest being made by policemen at Muramba Harbour (Mongu) of three men with dugout loads of young birds. I later established (through my father, then a police officer) that they were carrying about 300 young black storks intended for sale.
38. Interview: Bornwell Mangolwa, 13-12-89, Mande village, Senanga.
39. Interview: Jonas Muyangana Kawana, 12-12-89, Likombe village, Senanga.
40. In August, 1980, during one of my visits at home, I arrived at Mande Ferry point a day after the former Mande bird/reed reserve was set alight. The reeds were badly damaged and we came across carcasses of crocodiles that were caught in the fire.
41. Musambachime, "Development of Fishing"... p. 205.  
Interview: Dackson Nsangu (District Fisheries Officer), 8-12-89, Senanga.
42. This was a common situation in the plain as of February 1990. Some pans or rivers are so depleted that people have to venture far afield looking for fish at fishing posts along the Zambezi river.
43. Interviews: Litia Akeebu Walubita, 7-12-89, Senanga; Leonard Nawa Luyanga, 11-12-89, Limulunga, Mongu.

## CONCLUSION

In analysing the role of the Traditional Authority in conservation, we have initially demonstrated that the ecology of the Bulozzi floodplain very much influenced the whole issue of conservation. That has been shown by the specialisation of economic activities in certain areas that put to best use ecological advantages in existence there. At a political level, the traditional authority passed and enforced laws that strictly safeguarded the essential resources.

Although the game reserves were created for use by the Traditional Authority, it has been demonstrated that the traditional authority instituted conservation measures that protected animals. The local people were never alienated by such measures as they were part and parcel of the conservation strategy and enjoyed its fruits.

The advent of colonialism as from 1900 did not drastically undermine the position of the Traditional Authority in the area of conservation. That was inevitable as the 1900 Agreement between Litunga Lewanika and the BSA Company gave the former supremacy over natural resources in his kingdom. As a consequence, neither the Wildlife nor Fisheries Department of Northern Rhodesia operated in Western Province during the colonial days. However, the Forest Department worked in conjunction with the Traditional Authority in forest conservation.

In addition, it has also been argued that political and economic developments did not create enormous problems for the Traditional Authority in conservation. Although violations of forest laws, especially by Angolan migrants were evident in the 1920s, the situation did not reach alarming proportions. The picture was generally good although a few people poached royal game. Factors that accounted for that development are as follows: limited urbanisation, the conservative nature of the people who highly respect whatever had a royal stamp and the nature of tree species found in Sesheke forest reserves. Above all, the traditional set up largely succeeded because it had taken into consideration people's basic needs and were actually an integral part of the set up.

On the other hand, we have argued that the categorisation of some animals as royal game did not amount to conservation. It was simply royal monopoly as the would be protectors of these animals, especially elephants, did not exercise any restraint in killing them for monetary gain. It can only be termed as a conservation measure as it excluded a large section of the community.

Further, the independence of Northern Rhodesia did not bring about immediate changes in the role of the Traditional Authority in conservation. That was the result of the Barotseland Agreement. It allowed the Traditional

Authority a continued responsibility over natural resources in Western Province. However, political developments led to its cancellation in 1969. As a consequence, the role of the Traditional Authority in conservation came to an abrupt end. New laws were enacted that replaced the old order.

In analysing the impact of this change, we have argued that the demise of the role of the Traditional Authority dealt a death blow to conservation in Western Province. The contributing factors were the very nature of the new legislation and the failure, on the part of the government, to enforce them.

First and foremost, the new legislation did not take local peoples' interests into consideration. In addition, there was virtually no role to be played by local communities in conservation. For instance, the declaration of national parks isolated the traditional hunter from the game he had depended on for generations. No alternative was given to him. In such a situation, local communities could not understand why they were being prevented from hunting for the pot in the areas they had used to in the past.

Above all, the new legislation did not take into consideration the unique traditional setup that existed in the fauna and flora reserve for generations. As a result, local communities became very indifferent to the

new concepts of conservation and did a lot of mischief, especially in forest reserves. In addition, logistical problems dogged the operations of law enforcers. The ultimate consequence of this constraint was the insignificant monitoring of criminal activities in the reserves. However, the security situation in south-western Zambia greatly accounted for the great reduction of game in the Sioma-Ngwezi park.

Further, the new legislation left reed-beds and bird reserves unguarded. That made them very vulnerable as there are no people to monitor people's activities there as the situation was previously.

Lastly, the relaxation of settlement patterns in the Zambezi floodplain fishery and the ban on private rights to fishing, have created problems that the government has lamentably failed to check. The economic decline forced a lot of people into the fish trade. Increased urbanisation also increased demand for fish. This situation automatically led to overfishing that threatened fish stocks. The persistent drought has aided everything in that direction. The problem still persists to date as the government seems handicapped to implement fish conservation regulations.

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- B. Date of Interview
- C. Place of Interview
- D. District.

	Name	Date	Place	District
1.	Nyambe Miyengo	23-11-89	Sesheke	Sesheke
2.	Macwani Lubinda	29- 1-90	Mukengami	Sesheke
3.	Sipilanyambe Tubakome	29- 1-90	Masamu	Sesheke
4.	Matengu Likubangu	29- 1-90	Masamu	Sesheke
5.	Mazila Makole	2- 2-90	Lusheshe	Sesheke
6.	Solomon Njaya	26- 3-90	Sesheke	Sesheke
7.	Clement Kabuku	26- 3-90	Sesheke	Sesheke
8.	Mufalali Mangolwa	27- 3-90	Sesheke	Sesheke
9.	Litia Akeebu Walubita	7-12-89	Senanga	Senanga
10.	Mabyana Mulala	8-12-89	Kalongola	Senanga
11.	Dackson Nsangu	8-12-89	Senanga	Senanga
12.	Minyoi Mubita	10-12-89	Nande	Senanga
13.	Joseph Walubita Kataama	12-12-89	Likombe	Senanga

Name	Date	Place	District
14. Muyendekwa Mulako	12-12-89	Likombe	Senanga
15. Mutaami Kataama	12-12-89	Likombe	Senanga
16. Patrick Mwangala Nawa	12-12-89	Likombe	Senanga
17. Bornwell Mangolwa	13-12-89	Mande	Senanga
18. Muyoyeta Samutumwa	13-12-89	Kapungu	Senanga
19. Mubiana Samutumwa	13-12-89	Kapungu	Senanga
20. Leonard Nawa Luyanga	11-12-89	Limulunga	Mongu
21. Richard Nawa Sitamulaho	11-12-89	Mongu	Mongu
22. Simasiku Indala	15-12-89	Kalabo	Kalabo
23. Muyauluka Ngombo	17-12-89	Liuwa	Kalabo
24. Nyambe Samende	17-12-89	Liuwa	Kalabo
25. Liyungu Kalaluka Liyungu	17-02-90	Lusaka	Lusaka
26. Namushi Namuchana	4-04-90	Lusaka	Lusaka
27. Mwiya Manyando	25- 7-90	Lusaka	Lusaka

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APPENDIX 1: ZAMBIAN TEAK FORESTS - FOREST INDUNA SERVICE LIST OF NAMES

CHARGE	DETAILS OF INDUNA	DATE OF APPOINTMENT	LABOUR ESTABLISHMENT
<p><u>Head Forest Induna</u> Supervision of the district and liason with <u>Mwandi kuta</u>.</p>	<p>Head Forest <u>Induna</u> Mushekwa, Simungoma Village</p>	<p>1947. K276.00 from Mwandi kuta who also pay carriers. K26.00 from Barotse Forest Fund</p>	<p>-</p>
<p>(1) <u>Machili District</u> Supervision of all work from Kataba forest to Loazamba River, and direct control of boundary burning of the East side of Valumina and Kampanga Forests and all boundaries of Chinyama Forest area</p>	<p>Assistant Head Forest <u>Induna</u> Kalumba, own village, Kanyimba stream, Machili</p>	<p>Pre-1947. K6.00 quarterly plus 2xK10 burning bonuses. Paid by Department and Barotse Forest Fund</p>	<p>K60 minimum, 10 men for 20 days</p>

APPENDIX 1 CONT'D.

CHARGE	DETAILS OF INDUNA	DATE OF APPOINTMENT	LABOUR ESTABLISHMENT
<p>(2) <u>KATABA AREA</u>            Kataba, Bacheche, Pongwe, Nkulukazi, Namakuni and chimbimbi Forest.</p>	<p>Forest Contract <u>Induna Nyambe Mukwa</u>, own village, Luamu loba stream</p>	<p>1947. K5.00 quarterly plus 2xK10 burning bonuses. Paid by the Department and Barotse Forest Fund.</p>	<p>K100 minimum, 12 men for 26 days</p>
<p>(3) <u>LUMINO AREA</u>            Lumino, Kayumbwana Sijulu and Nangombe Forests, Samakala. Mabenga Woodlands.</p>	<p>Forest Contract <u>Induna Maibwe</u>, own village, Papumo stream, Samakala area</p>	<p>1938. K5.00 quarterly plus 2 bonuses each of K8.00. Paid by the Department and Barotse Forest Fund</p>	<p>18 men for 35-42 days at K2.03n per day plus one carrier for up to 30 days or flat contract of K94.</p>
<p>(4) <u>KAZU-NAMENA</u>            During 1957, Konde Lweye Forests and the internal plains of Kazu-Namena</p>	<p>Contract <u>Induna Kanyemba</u>, own village Namakwanda plain</p>	<p>1950.. K5.00 a quarterly plus 1 bonus each of K9.00. Paid by the Department and Barotse Forest Fund.</p>	<p>-</p>

APPENDIX 1 CONT'D.

CHARGE	DETAILS OF INDUNA	DATE OF APPOINTMENT	LABOUR ESTABLISHMENT
(5) <u>NANGA</u> Nanga and Kanyanga Forests	Honorary Forest <u>Induna</u> Mwanalulenga, own village, Sichili River crossing	1958. K12.00 per year plus 1 bonus of K6.00. Paid by the Department and Barotse Forest Fund	-
<u>MASESE DISTRICT</u> (6) <u>WEST BANK</u> West Bank Woodlands North of Itebe Malapo, West Bank Forests and supervision of Masese <u>Indunas</u>	Assistant Head Forest <u>Induna</u> Mulelekwa, own village Nalusheke	1950 K180.00 per annum from Mwandi kuta and K20.00 per annum from Department for carriers	K54.00 minimum, 10 men for 18 days.
(7) <u>Lusu</u> Lusu, Kazombe, Kabe Isansa, Nabasaku, Mabele and Kaonde Forests. Woodlands between Lusu River, Upper Masese Valley and south to link with <u>induna</u> Makoli.	Contract <u>Induna</u> Mukwatile, Sioma	1956. K5.00 a quarter plus 2 bonuses each of K9.00. Paid by Department and Barotse Forest Fund	9 men for 50 days at a flat contract of K50.00

APPENDIX 1 CONT'D.

CHARGE	DETAILS OF INDUNA	DATE OF APPOINTMENT	LABOUR ESTABLISHMENT
(8) <u>EAST BANK WOODLANDS</u> Zambezi East Bank woodlands to link with <u>induna</u> Mukwatile	Contract <u>Induna</u> Makoli, own <u>village</u> , Katongo	1953. K5.00 a quarter plus 2 bonuses each of K9.00.	-
(9) <u>SIMUTELA</u> Simutela Forest and Woodland south of road No. 17.	Forest Contract <u>induna</u> Licaha, own <u>village</u> .	1950. K5.00 a quarter plus 2 bonuses each of K9.00 paid by Department and Barotse Forest Fund.	12 men for 25 days at K40.00 minimum.
(10) <u>MULULWE</u> Mululwe, Kateme and Nanyota Forests and Simutela Woodland and North of Road No. 17.	Forest Contract <u>induna</u> Mufungulwa Kalenga village, Ntesa Area.	1952. K5.00 a quarter plus 2 bonuses each of K9.00 Paid by Department and Barotse Forest Fund.	7 men for 50 days at a contract of K56.00
(11) <u>CAPRIVI BOUNDA</u> Caprivi Boundary Woodlands and West Bank Woodland to Itebe Malapo.	Forest Contract <u>induna</u> Mukwenda <u>Fulai</u> . Likanda village, Katima-Mulilo.	1953. K5.00 a quarter plus 2 bonuses each of K9.00 paid by Department and Barotse Forest Fund.	10 men for 18 days at K54.00 as minimum

APPENDIX 1 CONT'D.

CHARGE	DETAILS OF INDUNA	DATE OF APPOINTMENT	LABOUR ESTABLISH- MENT
(12) <u>NGWEZI</u> Ngwezi Group Forests and Woodlands West to link with induna Mate	Forest Contract <u>Induna sipikili</u> , own village, <u>Ngwezi pool</u> .	Pre-1947. K5.00 a quarter plus 2 bonuses each of K9.00 paid by Department and Barotse Forest Fund	10 men for 50 days at a flat contract of K62.00
(13) <u>MASHI</u> Mashi Forests and Woodlands East to link with Induna Sipikili	Forest contract <u>Induna Mate</u> , <u>Imusho village</u>	1956. K5.00 a quarter plus 2 bonuses each of K9.00	10 men for 50 days at a flat contract K62.00

SOURCE: D.G. Cumming (Conservator of Forests). Working Plan for Rhodesian Teak Forests, 1957-1962. Part II (Lusaka: Government Printer, 1956).

APPENDIX 2: LAW ENFORCEMENT STATISTICS

A. FOREST OFFENCES

YEAR	ARRESTS	CONVICTIONS	PENDING ACQUITTALS
1973	3	3	-
1974	-	-	-
1975	2	2	-
1976	1	1	-
1977	1	1	-
1978	2	2	-
1979	6	6	-
1980	5	5	-
1981	3	3	-
1982	6	6	-
1983	4	4	-
1984	16	16	-
1985	17	15	2
1986	17	17	-
1987	12	12	-
1988	15	15	-
1989	1	1	-

NOTES: The indicated figures do not necessarily reflect the true picture as the Department's law enforcement activities were hampered by transport and manpower problems.

SOURCE: Forest Department, Zambian Teak Forest Annual

APPENDIX 2 CONT'ND.

B. GAME OFFENCES (LIUWA PLAIN NATIONAL PARK)

YEAR	ARRESTS	CONVICTIONS	PENDING ACQUITTALS
1972	2	2	-
1973	18	10	8
1974	8	8	-
1975	-	-	-
1976	39	39	-
1977	54	40	14
1978	19	19	-
1979	21	21	-
1980	-	-	-
1981	30	25	5
1982	23	20	3
1983	21	15	6
1984	34	34	-
1985	36	36	-
1986	42	35	7
1987	46	40	6
1988	75	75	-
1989	66	66	-

APPENDIX 2 CONT'D.

SIOMA-NGWEZI NATIONAL PARK

YEAR	ARRESTS	CONVICTIONS	PENDING/ ACQUITTALS
1972	9	7	2
1973	0	0	-
1974	8	6	2
1975	0	0	-
1976	11	11	-
1977	6	5	1
1978	7	7	-
1979	0	0	-
1980	0	0	-
1981	1	1	-
1982	18	18	-
1983	<b>0</b>	<b>0</b>	-
1984	<b>16</b>	<b>16</b>	-
1985	<b>24</b>	<b>20</b>	<b>4</b>
1986	<b>61</b>	<b>50</b>	11
1987	21	21	-
1988	30	22	8
1989	25	21	4

NOTES: The indicated figures do not portray the real picture as park coverage is limited by shortage of transport, staff and insecurity.

SOURCE: National Parks and Wildlife Services, Western Command Annual Reports for the Years 1972 to 1989

APPENDIX 3:

06/06/86

The Minister,  
Ministry of Lands and Natural Resources,  
LUSAKA.

COMPLAINTS FROM PEOPLE OF LIUWA

Us who encircle Liuwa National Park have complaints. We are people from Makoma, Mwenyi, Mulinga, Mishulundu, Kuuli and Mulonga. Our complaint is this:

(a) Why hasn't Government not turned Liuwa National Park into a big farm growing rice, wheat, to provide employment and feed the nation and also for export.

(b) We who are born in Liuwa National Park see no benefit for Government in its present state of the Park - there are no tourists, (none at all - if we are telling lies - tell us who has come to Liuwa from overseas) - all we know is that Liuwa National Park is used for killing animals to feed VIPs and others at District Council meetings in Kalabo, also for Game Guard Staff Rations - are all these true benefits from Liuwa National Park.

(c) All that is done is to arrest local people found with trophy (such as left overs from predators) - 3 years imprisonment or K500 fine. Animals are wildebeeste, Tsessebe, Zebra, Buffalo, Lions, Hyenas.

Please Hon Minister - you can move these animals to Kafue National Park and Luangwa where there are tourists. If some animals cannot be translocated, they may be slaughtered and the meat sold to schools, soldiers, hospitals etc.

Liuwa should become a 'mine' for rice and wheat for which it appears very well suited.

In stating all the foregoing, we do not want to imply that our MP Hon Namuchana is not doing much for us. We know he is doing well and we are with him. May he live long and God bless him. But no man can do everything. We are therefore only assisting him.

Hon Minister we thought we should put these thoughts across to you. The country must do things which bring about development and not things which make a country "sink".

We wait your favourable reply through our MP Hon. Namushi Namuchana.

Thank you Sir.

SOURCE: Liuwa Plain National Park File.

(Translated from Silozi by Namukolo Mukutu then Permanent Secretary).

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