

**THE RELEVANCE OF THE PUBLIC ORDER ACT IN THE PREVENTION OF POLITICAL  
CONFLICTS IN PRESENT DAY ZAMBIA.**

**BY**

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**A dissertation submitted to the University of Zambia in collaboration with  
Zimbabwe Open University in partial fulfillment of the requirements for the  
Degree of Master of Science in Peace, Leadership and Conflict Resolution.**

**JULY 2016**

## DECLARATION

I, **Banda, Gibson** declare that this report:

- a) Represents my own work;
- b) Has not previously been submitted for a degree at this or any other University; and
- c) Does not incorporate any published work or material from another dissertation.

Signed.....

Date.....

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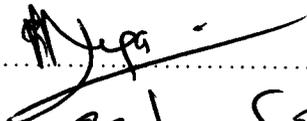
## APPROVAL

This report of **Banda, Gibson** is approved as fulfilling the partial requirements for the award of **MSc. In Peace, Leadership and Conflict Resolution** by the **University of Zambia and Zimbabwe Open University**.

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## **ABSTRACT**

The research sought to investigate the relevance of the Public Order Act in the prevention of political conflicts in Zambia. The specific objectives were to find out how the Act was being administered; to investigate the challenges faced in the administration of the Act; and to recommend policy measures to improve on the administration of the POA.

The research sampled 40 respondents who were composed of lawyers, political leaders and police officers. The main methodology used in this research was a qualitative case study and a self-administered semi – structured questionnaire was used to collect the data.

The research found out that the people responsible for administering the POA were the police. It was consequently clear from this research that though many of the police officers were conversant with the provisions of the POA, it was apparent that the levels of professionalism were seriously affected by political interference. This interference largely came from the party in power.

Further, the research found out that for the POA to be more effective in preventing political conflicts there was need for some amendments to be made to the Act rather completely repealing it.

It was also found out that there was need to conduct more education and sensitization on police officers and political party members on the provisions and proper administration of the Act.

Following the objectives and the findings of this study, this research made some recommendations that: included that the Act should provide for a clear appeal procedure in the event of a dispute; the Act should also make a clear distinction between public gatherings that are held indoors and those that are held outdoors; more sensitization campaigns on the provisions of the Act; need to improve on the accessibility of the Act; and finally there was need to improve on the requirements of notice for the holding of a public gathering or procession.

## **DEDICATION**

I dedicate this work to my Children Kumbutso, Chimwemwe and Bukata who have always been my source of inspiration. Love you guys!

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I miss my family, my wife Sharon Banda who sacrificed days and spent nights during the course of this research! To you I say here I am because of you.

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# TABLE OF CONTENTS

Declaration .....	i
Copyright .....	ii
Approval .....	iii
Abstract .....	iv
Dedication .....	v
Acknowledgement .....	vi
List of Tables .....	vii

## CHAPTER ONE: INTRODUCTION TO THE STUDY

1.0. Overview.....	1
1.1. Background Information .....	1
1.2. Problem Statement.....	3
1.3. General Objective.....	3
1.3.1 Specific Objectives.....	4
1.4. Research Questions.....	4
1.4.1 Specific Research Questions .....	4
1.5. Significance of the study .....	5
1.6. Definition of key terms .....	5
1.7. Conclusion.....	6

## CHAPTER TWO: LITERATURE REVIEW

2.0. Overview.....	7
2.1. Theoretical Framework.....	7

2.1.1.	Convergence Theory.....	8
2.2.	Research Conducted on the Law on public gatherings and the Public Order Act.....	9
2.2.1	United Kingdom.....	
2.2.2	South Africa.....	11
2.2.3.	Zambia.....	13
2.3.	Conclusion.....	17

### **CHAPTER THREE: METHODOLOGICAL APPROACHES TO THE STUDY**

3.0.	Overview.....	18
3.1.	Research Design.....	18
3.2.	Data Collection Methods .....	19
3.3.	Target Population .....	19
3.4.	Sample Size .....	19
3.5.	Sampling Methodology .....	19
3.6.	Sources of Data .....	20
3.7.	Research Instruments.....	21
3.8.	Data Analysis .....	22
3.9.	Ethical Considerations .....	22
3.10	Limitations of the Study.....	23
	Conclusion.....	23

### **CHAPTER FOUR: PRESENTATION OF RESEARCH FINDINGS**

4.0.	Overview	
4.1	Data presentation and interpretation.....	24
4.1.1.	Gender and educational levels of the Respondents.....	24

4.1.2. Conversance with the POA.....	25
4.1.3. Responsibility of administering the POA.....	25
4.1.4. Interference in the administration of the POA.....	26
4.1.5 Understanding the Act by administering officers.....	26
4.1.6. Understanding the Act by political party members.....	27
4.1.7. Adherence to the provisions of the Act.....	28
4.1.8. Application of the POA.....	28
4.1.9. Amending or repealing of the POA.....	29
4.1.10. Educating Police Officers on the provisions of the POA.....	29
4.1.11. Educating political party members on the provisions of the POA.....	30
4.2. Conclusion.....	30

**CHAPTER FIVE: PRESENTATION OF RESEARCH DISCUSSION**

5.0. Overview.....	31
5.1. Administration of the POA in Zambia.....	32
5.2. Challenges faced in the administration of the POA.....	32
5.3. Policy measures to improve on the administration of the POA.....	35

**CHAPTER SIX: CONCLUSION AND RECOMMENDATION**

6.0. Overview.....	37
6.1. Conclusion.....	37
6.2. Recommendations.....	38

REFERENCES .....	39
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APPENDICES .....	41
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Appendix I: Questionnaire .....	41
Appendix II: Time Plan.....	46
Appendix III: Research budget.....	46

# **CHAPTER ONE**

## **INTRODUCTION TO THE STUDY**

### **1.0 OVERVIEW**

This chapter gives an overview of the research problem. Specifically, it outlines the background to the study, the problem statement, the purpose, significance and limitations of the study, the objectives of the study, the research questions, and the operational definitions of key terms. The chapter ends with a conclusion.

### **1.1 BACKGROUND INFORMATION**

The advent of political pluralism in Zambia in 1991 has witnessed the proliferation of political parties and even civil societies. All these parties have in some cases different ideologies on how they intend to govern the country. Thus, the need to convey their message to the general populace with the hope of winning voters. These messages can be conveyed using different media, for instance: radio and television interviews and programs, giving of political reffates, political debates and through the holding of public meetings, processions and demonstrations.

However, it is the use of public meetings, processions and demonstrations that has been a cause of political conflicts in Zambia. The holding of public meetings, processions and demonstrations is regulated by the Public Order Act. However, despite the existence of the law, a lot of mistrust and suspicions in the manner it has been administered has been the order of the day from the political stakeholders (Chanda, 1992).

The above can be seen in statements by opposition parties accusing the government and specifically the police of manipulation and bias in the manner in which the law on the holding of

public meetings, processions and demonstration has been administered. On the other hand government has accused the opposition of disregarding the law and aiming to create anarchy in the country. In the same light government has also in return accused the Police of favoring the opposition in certain regions of the country.

In the past the main areas of conflict were the provisions in Sections (5) of the Public Order Act which required the granting of a permit by the Police before the holding of a public meeting, processions or demonstrations.

The following example can be noted:

In this particular case the Police were notified on 13<sup>th</sup> December 2004 about the intended demonstration by Robert Sichinga, a representative of the United Party for National Development (UPND) (Sunday Times: Dec 19, 2004). However, the Inspector General of Police, Zunga Siakalima on 18<sup>th</sup> December 2004, warned members of the public not to participate in the planned demonstration because they would be arrested for unlawful assembly. However, the Inspector General confirmed that the UPND did indeed write to him on 13<sup>th</sup> December 2004 about the planned demonstration and he responded on December 14<sup>th</sup> 2004 advising them to contact the Regulating Officer as required by law. UPND Chief Liaison Officer Kelvin Ndila, confirmed that he had delivered the letter to the Regulating Officer notifying the Police about the intended demonstration albeit it was addressed to the Inspector General of Zambia. In fact, the Secretary to the Regulating Officer acknowledged receipt of the letter. Notwithstanding, the Inspector General warned members of the public that he had enough man power to stop the demonstration and arrest those who would take part in the demonstrations (Post: Dec 21, 2004). On 25<sup>th</sup> December 2004, the conveners proceeded with the planned demonstration. In response,

the Police thwarted the peaceful demonstration in a brutal fashion. In the process, journalists who were covering the event were also brutalized. The Police also blocked entry to all buses Lusaka, claiming they had enough intelligence information that more people were coming to disrupt peace in Lusaka. The Police action was widely condemned by members of the public. As a result of the demonstration, eleven UPND members of Parliament and sixty eight others appeared before a Lusaka Magistrate charged with unlawful assembly.

## **1.2 PROBLEM STATEMENT**

Despite the amendment of the Public Order Act following the landmark decision in the case of *CHRISTINE MULUNDIKA AND OTHERS V THE ATTORNEY GENERAL* and the clear guidance provided by the courts of law, the manner in which the Public Order Act has been administered by the Police Officers, continues to undermine the enjoyment of the rights of free speech and assembly. This mistrust has to a great extent been a contributing factor to some of the political conflicts which have in certain instances turned violent as may have been witnessed in the recent past.

## **1.3 GENERAL OBJECTIVE**

To examine the relevance of the Public Order Act in the prevention of political conflicts in present day Zambia.

### **1:3:1 SPECIFIC OBJECTIVES**

The study will be guided by the following specific research objectives:

- ❖ To find out how the Public Order Act is being administered.

- ❖ To investigate the challenges being faced in the administration of the Public Order Act.
- ❖ To recommend policy measures to improve on the administration of the Public Order Act of present day Zambia.

## **1:4 RESEARCH QUESTIONS**

- (i) How relevant is the POA in the prevention of political conflicts in present day Zambia?
- ❖ How is the Public Order Act being administered in Zambia?
  - ❖ What are the challenges faced in the administration of the Public Order Act?
  - ❖ What policy measures can be put in place to improve the administration of the Public Order?

### **1:4:1 Specific research questions**

This study will be guided by the following research questions:

- (1) How is the Public Order Act being administered
  - (a) Who is responsible for its administration?
  - (b) Are there adequate checks on possible abuse?
- (2) What are the challenges being faced in its administration
  - (a) Is there political interference?
  - (b) Do the enforcement office fully understand the Act?
- (3) How can its administration be improved upon to suit the Zambia of today.
  - (a) Is there need to make amendments to the Act or completely repeal it?

(b) Can adequate training on the Act on Police Officers help?

## 1:5 SIGNIFICANCE OF THE STUDY

The significance of the study is twofold:

- (a) Firstly, it will contribute to the body of knowledge by bringing new insights on how the proper administration of the Public Order Act can contribute to the maintenance of peace and security in the Zambia of today.
- (b) Secondly, it will help decision makers to understand and appreciate the significant role that the Public Order Act can play in the prevention of political conflicts.
- (c) It will provide an insight on the challenges faced in the administration of the POA.

## 1:6 DEFINITIONS OF KEY TERMS

- ❖ **Public Order:** Public Order has been defined as: *“the state of peaceful co-existence among members of the public generally in which there is an absence of breach of the peace, fighting, rioting, disturbance or conduct which causes unreasonable interference or disturbance to quite living.”* (Walker: 1986). In a sense you might respond by saying that *'public order'* is essentially the absence of disorder; the quiet and orderly behavior of people in public space. It involves people behaving sensibly and rationally, and respecting others.
- ❖ **Conflict:** A felt struggle between two or more interdependent individuals/groups over perceived incompatible differences in beliefs, values, goals, needs, interests, wishes, expectations, and ideas, or over differences in desires for esteem, control and connectedness (Wilmot and Hocker, 2011).

❖ **Conflict management:** To regulate, limit, contain, litigate and prevent conflict; that is, the handling of conflict positively through proactive measures and interventions that reduce its negative effects and promote the existence of conditions in which collaborative and valued relationships can thrive (Wilmot and Hocker,2011).

## 1.7 CONCLUSSION

This chapter, the introduction to the study, has given shape to the research problem as it were. It has developed the research problem from its background right through to the operational definitions. The chapter has pinpointed the research problem, given the aim of the study, outlined the objectives and the research questions, highlighted the significance of the study, shared the limitations of the study and clarified the key terms.

## **CHAPTER TWO**

### **LITERATURE REVIEW**

#### **2.0 OVERVIEW**

This chapter presents a summary of the theoretical framework upon which this research is anchored and a review of the key concepts and ideas related to conflict prevention which are critical to this study. The reviewed literature has been discussed from the situation obtaining at international, regional and domestic levels.

There have been a number of studies that have been conducted on the Public Order Act in Zambia. Some of the studies have looked at the Police in relation to the Public Order Act in Zambia; others have looked at the Constitutionality and Impact of the Public Order Act on human rights and democracy in Zambia.

#### **2.1 THEORETICAL FRAMEWORK**

Crowds are common occurrences and can be seen in sporting events, music concerts, shopping sales, and amusement parks. Crowd behavior is the behavior that is conducted by individuals who gather in a crowd, while a crowd is defined as a gathering of people who share a purpose. There have been many theories developed to explain crowd behavior and the need to regulate them.

##### **2.1.1 Convergence Theory**

Whereas the contagion theory states that crowds cause people to act in a certain way, convergence theory says the opposite. People who want to act in a certain way intentionally

come together to form crowds. Convergence theory was formulated by many leading sociologists, and it assumes that when a critical mass of individuals with the same desire to effect change come together, collective action occurs almost automatically (Mondal, 1983).

Think '*strength in numbers*' one person might believe strongly in a cause but assumes that his own individual action could not make a difference. As a result, individuals rarely act out alone. When they can convene with other individuals who have similar goals, the potential for successfully changing a policy or condition becomes more of a reality. With the support of others, an individual feels that the goal is within reach.

For example, although students often become bored in class during a long, dry lecture by a disinteresting professor, they rarely walk out in protest. Each individual student assumes that he would be individually caught and punished for this disrespectful action. However, if the students plan to walk out of all boring classes on the first Monday of the coming month at 11 a.m. sharp, then the crowd acts as one. They all march to the quad together to chant in protest against 3-hour-long lecture classes. This relieves the fear of retaliation or individual consequence of any kind, and they all feel closer to being heard and having their issues addressed (Mondal, 1983).

It suffices from here that this research was be guided by the convergence theory which assumes that when a critical mass of individuals with the same desire to effect change come together, collective action occurs almost automatically. It is the position of this research that this may greatly contribute to political conflicts which may in certain instances turn violent if the relevant laws to regulate such gatherings are ignored or deemed to be unfairly applied.

## **2.2 RESEARCH CONDUCTED ON THE LAW ON PUBLIC GATHERINGS AND THE PUBLIC ORDER ACT**

### **2.2.1 United Kingdom**

The United Kingdom's Human Rights Act 1998 provides that every person in the UK has a number of fundamental rights and freedoms, and incorporates the European Convention on Human Rights into the domestic law of the UK (JO, 1982). These include the right to freedom of expression and the right to assemble peacefully and associate with others (Human Rights Acts: 1998). Restrictions may only be placed on this right if prescribed by law and necessary in a democratic society. Any restrictions must be necessary in a democratic society and *"in the interests of national security or public safety, for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of others."* (Art. 11(2)). The Act further provides that there must be no discrimination in the operation of these rights and freedoms on any grounds, including sex, race, religion, or political views (Art. 14). More detailed information on the rights provided by the European Convention on Human Rights, which governs the rights of people to assemble, is provided in the European Union survey (POA UK, 1998). The Act does not prevent the police, armed forces, or administrators of the state from imposing lawful restrictions on the exercise of peaceful assembly and freedom of association (Boring, 2014).

Limits to public processions and assemblies have been imposed by the Public Order Act 1986 (Public Order Act, 1986) This Act provides that the police should be given notice of a public procession in writing at least six days prior to the procession. There are exceptions to this

notification requirement, including where the procession is one that is commonly or customarily held, and for funeral processions organized by a funeral director (Boring, 2014).

The Public Order Act 1986 also allows the police to impose conditions on both public processions and public assemblies if they believe serious public disorder, property damage, or disruption will occur, or if the purpose of the procession is to intimidate others. The conditions imposed must be necessary to prevent the issue of concern, and may include restrictions on the route of processions or prohibitions on entering public places. Conditions on public assemblies can include restrictions on location, the number of people allowed in attendance, or duration. These conditions may be placed in advance of the procession or assembly, or at the time of it. Failing to comply with any conditions is a criminal offense punishable by up to three months' imprisonment and/or a fine (JO, 1982).

Public processions may be prohibited if the chief of police believes that imposing the conditions discussed above will not be sufficient to prevent public disorder. The process for prohibiting a procession is through the district council, upon the application of the chief of police. The prohibition must be approved by the Secretary of State, who then issues a procession prohibition order (Public Order Act 1986).

There are special rules regulating activities outside of Parliament in London, where assemblies and processions are commonly held. The Police Reform and Social Responsibility Act 2011 controls the activities that may occur in Parliament Square Garden and on its adjacent sidewalks. The Act prohibits the use of amplifiers and the use of tents or structures designed to allow people to sleep or stay in that area (Boring, 2014).

### 2.2.2 SOUTH AFRICA

The Regulation of Gatherings Act, 1993 (*“the Gatherings Act”*) is the South African law that regulates matters associated with gatherings that express any form of protest, contest or criticism in a public space. A public space is a street or road, a park, a public square, the steps or grounds of a building or other similar space. This definition of a public place can be compared with that of the Police Act (2002) of Tanzania which states that: *“any highway, public park, common or garden, any sea, beach, or lake shore, and any public bridge, road, street, lane, footway, square, court, alley or passage, whether a thoroughfare or not; and includes any place, whether a building or not, to which for the time being the public have or are permitted to have access, whether on payment or otherwise”* (Mount, 2012).

Such protest may be directed at an individual or an institution, such as a government minister, a police official, a private company or a government department. The protest may also be about an issue, for example, water delivery, electricity rates or specific laws and government policies. The Gatherings Act explains in detail exactly what must be done in order for a gathering to be considered legal by the authorities. (Bradley, 2001). In normal, everyday terms a gathering is a meeting of two or more persons for any purpose whatsoever, for example, a social meeting, a wedding or a funeral.

However, in the Gatherings Act, the word *“gathering”* has a specific meaning: it is referred to as march, picket or parade of 16 people or more taking place in any public space. Further, a gathering is understood as an activity that expresses any form of contestation or is critical towards any person, company or government body. A gathering requires prior notification to the relevant local authority (Bradley, 2001). On the other hand, a march, picket or parade of 15 people or less is one which the Act refers to as a *“demonstration”* and requires no notification.

Giving notification is not the same as asking for permission. No one needs permission to hold a gathering because no one needs permission to exercise their constitutional right to assemble, picket, march or demonstrate.

Under the Act the convener is responsible for notifying the relevant local authority of the proposed gathering and for being the contact person for the organization. The convener is appointed by the person or organization which is calling for the gathering. The relevant local authority is usually the municipality office responsible for the area where the gathering is to take place. The convener must fill out the “*Notice under Regulation of Gatherings Act*” form and submit it to the local authority. The notice form should be available at all municipality offices. Once the notice has been given, the convener must take part in at any meetings that may be called by the local authority. (The Regulations and Gatherings Act 1993).

The person or organization initiating the gathering must also appoint a deputy convener, who will replace the convener when necessary. For example, if the convener is unable to attend a meeting called by the local authority, the deputy convener can attend it and represent the person or organization calling for the gathering. The notice must reach the responsible officer at the local authority at least seven days before the planned gathering. When it is not possible to send the notice seven days in advance, the convener may still send the notice to the responsible officer, but must include in the notice the reason why it was not sent on time.

If the notice is sent less than 48 hours before the planned gathering, the responsible officer has the right to prohibit the gathering without giving any reasons. The responsible officer can prohibit the gathering but only after s/he has done the following:

- ❖ Have an affidavit saying that the gathering will result in serious disruption of traffic, injury to participants/others or extensive damage to property.

- ❖ Meet the convener to discuss the notice and try to negotiate a safe gathering.
- ❖ Give a letter to the convener with written reasons for prohibiting the gathering.

### 2.2.3 ZAMBIA

Fortune Kamusaki a Law student at the University of Zambia conducted a research in 2002 in which he was investigating; *The Impact of the Public Order Act on the Freedom of Speech, Assembly and Association*. In his research which was largely a desk type of research, he tried to address the following: what is the impact of the Public Order Act on constitutional rights in Zambia since independence? Can the Public Order Act be reformed? Can the Zambian legal system alone be counted on to offer solutions to the problem? What must be done to maintain the balance between upholding law and order on one hand and upholding constitutional rights of freedom of speech, assembly and association on the other?

Kamusaki argues on page one of his presentation that: it is not enough to amend the Public Order Act but what is required is the complete abolition of the Act and the strengthening of other branches of law such as criminal law as according to him the Public Order Act is Inherently undemocratic and anti-constitutional (Kamusaki,2002). However it is the position of this research that the above position taken by Kamusaki seems contradictory as in one breath his presentation proposes the complete abolishing of the Public Order Act, whilst in the other he is calling for its re-enactment.

In this presentation Public Order has been defined as; “the state of peaceful co-existence among members of the public generally in which there an absence of breach of the peace, fighting, rioting, disturbance or conduct which caused unreasonable interference or disturbance to quit living” (Walker,1986). Kamusaki argues that the Public Order Act regulates public meetings and

processions and that anyone who participates in a meeting or procession for which a “permit” has not been issued may be arrested without a warrant and charged with unauthorized assembly. He notes that the powers given to the Police are vast and not amenable to any effective check and thus they can be considered to be unconstitutional as they violate the right of expression, assembly and association. It is from the aforesaid that he takes the position that the powers are not reasonably necessary for the preservation of public order and are thus not justifiable in a democratic state (Kamusaki, 2002). It is in this line that David. G. Simusamba a student in the University of Zambia School of Law in his research titled: *“Police and Public Order with particular reference to Zambia”* (2002) argues that the appealing procedure to the Minister of Home Affairs, may not be really be considered impartial so as to command the public confidence. He further recommends that appeals for the refusal of a “*permit*” should lie to the magistrate instead of the Minister.

Kamusaki further, argues that the freedom of assembly and association just like the freedom of expression is subject to a number of limitations. The limitations are imposed by Article 20(3) of the constitution. Further there are a host of statutes and regulations that impose limitations on the freedom of association and assembly and examples of these include the Societies Act and The Public Order Act. However, Simusamba argues that in as much as the freedoms to assemble and associate are important they need not be uncontrolled liberties as this can be the very definition of anarchy and disorder and which can in turn lead can lead to the infringement of the rights of others. The Constitution therefore attempts to strike a balance between individual liberty and social control.

The author observes further on page 54 of the presentation that the requirement for furnishing notice under section 4 of the Public Order Act does not make the enjoyment of freedoms of speech, assembly and association any better than before. Conveners cannot be said to have the liberty to assemble any public meeting, procession or demonstration as the law still gives the Police powers to decide whether or not this can be done. He states that the Police still can refuse to let the meeting go ahead by simply writing down their reasons whether genuine or otherwise. This he observes indicates discretion vested in the Police which may be abused to the detriment of conveners of the public meeting. This position can be contrasted with the one prevailing in other jurisdictions such as the United Kingdom where the process for prohibiting a procession is through the district council, upon the application of the chief of police. The prohibition must be approved by the Secretary of State, who then issues a procession prohibition order (Boring, 2014).

Although persons have an option to appeal to the Minister of In addition the option of an appeal to the High Court makes the procedure for obtaining redress too length and cumbersome, thus, it amounts to a denial of the freedom of speech, assembly and association as it entails that a person wishing to hold a public meeting or procession cannot do so at a time of his choice. By the time the High Court decides the case, the period during which one intended to hold the meeting or procession or demonstration would have expired already and the circumstances necessitating the meeting or procession would have ceased to exist, hence, the whole planned activity would have been overtaken by events (Kamusaki, 2002).

It is from the above that Kamusaki recommends that the Public must be re-enacted into one coherent whole in order to clearly state its objectives. Thus the Act must be designed in such a

manner that it will give the Police powers that will be compatible with their regulatory role. Therefore, Section 4 of the Act must be repealed in its totality as it vests the Police with too much power, such as determining whether or not a public meeting, procession or demonstration will be held.

Kamusaki, further proposes that the Police should be given guidelines outlining what type of limitations on assemblies are not permitted. He argues that for instance, Police should be told that “permits” cannot be denied on the basis of orders from superior officers or on orders from the executive branch nor on the basis of political opinion nor the basis of nationality.

It is however the position of this research that the weakness of the argument above lies in the fact that under the 1996 amendments to the Public Order Act after decision of the Supreme Court in the Christine Mulundika case is that the Police no longer have powers to issue “*permits*” but all that is needed is notification.

Finally Kamusaki proposes that should amendments to the Public Order Act fail, the only option would to call for the abolition of the Act. He quotes of page 62 some Members of Parliament (MPs) calling upon government to immediately repeal the Public Order Act as it was being used against the opposition by the ruling party. Speaking during a consultative lunch workshop organized by the Southern Africa Centre for Constructive Resolution of Disputes (SACCORD) held on 24<sup>th</sup> September 2002 in Lusaka, the MPs said that the law was archaic and was not good for a country like Zambia that preached the role of law and democracy. The MPs came from the opposition Forum for Democracy and Development (FDD) and the United Party for National Development (UPND). One of the MPs, Ms Patricia Nawa said that the Act was prohibiting development meetings as MPs first needed to get permission (The Monitor Sept: 27-30, 2002).

The above research conducted by Kamusaki was largely based on desk research which could have been the cause of some of its limitations. It is in this line that this research will endeavor to go round some of these limitations by employing a number of research methodologies in addition to the desk research. These will include: interviews and research questionnaires’.

Furthermore, centrally to Kamusaki’s view, it is not the purpose of this research to call for the abolishment of the Public Order Act, but the main aim is to gather the relevant information on the relevance of this piece of legislation in the prevention of political conflicts in Zambia.

### **2.3 CONCLUSION**

Chapter two discussed the theoretical framework upon which this research was anchored together with the literature review. A funnel approach was used by looking at the situation prevailing at international, regional and finally domestic levels.

## **CHAPTER THREE**

### **METHODOLOGICAL APPROACHES TO THE STUDY**

#### **3.0 OVERVIEW**

This section describes the methodology that was used to collect the data from the 40 respondents. Specifically, it outlines the research design, the study site, target population and sample, sampling procedures, the data collection instruments and the data analysis strategies

#### **3.1 RESEARCH DESIGN**

The research adopted a largely qualitative exploratory survey design; but borrowing from the quantitative paradigm in data collection and analysis. The study leaned more on the qualitative paradigm owing to the paradigm's inherent plausibility to help elicit as much information on the relevance of the Public Order Act in the prevention of political conflicts in present day Zambia. The design was chosen because the study sought to provide accounts of conflict management in real-life contexts using multiple sources of evidence (Teddlie and Tashakkori, 2009). This design was, therefore, considered appropriate for the study because it created room for the researcher to use questionnaires and analyze documents to obtain and triangulate responses from participants and gain useful insights (Yin, 2008).

The combination of both qualitative and quantitative paradigms in data collection and analysis was envisioned to reduce on the biases that come with using one paradigm only and to increase the validity of the findings. Indeed, the use of the hybrid approach increases the quality of the final results and provides a more comprehensive analysis of the phenomenon being investigated. As Creswell and Plano (2011) point out, integrating methodological approaches strengthens the

overall research design, as the strengths of one approach offset the weaknesses of the other, and can provide more comprehensive and convincing evidence than purely mono-method studies

### **3.2. TARGET POPULATION**

The target population represents the entire research subject within the catchment area of the research undertaking from which the sample size is selected from (Siakacha, 2014). The target population from which the samples was drawn from included: Police Officers, Political Party leaders, Civil Society Organizations and Lawyers in Lusaka.

### **3.3. SAMPLE SIZE**

The sample size of this research for was 40 individuals composed of police officers, political party leaders, civil society leaders and lawyers.

### **3.4. SAMPLING METHODOLOGY**

The sampling methodology is the procedure taken to draw the sample size from the target population so that the sample size is as much representative as possible (Lemba, 2015). This research used simple random sampling to select the members of the community who are considered to be among the stakeholders in as far as the prevention of political conflicts in Zambia is concerned. Thus, Police Officers, Lawyers, Political party members and the Civil Society bodies were selected purposively because they are perceived to have the knowledge of the Public Order Act and its administration.

### **3.5. SOURCES OF DATA**

In this study both sources of data were used, namely; primary and secondary sources. Under the primary sources, information was generated from the questionnaire. Under the secondary sources

the researcher used information from the internet, books, journals and other sources of information.

### **3.6. RESEARCH INSTRUMENTS**

Data collection was done between May to June 2016. One kind of instrument which was used in this study was a semi- structured questionnaire. The researcher administered the questionnaires to gather information from the participants. Collected data was summarised using SPSS and presented in tabular form.

The techniques used in eliciting data for the study were questionnaires and document analysis. These techniques were used to complement and supplement each other so as to induce triangulation. Even so, questionnaires were the main data collection technique. The questionnaires comprised mainly open-ended items. The open-ended items were intended to allow respondents to put across their views without restrictions (Creswell and Plano, 2011) while the closed-ended ones offered options from which the participants selected the responses they deemed appropriate. Closed-ended questions were envisaged to allay fears of researcher and/or respondent bias.

Questions were asked in such a way as to obtain responses which would be recorded accurately and completely (see Appendix I). Questionnaires enhance positions of neutrality and anonymity which certain respondents, more especially public officials like Police Officers are expected to assume in the discharge of their official assignments. Thus, the questionnaire helped the participants to maintain some degree of anonymity, which the researcher believes increased the level of their objectivity.

To further assist the researcher access more data, or clarify and/or confirm some responses,

document analysis was employed. This was envisaged to further enhance the researcher's position to better appreciate the responses that were given based on the respondents' lived experiences (Brickman and Rog, 2009).

### **3.7. DATA ANALYSIS**

Data from the respondents was collected in quantitative form, and was analysed using a computer package known as Statistical Package for Social Sciences (SPSS 16.0). The answered quantitative questionnaires were checked for uniformity, accuracy, and completeness. The responses were coded and entered into the code sheets to facilitate computation. This helped in establishing, analysing, and interpreting the various relationships between variables. This also necessitated good presentation in diagram forms.

The analysis of data is a critical part of any research study. Miles and Huberman (1994) state that data analysis "contains three linked sub processes... data reduction, data display and conclusion drawing". A mixed approach method was used to analyze the data collected. This approach allowed for concurrent analysis of both qualitative and quantitative data. Qualitative data collected through questionnaires were analyzed using the constant comparative method of analysis (Glaser and Strauss: 1967). The constant comparative method involves breaking down the data into discrete units and coding them into categories (Lincoln and Guba, 1985). Categories arising from this method generally take two forms: those that are derived from the participants' customs and language, and those that the researcher identifies as significant to the research's focus of inquiry (Glaser and Strauss, 1967).

Using this method, data were continually analyzed and re-analyzed for emerging conceptual

categories, sub-components of categories, and inter-relationships of categories and concepts based on the research questions. Similar responses were grouped into categories. Later, categories were analyzed for various properties that were comprised within them. Data were re-analyzed for comparison of the units to the properties within the categories. As data emerged from the content categories, it was placed into themes which encompassed all the data collected from the participants. Data were analyzed until saturation was reached. Saturation is the point at which data properties and categories have become rich enough in terms of description and depth; and the addition of more data only serves to further illustrate what was already well established (Glaser and Strauss, 1967).

### **3.8. ETHICAL CONSIDERATIONS**

According to Rioba and Karashani (2002), ethics can be defined as, “*rules of conduct or principles of morality that point us towards the right or best way to act in a situation*”. Some of the ethical principles we observe in research include: Objectivity, confidentiality, informed consent and harmlessness. This study ensured that all information collected remain in privacy. Confidentiality and anonymity was taken into account by not disclosing names. The research avoided use of embarrassing questions, offensive language or threatening questions/statements when collecting data. The study also acquired informed consent of the respondents.

### **3.9. LIMITATIONS OF THE STUDY**

Possible limitations of the study are:

- ❖ Lack of literature on the relevance of the Public Order Act, which is specific to the  
Zambian context.

- ❖ Inadequate resources such as time and money to enable the researcher conduct a longitudinal study; hence, a one off survey was conducted.

### **3.10 CONCLUSION**

Chapter three, Methodological Approaches to the Study, has discussed the research design, the study site, the target population, the study sample and sampling techniques, the data collection instruments, the data analysis procedures as well as issues to do with confidentiality. Care was taken to back up the particular choices adopted with the rationale for settling for them.

## CHAPTER FOUR

### DATA PRESENTATION OF THE RESEARCH FINDINGS

#### 4.0 OVERVIEW

The key findings of the study on the relevance of the Public Order Act in the prevention of political conflicts in present day Zambia are presented in this chapter. The chapter outlines the findings from the data as they relate to the research questions. The research was grounded in the following research questions as presented in chapter one:

- ❖ How is the POA being administered?
- ❖ What are the challenges being faced in its administration?
- ❖ How can its administration be improved upon to suit present day Zambia?

The findings from the data are presented in the following ways:

#### 4.1 DATA PRESENTATION AND INTERPRETATION

This chapter presents findings from the data collection instrument which was employed. The sample size was 40 and 40 questionnaires were distributed. All the 40 questionnaires were answered and collected back representing 100% response rate.

**Table 1: Gender and educational levels of respondents.**

		FREQUENCY	PERCENTAGE
GENDER	MALE	13	32.5%
	FEMALE	27	67.5%
TOTAL		40	100%
EDUCATION LEVELS	GRADE 8-12	0	0%
	TERTIARY	40	100%
TOTAL		40	100%

Table 1 shows that out of 40 respondents, 13 (32.5%) were men while 27 (67.5%) were women.

It also shows that out of 40 respondents, 0(0%) had educational levels ranging between grade 8 to grade 12 while 40(100%) had tertiary education.

**Figure 2: Level of conversance with provisions of the POA**

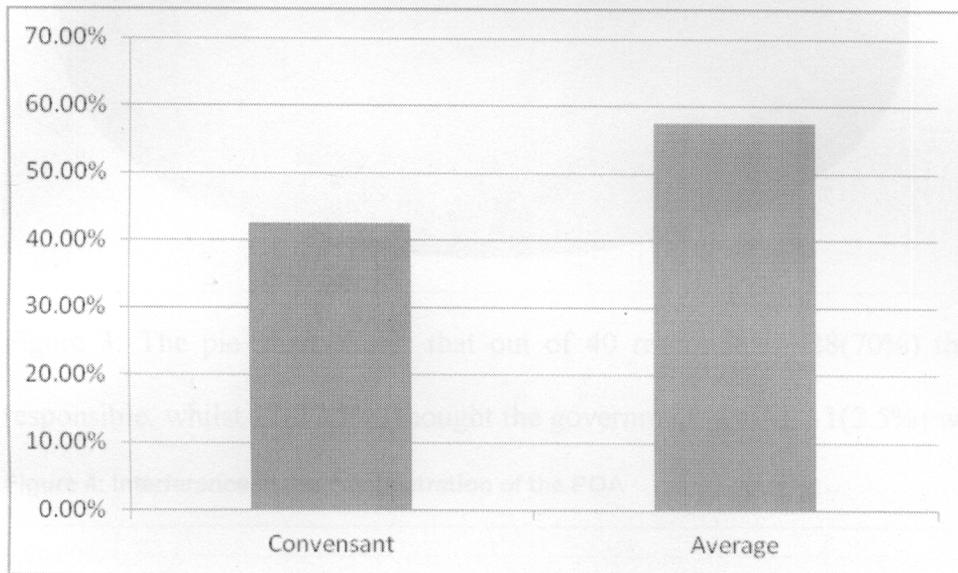


Figure 2: shows that out of 40 respondents, 17(42.5%) were quit conversant with the provisions of the POA while 23(57.5%) were at average

**Figure 3: Responsibility of administering the POA**

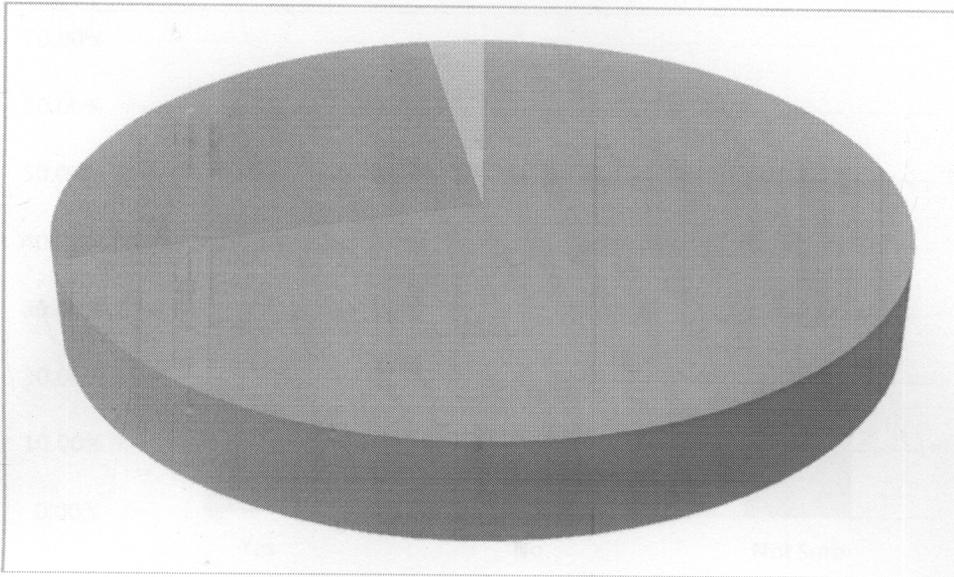


Figure 3: The pie chart shows that out of 40 respondents, 28(70%) thought the Police were responsible, whilst 11(27.5%) thought the government was and 1(2.5%) was not sure.

Figure 4: Interference in the administration of the POA

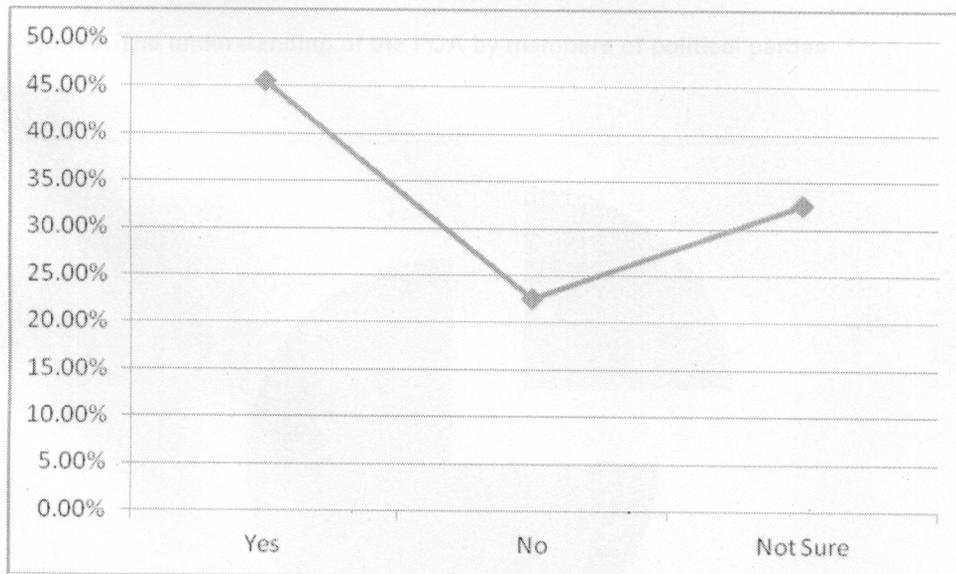


Figure 4: shows that out of 40 respondents, 18(45.0%) thought there was interference, whilst 9(22.5) did not think so and 13(32.5) were not sure.

Figure 5: The understanding of the POA by administering officers. The chart shows that 10(25%) of administering officers understood the provisions of the POA, whilst 10(25%) did not agree with this assertion.

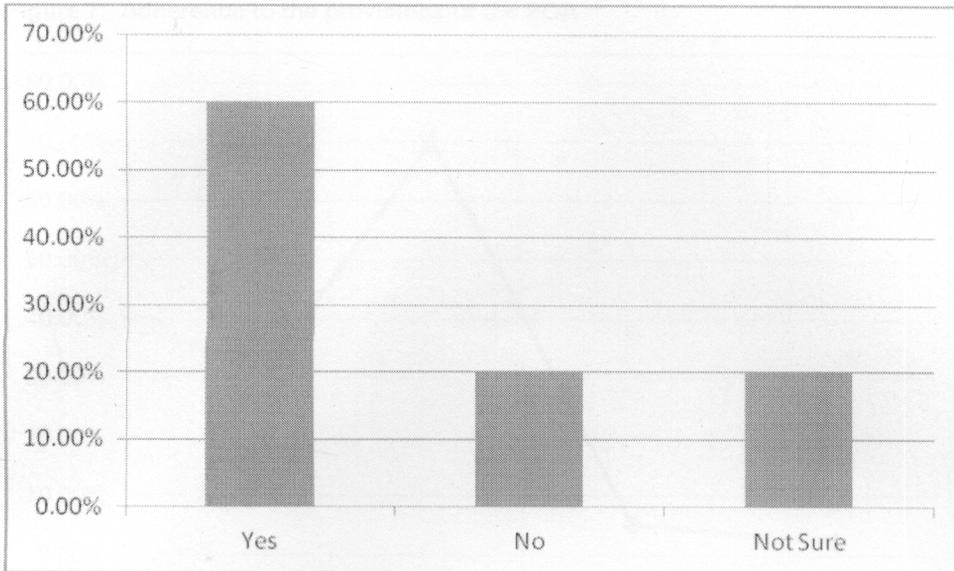


Figure 5: shows that out of 40 respondents, 8(20.0%) thought the administering officers did fully understand the provisions of the POA, whilst 24(60.0%) thought they didn't and 8(20.0%) were not sure.

Figure 6: The understanding of the POA by members of political parties

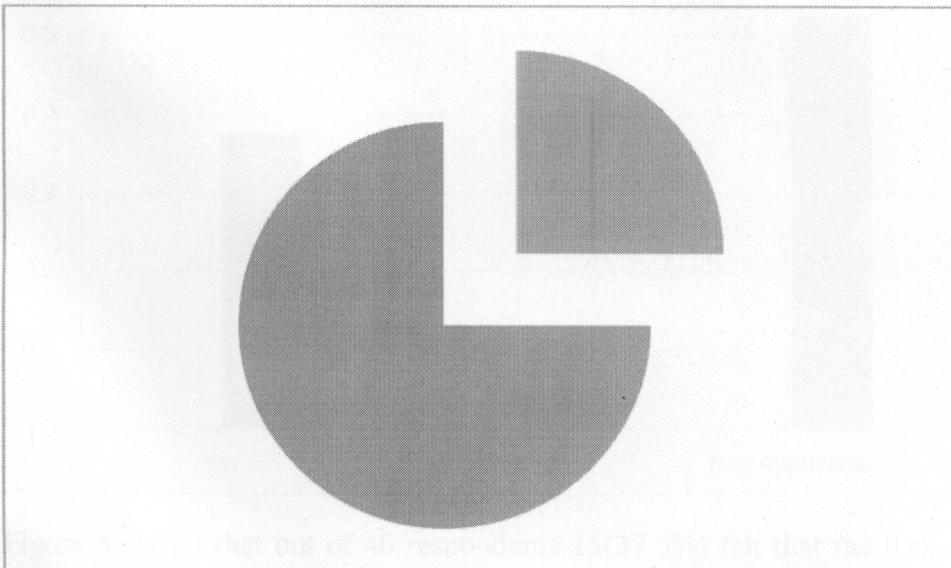


Figure 6 shows that out of 40 respondents, 30(75.0%) thought that members of political parties understood the provisions of the POA, whilst 10(25.0%) did not agree with this assertion.

**Figure 7: Adherence to the provisions of the POA**

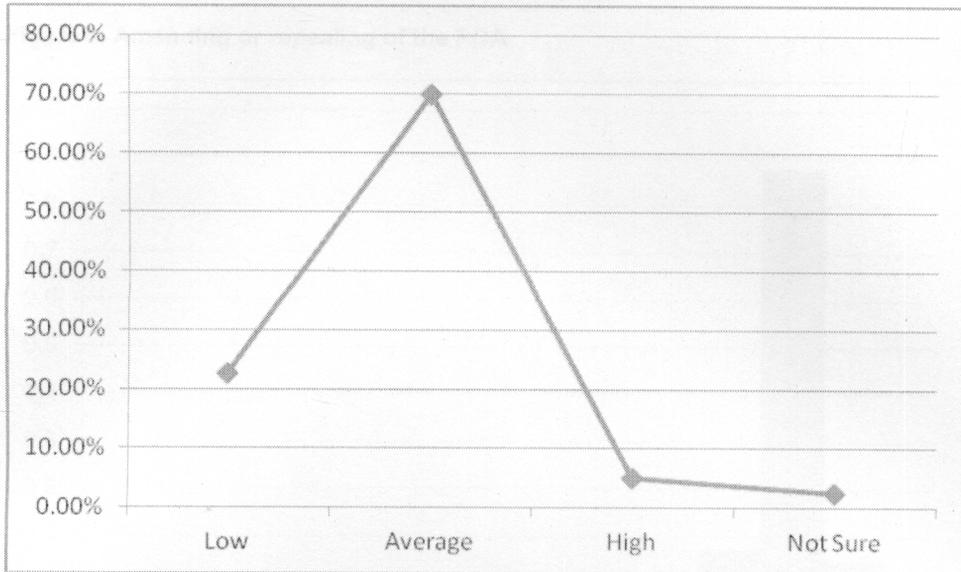


Figure 7: shows that out of 40 respondents 9(22.5%) thought the levels of adherence to provisions of the POA were low, 28(70.0%) average, 2(5.0%) high and 1(2.5%) were not sure.

**Figure 8: Application of the POA as a contributor to political conflicts in Zambia**

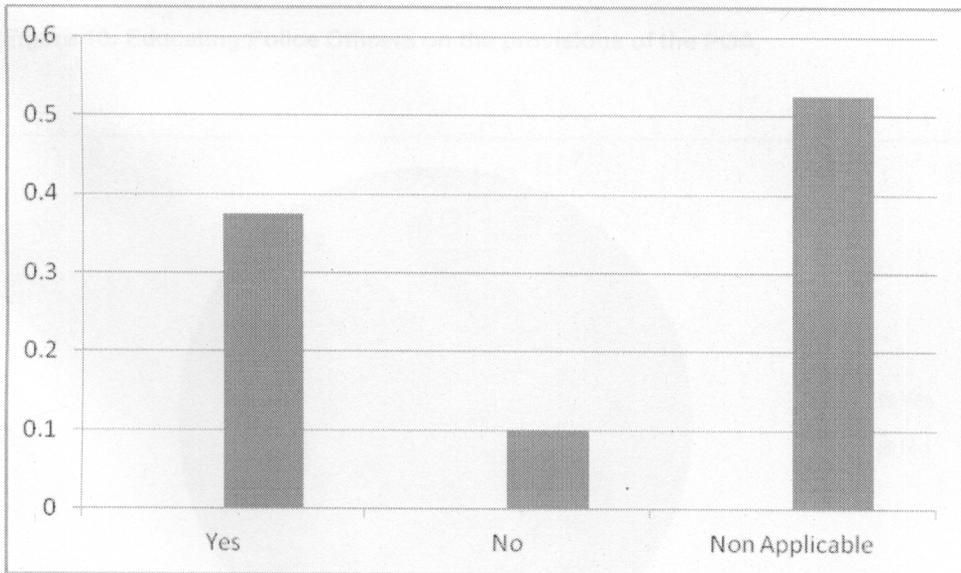


Figure 8 shows that out of 40 respondents 15(37.5%) felt that the lack of understanding of the provisions of the POA by political party members was the main cause of political conflicts, whilst 4(10.0%) did not think so and the question was not applicable to 21(52.5%) of the

respondents.

Figure 9: Amending or repealing of the POA

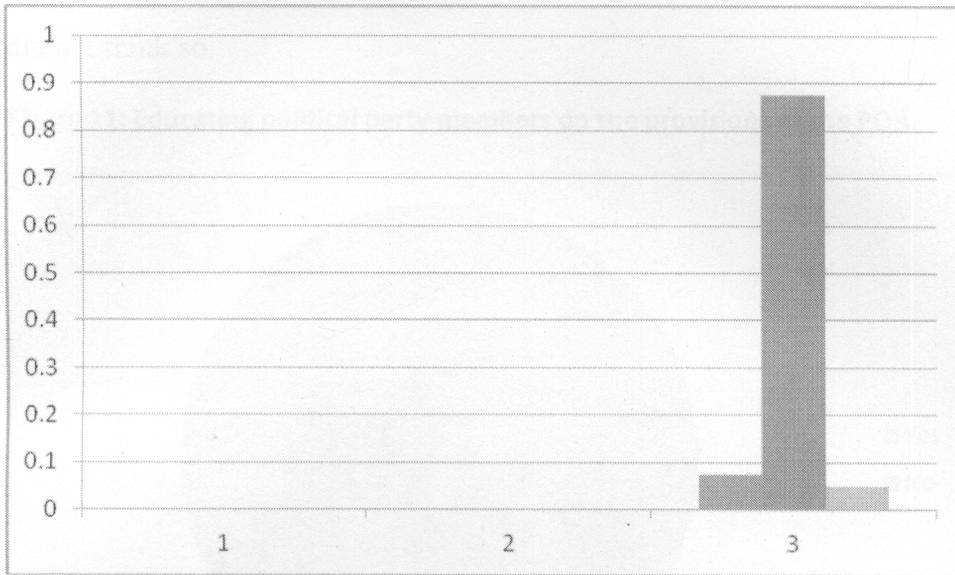


Figure 9 shows that out of 40 respondents 3(7.5%) thought the POA should completely be repealed, 35(87.5%) were of the view that it just needed to be amended, 2(5.0%) were not sure.

Figure 10: Educating Police Officers on the provisions of the POA

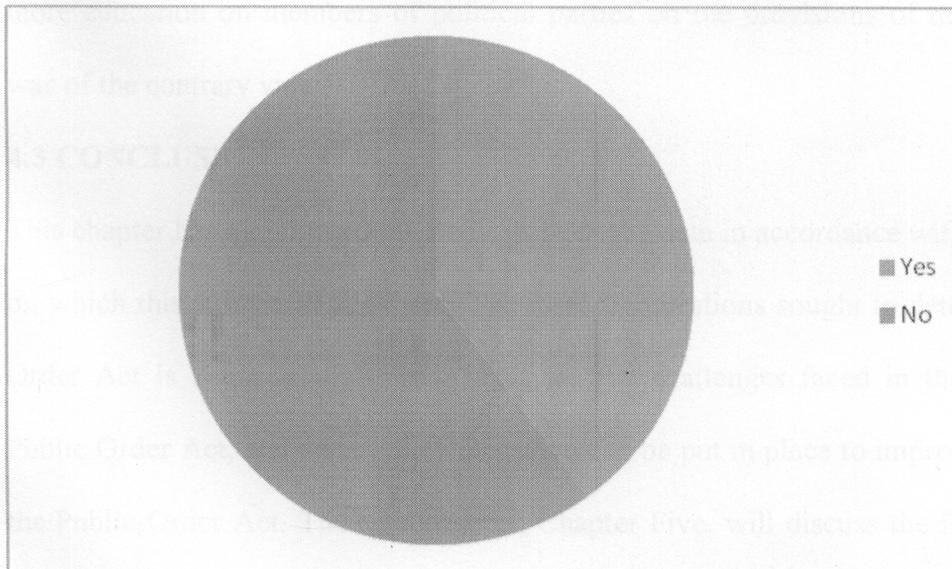


Figure 10: The pie chart shows that out of 40 respondents, 16(40.0%) respondents felt that there was need for more education on Police Officers on the provisions of the POA, whilst 24(60%) did not think so.

**Figure 11: Educating political party members on the provisions of the POA.**

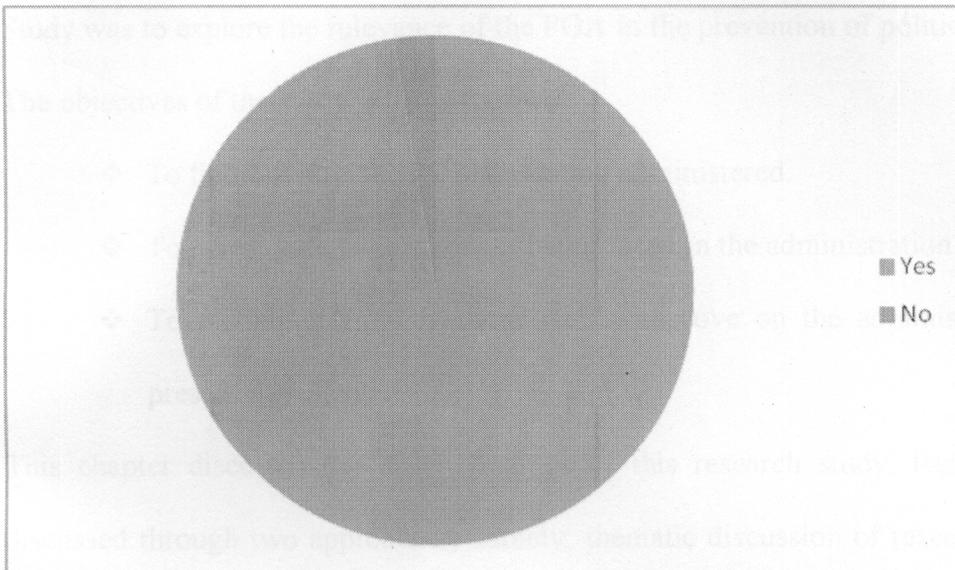


Figure 11: shows that out of 40 respondents, 39(97.5%) were of the view that there was need for more education on members of political parties on the provisions of the POA, whilst 1(2.5%) was of the contrary view.

### 4.3 CONCLUSION

This chapter has highlighted the findings from the data in accordance with the research questions on which this study was anchored. The research questions sought to determine: How the Public Order Act is being administered; what are the challenges faced in the administration of the Public Order Act; and what policy measures can be put in place to improve the administration of the Public Order Act. The next chapter, Chapter Five, will discuss the findings, as presented in this chapter, to address the research objectives so as to provide an overall summary for the study and identify future research implications.

## CHAPTER FIVE

### DISCUSSION OF FINDINGS

#### 5.0. OVERVIEW

Chapter Five discusses the findings of the study in line with its objectives. The purpose of this Study was to explore the relevance of the POA in the prevention of political conflicts in Zambia.

The objectives of the study were as follows:

- ❖ To find out how the POA was being administered.
- ❖ To investigate the challenges being faced in the administration of the POA.
- ❖ To recommend policy measures to improve on the administration of the POA in present day Zambia.

This chapter discusses the major findings of this research study. Research findings can be discussed through two approaches, namely; thematic discussion of research findings or content discussion of findings. Content discussion of research findings takes the form of logical flow of discussion from one issue to another in logical paragraphs. Thematic discussion of findings makes use of themes, and usually the themes are represented by respective objectives (Siakacha, 2014). In this study thematic approach to the discussion of findings was adopted.

This research study was about '*The relevance of the Public Order Act in the prevention of political conflicts in present day Zambia*'. The general objective of this study was to examine the relevance of the POA in the prevention of political conflicts in present day Zambia.

The specific objectives of the study were: To find out how the POA was being administered; to investigate the challenges being faced in the administration of the POA; and to recommend policy measures to improve on the administration of the POA.

## 5.1. ADMINISTRATION OF THE POA IN ZAMBIA

In trying to establish how the POA was administered in Zambia, respondents were asked whether they knew who was responsible for administering the POA; whether there was interference in the administration as well as the levels of interference. They were also asked whether they felt the interference in the administration POA was the cause of political conflicts in Zambia.

The research found out that the majority of the respondents were of the view that the Police were responsible for administering the POA (fig.3). The majority of the respondents thought that there was interference in the administration of the POA and that this interference was mainly perpetrated by the party in power and the these levels of interference were quit high and were thus perceived as being one of the main contributing factors to political conflicts in Zambia.

These findings are similar to what was obtaining both at international and regional levels where the administration of the laws on public order is vested in the hands of the state or federal police (Sikaulu: 2004). Although this research has revealed that there is quit heavy interference by the party in power in Zambia; studies in England, Tanzania and South Africa did demonstrate that these countries have developed mechanisms like court appeal processes to deal with any perceived maladministration of the laws to do with public gatherings and the maintenance of law and order. An example to note is of South Africa where under section 6 (1) (a) (b) of the Regulation of Gatherings Act 205 of 1993, the law provides as follows:

*(1) (a) Whenever a condition is imposed in regard to a gathering in terms of section 4 (4)(b) or when a gathering is prohibited in terms of section 5 (2), the convener of such gathering may apply to an appropriate magistrate for the setting aside of such prohibition or the setting aside or amendment of such condition, and the magistrate may refuse or grant the application.*

*(b) Whenever an authorized member in terms of section 4 (4) (b) requests that a particular condition be imposed and the request is refused, or whenever information contemplated in section 5 (1) is brought to the attention of a responsible officer and the gathering in question is not prohibited, an authorized member may, if instructed thereto by the Commissioner or the district commissioner of the South African Police for the area where the gathering is to be held, apply to an appropriate magistrate to set aside such refusal or to prohibit such gathering, as the case may be, and the magistrate may refuse or grant the application.*

It suffices from the above position in South Africa of involving the court in the appeal process where there is a perceived misapplication of the law on public gatherings as it helps to bring about transparency and professionalism in the application of the Act. This position is the exact opposite of the position in Zambia where if one is not satisfied with the decision of the police, they have to appeal to the minister in charge of Home Affairs. The problem with this position is that the Minister may be an interested party more especially if the protest or gathering is against the government. On the other hand this is also a grave affront on one of the rules of natural justice which requires that; *one cannot be a judge in their own cause.*

## **5.2. CHALLENGES FACED IN THE ADMINISTRATION OF THE POA**

In trying to find out the challenges associated with administering the Public Order Act, respondents were asked as to whether; they fully understood the procedure for administering the POA; what they thought were the challenges faced in the administration of the Act; and the levels of adherence and what they thought were the causes of political conflicts.

Though, the research discovered that the majority of the respondents thought that the administering officers did understand the provisions of the POA, the majority felt that the cause of the perceived misapplication of the Act was due to political interference. Thus, it is not like

the police officers are ignorant about the law on public gatherings and processions and its proper administration. However, the levels of professionalism are sometimes compromised when they start receiving and following orders from politicians on how they should administer the law. This finding is consistent with that of Simusamba (2004), who in his research noted that political manipulation of the Police subverts the rule of law and undermines the professionalism of officers and reducing their capacity to combat crime effectively. He further, notes that Police have been used to suppress public meetings, demonstrations or campaigns by opposition parties and government critics in Zambia. In fact most of the Police Officers he interviewed in his research attributed their conduct to the dictates of the government through their superiors: *“timachita chimene boma yakamba, chingakale nichabwino ndiponso choipa, boma ikakamba ninshi yakamba.”* Which in English translates to mean: *“we do what government says whether it is good or bad, as long as government has said it.”* (Simusamba: 2004).

It suffices from here that the majority of the respondent thought that the levels of adherence to the provisions of the Act were low. This can in certain instances be attributed to the perceived unprofessional conduct of the Police. This can be seen on the part of sympathizers of the party in power who on a number of occasions have held public gatherings, processions or demonstrations without due notification to the Police, who in most cases seem to be powerless to deal with the contraveners of the POA (Simusamba, 2014). An example of such was on August the 22<sup>nd</sup>, 2001 when Movement for Multiparty Democracy (MMD) cadres rioted and destroyed property at Sam’s Sports Café in Lusaka where opposition party leaders were holding a joint press conference. This incident which happened in full view of the police caused terror to members of the general public who scampered in all directions for safety. The Lusaka Division Commanding Officer acknowledged that his own investigations revealed that violence took place and that there

was damage to property yet no arrests were made in respect of the riot and the excuse given was that the police could not follow up the matter unless the owners of the property had complained ( Post: August 29, 2001). However, this position is not entirely correct as under sections: 81, 82 and 335 of the Penal Code police can arrest anyone engaged in a riot even in the absence of a complaint. Thus, it becomes clear that the real reason behind the police inaction was due to the fact that the perpetrators came from the party in power.

On the other hand, this perceived lack of professionalism, has on a number of occasions led to low levels of adherence to the provisions of the Act on the part of the opposition as they sometimes feel that even after notifying the police about their intended public gathering, procession or demonstration, there is a big possibility of it being turned down on grounds such as the Police not having enough manpower to Police the event. A good example of such was on March 18<sup>th</sup>, 2003 when the opposition Patriotic Front (PF) notified the police of its intention to hold a rally on 29<sup>th</sup> March 2003 from 13:00hrs to 17:00hrs at the Kafue roundabout. However, in a letter dated 20<sup>th</sup> March 2003, the police advised that the public meeting could not be *'approved'* due to the unfavorable security situation in the country (Post, March 14, 2003). Permanent Human Rights Commission chairperson Judge Chibesakunda condemned the cancellation of the meeting and asserted that there was undue interference in the operation of the enforcement agents (Post, March 27, 2003).

The research further disclosed that the levels of education among some political players were quit low and thus, increasing the chances of most of them not fully understanding and appreciating the provisions of the Act. Education is the process of formally or informally learning by which knowledge, skills, values, beliefs, and habits of a group of people are transferred to other people, through storytelling, discussion, teaching, training or research

(Lusaka Star, 2015). Thus, the research has revealed that this want of understanding on the part of some political players has also posed a challenge on administering officers to administer the Act. It is in this line that Bratton (1999) observes that education (more especially) civic education, has observable positive effects as it has a consistently greater impact on citizens knowledge and values and consequently on their political behavior. It consequently, suffices from the above findings that people who are enlightened in terms of education are more likely to resolve their political conflicts in a much better way than those who are not.

### **5.3. POLICY MEASURES TO IMPROVE ON THE ADMINISTRATION OF THE POA**

In terms of what can be done to improve the administration of the POA in order to reduce political conflicts, the research has revealed that most of the respondents suggested that the act needed to be amended (fig. 9). This finding is consistent with the findings of Sikaulu (1995) who in his research recommended the maintenance of the POA for the regulation of assemblies and processions so as to prevent anarchy and chaos. Sikaulu, however, further recommends amendments to the Act so as to prevent abuse.

The amendment of the POA or indeed any other Act of Parliament is not a new thing world over. The Law on Public gatherings in England for example has undergone a number of amendments to make it compatible with current trends in governance systems and an illustration of this was in 1986 and also 1998 with the later amendment endeavoring to incorporate the European Convention on Human Rights into the domestic law of the UK (JO, 1998). This is the similar situation in Tanzania and South Africa where in the case of the later amendments to the law were made so as to make it compatible with the requirements of post-apartheid South Africa (Maregele, 2015).

In Zambia, the act which was created in 1939 by the British colonial government has undergone

a number of amendments such as the one's in 1966 which made it compulsory to sing the national anthem during public meetings and which excluded certain officers such as the President, Vice President and Ministers from getting a permit before holding a public meetings; there were also amendments in 1995 following the landmark decision in *Christine Mulundika and 7 Others Vs The Attorney General (1995)* where the requirement for obtaining a Police permit was replaced with mere Police notification and more recently the amendments in 2016 which among others reduced the period of notifying the police from seven days to five days (POA Amendment Act of 2016).

These findings are consistent with the observations of Matibini (2005), who notes that; though it is recognized that persons who want to hold a public demonstration do not have a constitutional right to do whatever, however and wherever they please. The imposition of restrictions on the time, place and duration of the meetings may be necessary to avert disturbances to other aspects of life. However, the problem is that broad discretion creates excessive risks of discrimination or abuse. It is therefore Matibini's recommendation that the POA should be amended and that the broad discretion vested in the Police Service in regulating public meetings, processions and assemblies should be restricted.

## CHAPTER SIX

### CONCLUSION AND RECOMMENDATIONS

#### 6.0 OVERVIEW

Chapter Six presents a summary discussion of both the research and the research findings and based on the research findings, gives the conclusions and the recommendations of the study. The chapter terminates with suggestions for future research.

#### 6.1. Conclusion

The research sought to investigate the relevance of the public order act in the prevention of political conflicts in Zambia. The specific objectives were to find out how the act was being administered; to investigate the challenges; and to recommend policy measure to improve the administration of POA.

The research found out that the Police were in charge of administering the Public Order Act, although it was clear that the levels of understanding the provisions of the act were quit high the main challenge they faced came in the form of political interference.

The research also found out that the other challenge faced in the administration and adherence to the provisions of the Act was the lack of proper understanding and appreciations of the provisions of the Act by some political players and one of the reasons for this are the low levels of education.

Further, the research found out that for the POA to be more effective in preventing political conflicts there is need for reducing political interference in the administration of POA and the establishing of proper appeal procedures to deal with any perceived misapplication of the provisions of the Act.

## 6.2. Recommendation

Following the objectives and the findings of this study, this research is making the following recommendations

- (a) The Act should make a clear distinction between public gatherings that are held indoors and those which are held outdoors.
- (b) There is need to improve on the requirement of notice to a period much shorter and also clear reflection of the fact that there are instances when the situation demands for an instant gathering.
- (c) There is need to amend the appealing procedure in the event of a grievance from the Office in charge of Home Affairs to a High Court judge who should hear and decide on the appeal within a period of 48 hours.
- (d) More awareness campaign of the Act: Although POA appears to be known by the stakeholders, there is still need to carry out awareness campaign to educate the stakeholders on the importance of this law.
- (e) There is also need to improve on the accessibility of the Act, unlike the current situation where most of the stakeholders only know of the provisions of the Act from what they have heard from others and not from the actual reading of the Act.

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The Sunday Times of 19<sup>th</sup> December 2004

The Post Newspaper of Thursday 27<sup>th</sup> March 2003

The Post Newspaper of Monday 18<sup>th</sup> September 2003

The Post Newspaper of Wed 1<sup>st</sup> February 2004

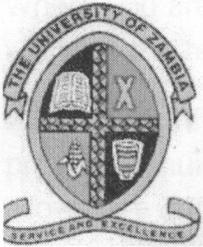
The Post Newspaper of Tuesday 21<sup>st</sup> December 2004

The Post Newspaper of 18<sup>th</sup> July 2001

Christine Mulundika and Seven Others V The Attorney General (1995-1997) ZR. Pg 20-24

## APPENDIXES

### Appendix I: Questionnaire



## THE UNIVERSITY OF ZAMBIA IN COLLABORATION WITH ZIMBABWE OPEN UNIVERSITY

Dear Sir/Madam,

**RE: STUDY ON THE RELEVANCE OF THE PUBLIC ORDER ACT IN THE  
PREVENTION OF POLITICAL VIOLENCE IN PRESENT DAY ZAMBIA.**

My name is Gibson Banda. I am a student at the University of Zambia in collaboration with Zimbabwe Open University.

I am kindly asking you to participate in the above captioned study. It is specifically meant:

1. To establish how the Public Order Act is being administered in Zambia.
2. To find out what challenges are faced in the administration of the Public Order Act.
3. To establish what policy measures can be put in place to improve the administration of the Public Order Act.

You have been randomly selected to participate in this study. Though you have been randomly selected to participate, your participation is entirely on voluntary basis. You will however greatly help me by providing the requested for information as this will enable me to successfully undertake the study and fulfill the requirements for the award of a Master of Science Degree in Peace Leadership and Conflict Resolution.

### Instructions

1. Please circle the number that represents the appropriate answer to the question.

Where you are required to write, please do so in the spaces provided (you can as well write on the reverse side of the paper or any convenient additional paper).

2. All the information you will provide is purely for academic purposes therefore, provide genuine information and ensure that all questions are carefully answered to allow for a successful study.

3. Full confidentiality will be maintained. You are, therefore, advised not to write your name or anything else apart from the requested for information.

**Your cooperation is highly appreciated!**

### For official use only

Questionnaire No: ..... Date .../...../...../2016

#### SECTION A (BIO DATA)

1. Are you a female or male?
  1. Female
  2. Male
2. What is your age? .....
3. What is your marital status?
  1. Married
  2. Unmarried
4. What is your educational level?
  1. Grade 7 and less
  2. Grade 8 to grade 12
  3. Tertiary
5. What is your profession?.....  
.....

**SECTION B (Research question one: How is the POA being administered in Zambia)**

6. How conversant are you with the POA?
1. Conversant
  2. Average
  3. Not Conversant
7. Who do you think is responsible for administering the POA?
- .....  
.....(Specify)
8. Do you think there interference in the administration of the POA?
1. Yes
  2. No
  3. Not sure
9. If YES to question 8, by whom?.....
1. Government
  2. Others (specify).....
10. What do you think is the extent of this interference?.....
1. Minimal
  2. Average
  3. High
  4. Very high
11. If YES to question 8, can this interference be the cause of political conflicts in Zambia?
1. YES
  2. NO
  3. Not sure

**SECTION C (Research question 2: What are the challenges faced in the administration of the POA?)**

12. Do think the administering officers fully understand the provisions of the POA?
1. YES
  2. NO
  3. Not sure
13. If NO to question 12 what is the cause of this?

21. Do you think the POA will help in curbing political conflicts?
1. Inadequate training
  2. Political Interference
  3. Inaccessibility of the Act
  4. Others (specify).....

14. Do members of political parties understand the provisions of the POA?
1. YES
  2. NO

15. If YES to question 14 what are the levels of adherence to the provisions of the POA?
1. Low
  2. Average
  3. High
  4. Not sure

16. If No to question 14 what are the causes of lack of understanding of the provisions of the POA?
- .....

17. If NO to question 14, could this be a major contributor to political conflicts in Zambia?
1. YES
  2. NO

**SECTION D (Research question three: What policy measures can be put in place to improve the administration of the POA)**

18. Do you think the POA should be .....
1. Completely Repealed
  2. Amended
  3. Not sure

19. If your answer to question 18 is (1) what do you think should replace it, if anything?
- .....
- .....(Specify)

20. If your answer to question 18 is (2), which provisions do you think should be amended?
- .....
- ..... (Specify)

21. Do you think such amendments to the POA will help in curbing political conflicts?

- 1. YES
- 2. NO
- 3. Not sure

22. If YES to question 21, how do think such amendments will help?

.....  
.....  
.....

23. Do you think there need for more education of Police Officers on the provisions of the POA?

- 1. Yes
- 2. No

24. If yes, how can this help in preventing political violence?

.....  
.....  
..... (Specify)

25. Do you think there is need for more education on members of political parties on the provisions of the POA?

- 1. Yes
- 2. No

26. If yes, to question 27 how can this help in preventing political conflicts?

.....  
.....  
.....(Specify)

**THANK YOU VERY MUCH FOR YOUR CONTRIBUTION AND YOUR TIME!!!**

## APPENDIX II: TIME PLAN

ACTIVITY	MONTH(S)
Problem-identification	January, 2016
Literature review	January, 2016
Literature review and draft proposal writing	January-February, 2016
Final proposal submission	March, 2016
Data collection and data analysis	March-May, 2016
Draft research report writing	May-June, 2016
Presentation of research findings	June, 2016
Final research report writing	June-July, 2016
Final research report submission	July, 2016

## APPENDIX III: RESEARCH BUDGET

ITEM	QUANTITY	AMOUNT
Paper and Printing		
• Proposal		K200
• Dissertation		K500
Photocopying	500 Copies x K30	K150
Transport	20 ltrs Petrol x K10	K200
Pens	20 x K1	K20
Binding	4 Copies x K150	K600
Contingency		K230
	<b>GRAND TOTAL:</b>	<b>K1 900</b>