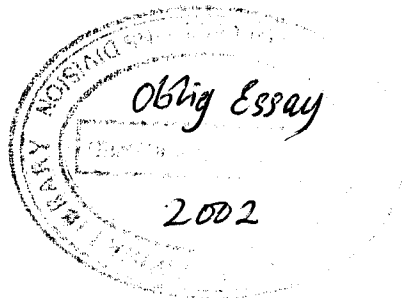
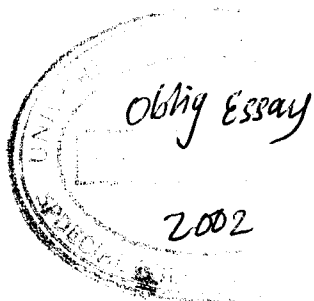


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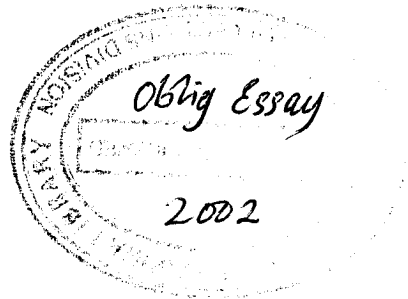
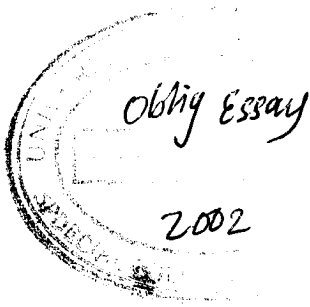
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DEDICATION

To my late Father

Thomas Kamusaki

ACKNOWLEDGEMENTS

I wish to acknowledge with gratitude the unfailing and immeasurable support of my family and friends who have encouraged me all along to finish my law studies.

Special thanks goes to my Supervisor, Dr. Alfred Chanda for his illuminating ideas and suggestions on the improvement of this work.

Finally, I thank Mrs. C. Ngwira for typing this work.

PREFACE

The existence of the Public Order Act (POA) has been seen by a broad section of the Zambia populace as an obstacle to the enjoyment of political rights such as the freedom of speech, assembly and association and the deepening of the democratic process in Zambia.

The Public Order Act, inherited from the colonial government, has been widely seen as a mere tool by the government in power to suppress political dissent and discourage civil society from actively participating in matters of national interests.

The Police Force has been used by the Government in power to deny permits to the opposition and civil society to hold meetings and many citizens have been arrested in the past on trumped up charges in connection with the Public Order Act.

What has been the impact of the POA on constitutional rights in Zambia since independence? Can the POA be reformed? Can the Zambian legal system alone be counted on to offer solutions to this problem? What must be done to maintain the balance between upholding law and order on the one hand, and upholding the constitutional right of freedom of speech, assembly and association on the other?

This work will attempt to address these issues. This work will argue that it is not enough to amend the POA. What is required is to call for the complete abolition of the POA and the strengthening of other branches of law such as criminal law. The POA is inherently anti-democratic and anti-constitutional.

In order to achieve this, there is need to mobilise public opinion against the negative impact of the POA on freedom of expression assembly and association and the democratic process. Only a broad coalition of all forces in Zambia will lead to the abolition of POA and strengthening of the democratic process and in turn contribute to the overall development of mother Zambia.

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