

**THE BRITISH POLICY OF INDIRECT RULE AMONG THE ACEPHALOUS
SOCIETY OF MONZE DISTRICT OF NORTHERN RHODERSIA (ZAMBIA)
1890-1964**

BY

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**A dissertation submitted to the University of Zambia in partial fulfilment of
the requirements for the award of the degree of Master of Arts in History**

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LUSAKA

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DECLARATION

I, Victoria Silumba, declare that this dissertation represents my own work and has not been previously submitted for a degree at this or any other University.

Signed

Date

APPROVAL

This dissertation of Victoria Silumba is approved as fulfilling the Partial Requirement for the award of the Degree of Master of Arts in History by the University of Zambia.

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ABSTRACT

This study is a historical investigation of the British policy of indirect rule among the Acephalous society of Monze district from 1890 -1964. The research was prompted by the fact that there is gap in literature regarding how indirect rule was implemented among the Tonga of Monze district and what impact it had on the people. Whereas there is so much literature regarding the history of the pre-colonial and colonial Tonga, their social, economic, political and religious ways of life, literature on how indirect rule worked among the Tonga and its impact is scanty. Three main areas looked at were examining how indirect rule was implemented and analysing its impact on the socio-economic and political organisation of the Tonga people of Monze district. This study utilised the qualitative method of data collection. Both primary and secondary data was collected from the University of Zambia Main Library, Faith and Encounter Centre library, Institute of Economic and Social Research library and the National Archives of Zambia. Oral interviews were conducted with some chiefs, headmen and other elderly people in Monze district. In analysing data, historical evidence was scrutinized by comparing what each source stated. The findings of the research were that indirect rule was implemented among the Tonga in 1929 by the introduction of the Native Authorities, Native Courts and Native Treasuries. The Native Authorities comprised chiefs who were appointed by the British. The chiefs worked with clerks, headmen and *kapasus*. The chiefs were also in charge of the Native courts where they presided over civil and criminal cases. The appointment of chiefs among the Tonga, through indirect rule, had an impact on the people's socio-economic organisation. The duties included tax collection, labour recruitment, settling of civil and criminal cases and land allocation. The study further concludes that the British policy of Indirect Rule had a political impact on the Tonga society who prior to the coming of the British did not have chiefs. Some of the chiefs appointed by the British colonial government did not understand what was required of them and thus the people did not respect them. Other chiefs appointed by the British were rejected by the people and thus they were not respected too. In certain cases, some areas were controlled by two chiefs who did not recognise each other's authority and this led to dual chieftainship which further divided the people as they were confused on whom to pay loyalty to. The study concludes that the British policy of indirect rule among the Acephalous society of Monze district was challenging in its implementation because of the lack of a centralised political organisation among the Tonga. The Acephalous nature of the Tonga made it difficult for the people to understand and respect the appointed chiefs.

Key Words: Indirect Rule and Acephalous Society

DEDICATION

This work is dedicated to my dad, ba George Mutema Silumba, who always supported my academic pursuit right from primary school. I still remember how you passionately washed my school uniform when I was in primary school. Although God called you to a better place in heaven just in the early stages of this study, your presence marked every paragraph that I wrote. “When you graduate my daughter I would have graduated as well” you always told me. Dad you are the greatest, I owe you the whole world. But I know you are smiling in heaven.

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ABBREVIATIONS

ANC	African National Congress
BSACo	British South African Company
LMA	Livingstone Museum Archives
LOC	Location in the National Archives of Zambia
NAO	Native Authorities Ordinance
NCO	Native Courts Ordinance
NAZ	National Archives of Zambia
NRSC	National Remote Sensing Centre
NTO	Native Treasuries Ordinance

GLOSSARY

Babetesi	Court Assessors
Bami Banyika	Chiefs of the Land
Basangu	Spirit Medium
Kapasu	Native Authorities Police
Mutelo	Tax
Mutonga	One from the Tonga Ethnic Group
Mwami	Chief
Sibulongo	Earth Priest
Sikatongo	Religious Leader
Mwami Wahula	Chief of Rain
Ulanyika	Owner of the Land

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CHAPTER ONE

INTRODUCTION AND HISTORICAL BACKGROUND

Introduction

The Tonga speaking people of Zambia occupy the southern part of the country. There is very scanty information about their origin unlike the case with other ethnic such as the Bemba or the Lozi people. The Bemba have a migratory history which traces their origins from the Luba kingdom in the Katanga region and it is through this migratory history that the coming of their chieftaincies is also traced.¹ However, Elizabeth Colson mentions that little is known about early Tonga history except the fact that they suffered many attacks from the Lozi and Ndebele people.² She also observes that the Tonga themselves are vague about their former homes, settlements and migrations. She further adds that there is very little or almost nothing on the history of the Tonga before the middle of the nineteenth century when they first came in contact with the Europeans.³

Jotham Momba suggests that the absence of centralised authority and the absence of migratory history may have been the major reason for the lack of clarity on the origin of the Tonga of Southern Province.⁴ However, archaeological works by Fagan and Phillipson have indicated that as early as the 11th century A.D., the Tonga were already occupying the area in the northern part of the Batoka plateau.⁵ Furthermore, archaeological works revealed a continuous cultural trend which indicated that the Tonga might not have had people from

¹ Andrew Roberts, *A History of the Bemba: Political Growth and change in North Eastern Zambia before 1900*, (London: Longman 1973), p.39.

²E. Colson, "The Plateau Tonga of Northern Rhodesia", in E. Colson and M. Gluckman (eds.), *Seven Tribes of British Central Africa*, (Manchester: Oxford University Press, 1962), p. 100.

³Colson, "The Plateau Tonga", p.100

⁴ Jotham C. Momba, "The State Peasant Differentiation and Rural Class Formation in Zambia: A Case of Mazabuka and Monze District", PhD. Thesis, University of Toronto, 1982, p.89.

⁵ Maud Muntemba, "The Evolution of Political System in South Central Zambia 1894-1953", M.A Dissertation, University of Zambia, 1973, p. 5.

outside to introduce new political systems.⁶W.V Brelsford noted that the plateau Tonga and the valley Tonga are one and the same even if the valley Tonga claim to be the true Tonga and that the plateau Tonga are either offshoots or other plateau people usurping the name Tonga.⁷

The decentralised political system and the weak military organisation of the Tonga people made them vulnerable to attacks by different groups such as the Makololo, Lozi and the Ndebele.⁸The Tonga were mostly raided for their cattle and women. Despite these raids, Colson argued that they did not unite to fight the common enemy but instead continued fighting among themselves.⁹ In as much as it could have been true that the Tonga suffered many attacks which may have caused instabilities among them, the early European observers are said to have exaggerated the degree of devastation experienced by the Tonga.¹⁰ The Tonga were depicted as people who were always running away from their attackers and never united to fight back which was not always the case. However, there were times when the Tonga emerged victorious in some of the attacks and also sometimes managed to put up a strong resistance particularly in the western part of the Tonga Plateau.¹¹

The raids forced the Tonga to settle in scattered areas, so that if one group was raided the others could have time to run away¹². Similarly, K.P Vickery noted that insecurity among the Tonga due to the attacks resulted in them having scattered settlements such that it was difficult for the early Jesuit missionaries in 1902 to find a suitable place which had more

⁶.Muntemba, " The Political Systems", p.21.

⁷ W.V. Breslford, *The Tribes of Zambia* , (Lusaka: Gan Protors, 1956), p.61

⁸ Momba,"The State Peasant Differentiation and Class Formation", p.90.

⁹ Colson, "The Plateau Tonga", p.95

¹⁰ Kenneth P. Vickery, *Black and White in Southern Zambia: The Tonga Economy and British Imperialism, 1890-1939*, (London: Greenwood Press, Inc., 1986), p.13.

¹¹ Vickery, *Black and White*, p.15

¹² Emil H. *Travels North of the Zambezi 1885-56* (Manchester: Manchester University Press, 1975.), P.79.

people where they could establish a mission station.¹³ The Tonga were matrilineal people who lived in extended and polygamous families. They lived in neighbourhoods which comprised few villages while others could be as big as twenty villages. Order was maintained through the kinship ties, vengeance and compensation that they practiced. Each neighbourhood was independent of the other and only joined the others if there was a consultation to make to a highly reputable rainmaker or medicine man. In the different neighbourhoods the Tonga lived under the leadership of religious leaders such as *Simalende* and *Sikatongo* (Religious Leaders) who officiated at the different shrines of the ethnic group. Men who had assumed the title of *Ulanyika* (owner of the land) were also leaders in the neighbourhoods. The *Ulanyika* title was assumed by somebody who was the first to settle in a particular area.¹⁴ The respect which was accorded to these leaders was mainly according to the personal qualities one had.¹⁵ These leaders were sometimes referred to as *Mwami* meaning chief but were not politically recognised, because the notion of constant authority of one person over many was rejected.¹⁶ Thus, they had neither chiefs nor indeed any institutionalised government and were therefore regarded as an example of an Acephalous or stateless society. Henry, S Daannaa defined Acephalous societies as societies that do not recognise any political leadership and are fragmented.¹⁷ European settlers referred to the Tonga of Northern Rhodesia as being chiefless or Acephalous because they argued that the Tonga were not led to that area by any chief as it was with other groups such as the Lunda or

¹³.Vickery, *Black and White* ,p.16

¹⁴ Colson, ‘‘ The Plateau Tonga’’, p. 98.

¹⁵ M.A Japan, *The Ila-Tonga People of North –Western Zambia*, London, (International African Institute, 1953), p.50

¹⁶ Kusum Datta, ‘‘ The Policy of Indirect Rule in Northern Rhodesia (Zambia) 1924-1953’’, PhD Thesis, University of London, 1976, p. 5.

¹⁷ Henry S. Daannaa, ‘‘The impact of state and Law on Custom and Leadership in a Post- Colonial State : A Legal Historical Case Study of Centralised Wala and Acephalous Chakali in Northern Ghana’’, University of London, PhD Thesis, 1992, p.64

Bemba.¹⁸ Although the Tonga were said to be Acephalous, some scholars such as O'Brien argued that the Tonga had a chief called Chief Monze and that in the late nineteenth century the Tonga were moving towards a unified ethnic, social and political identity. Without disputing O'Brien's argument, indeed the Tonga considered Chief Monze as their chief, but he was not the same as a chief in centralised society because his powers were mostly based on his rain making. It was his rain making powers that made him to be held in higher esteem than the other people who had some authority among the Tonga prior to the policy of indirect rule.¹⁹

During the British South African Company (BSAC) rule, which was from 1890 to 1924, Northern Rhodesia was in 1899 partitioned into two administrative divisions, North Eastern Rhodesia and North Western Rhodesia. North Eastern Rhodesia was administered by a resident commissioner from Zomba in Nyasaland while North Western Rhodesia was under the British high commissioner who was based in Cape Town in South Africa. In 1911, the two Rhodesia were amalgamated to form Northern Rhodesia.²⁰ During the BSAC rule direct rule was established. Richard Hall defined direct rule as a system where the colonialists were the ones in charge of the legislative, judicial and administrative systems of the country.²¹ The BSAC is said to have disrupted the pre-colonial modes of production by forcing people into the capitalist wage relations. Fredriksen mentions that the BSAC introduced taxation which forced people to provide their labour in order to have money for tax payment. However coercive taxation was viewed as a blunt "edged" knife for much as colonial officials

¹⁸ Santosh C. Saha, *History of the Tonga chiefs and their people in Monze District of Zambia*, (New York; Peter Lang Publishing, Inc., 1994), p.11. and also Andrew, Roberts. *A History of Zambia*, (London: Heinemann, 1975), pp.80-84

¹⁹Livingstone Museum Archives (Thereafter LMA), Box 3, TH2/17/19 , Elijah Mundenda "the History of my people: Short History of Batonga," 1941,p.2

²⁰ Muntemba, " The Political Systems", p.76.

²¹ Richard Hall, *Zambia*, (London: Pall Mall Press),p. 104-5

imagined.²² This was because force alone was not enough to construct and stabilise capitalist relations because it produced resistance that had to be managed if accumulation and rule was to continue. He also notes that the view of portraying Africans as having been coerced may have some truth in it but it provides a limited analysis that denies the colonized people any history but that of the oppression.²³

The approach used by the BSAC colonial system since 1890 was extractive. The company imposed a hut tax across the territory and curtailed those economic activities which offered an alternative beyond wage labour.²⁴ Since most Tonga speaking people did not rush to take up wage labour in the European enterprise and preferred to rely on farming and other indigenous production, it angered the BSAC. The BSAC's response was mostly a violent one of seizing and disrupting local production in a bid to force people to offer cheap labour. Apart from inflicting such punishment, the BSAC often burnt down the villages of reluctant chiefs and commoners who tried to avoid forced labour.²⁵ When the Colonial Office took over in 1924, it was keen to provide a different type of rule in Northern Rhodesia than the one offered by the BSAC. The British colonial government was of the view that the approach used by the BSAC to rule had undermined tribal cohesion and left the tribes in a disorganised state. Therefore, the British colonial government thought of a system of ruling which could engage Africans and thus the introduction of the British policy of indirect rule.²⁶ Daannaa defined indirect rule as a British system of administration where the native people were ruled

²² Thomas Frederiksen, "Authorizing the 'Natives': Governmentality, Dispossession and the Contradictions of Rule in Colonial Zambia", *Annals of the Association of American Geographers*, Vol.104, No.6. 2014, pp.3-5

²³ Frederiksen, "Authorizing the 'Natives'", pp.3-5

²⁴ Henry S. Meebelo, *Reaction to Colonialism: A Prelude to the Politics of Independence in Northern Zambia 1893-1939*, (New York: Manchester University Press, 1971), p.84-85.

²⁵ Meebelo, *Reaction to Colonialism: A Prelude to the Politics of Independence* ", p.86.

²⁶ Frederiksen, "Authorizing the 'Natives' ", p.8-9

not directly by the Europeans but indirectly through their own native rulers who were invariably chiefs.²⁷

Indirect rule was a system of British administration which was popularised in Africa by Lord Frederick Lugard who introduced it in Nigeria; he was the first governor general of Nigeria from 1912 to 1919. Lugard, in his famous book *The Dual Mandate*, advocated for indirect rule which entailed the control of Africans through their existing traditional political systems.²⁸ Furthermore, Wallbank examined the principle of indirect rule and noted that indirect rule was founded on the belief that every system of government, if it was to be permanent and progressive must have its roots in the framework of indigenous society. He also added that this type of rule did not transform or change the native into an Englishman and it did not try establishing western political usage. He also discussed the creation of Native Authorities, Native Courts and the Native Treasuries.²⁹

The system of indirect rule was first introduced in Africa in Northern Nigeria and spread to other parts of Africa including Northern Rhodesia, now Zambia. This system worked well, for the British, among the societies with well organised political structures like the Bemba, Lozi, Ngoni and the Chewa. However, it was initially difficult to introduce indirect rule among the Acephalous societies such as the Tonga of Northern Rhodesia. In order to make the policy of indirect rule work among the Acephalous societies, the colonial government installed chiefs to assist with its administration.³⁰ Among the Tonga, recognition and appointment of chiefs was done by making some *Simalende*, *Sikatongo* and *Ulanyika* as chiefs while others were left out. For instance, in the initial stages of indirect rule Chief

²⁷ Daannaa, "The impact of state and Law", p. 63.

²⁸ F.D. Lugard, *The Dual Mandate in British Tropical Africa* (London: William Blackwood and Sons Ltd, 1929), p. 193.

²⁹ Walter Wallbank, "The Principle and Organisations of British Native Rule in Tropical Africa", *Pacific Historical Review*. Vol.3. No.2, 1934, p.145.

³⁰ A.Adu, Boahen, *General History of Africa Vol. II : Africa Under Colonial Domination 1880 to 1935, Abridged Edition* (Lusaka: University of Zambia Press, 1997), p.147

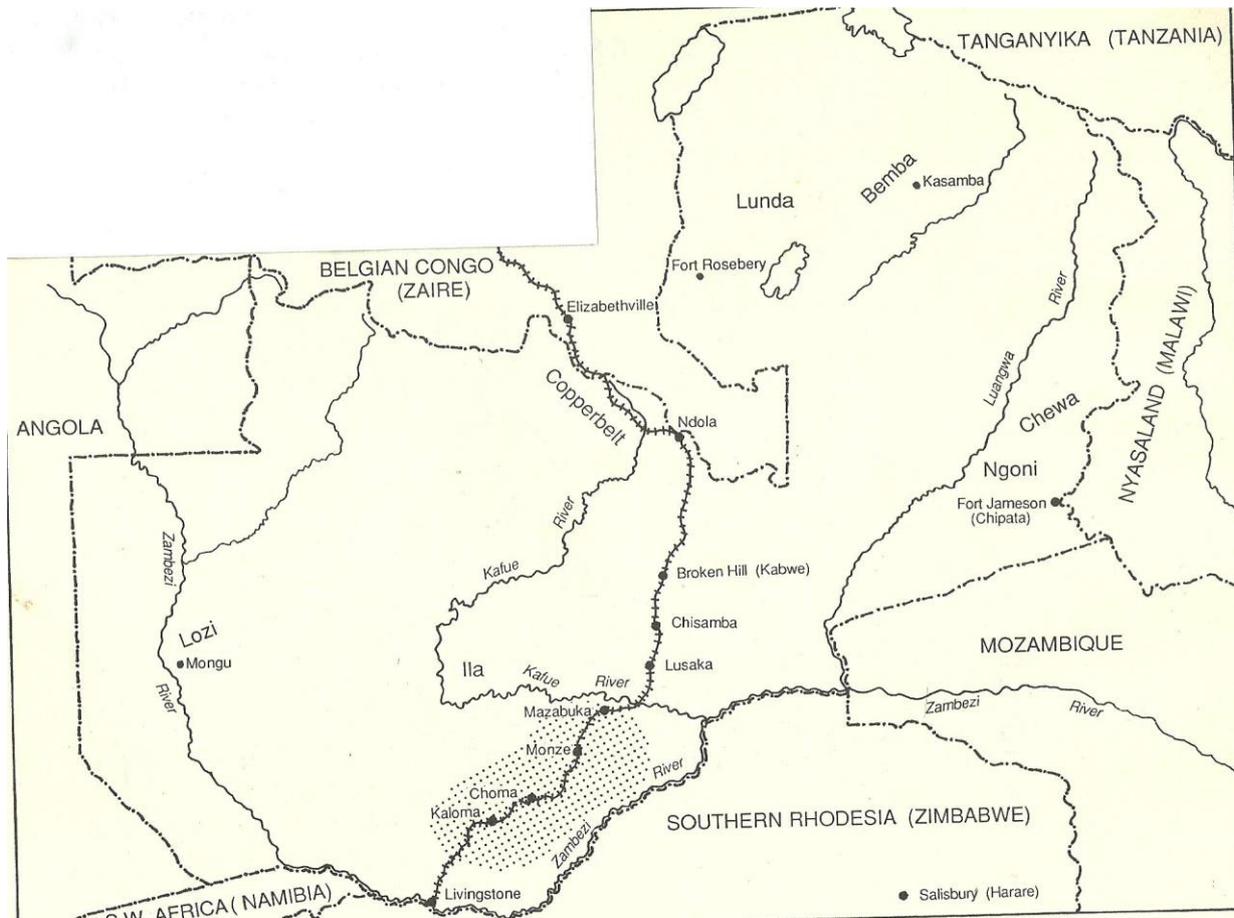
Mwanachingwala and Chief Choongo were reinstated while Chief Chona was left out.³¹ This study examined how the British policy of indirect rule was implemented among the Tonga of Monze district that were acephalous and the impact it had on the political and socio – economic organisation of the people from 1890 to 1964. The study period was from 1890 in order to give a background, but the main focus is from 1929 when the British policy of indirect rule was introduced up to 1964 when the British rule came to an end.

Study Area

The study focused on Monze district of Southern Province of Zambia. Monze district is part of what was referred to as the Tonga Plateau of Southern Province during the colonial rule as can be seen from Map 1. The Tonga Plateau lies in the wedge of the land between two rivers, the Zambezi and the Kafue Rivers. The study therefore focused on the British policy of Indirect Rule among the Acephalous of Monze district concentrating on the various chieftaincies' found in Monze district where Native Authorities were created. Map 2 shows the various chieftaincies of Monze district.

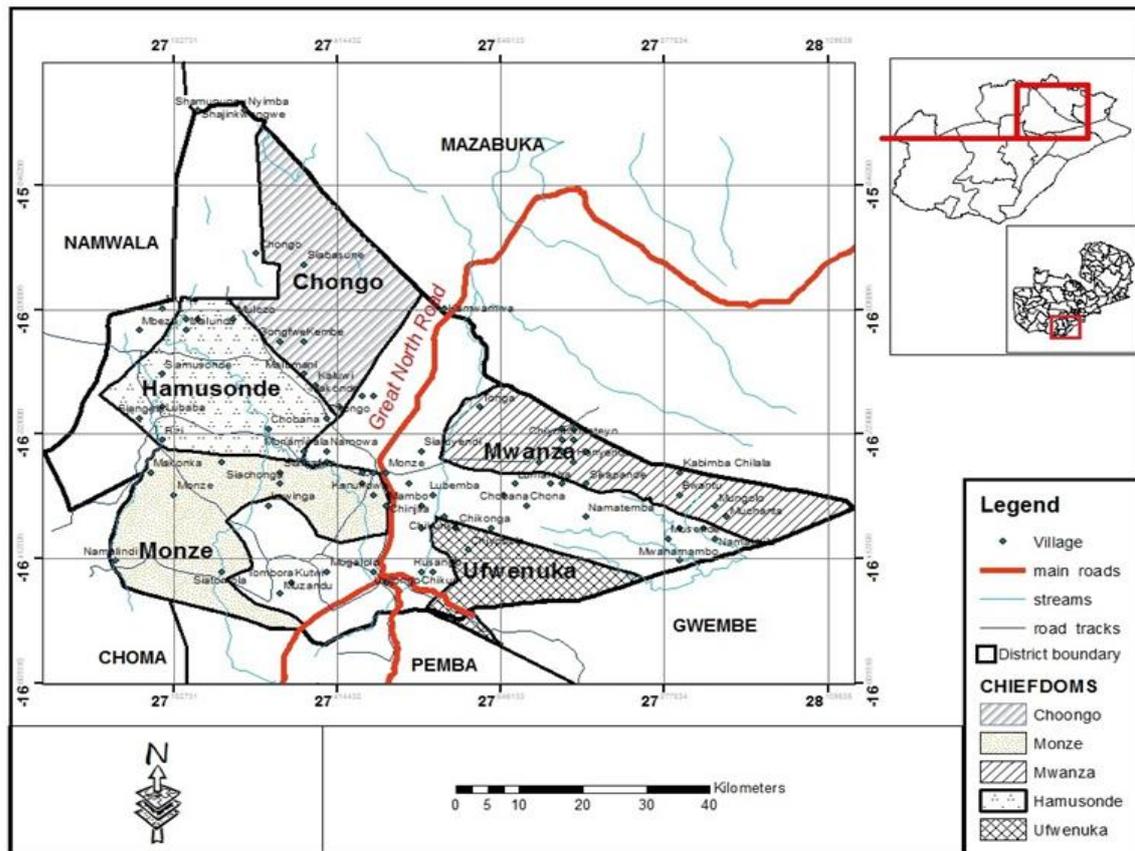
³¹Muntemba, "The Evolution of Political Systems", p.6.

Map 1: Map showing the Tonga Plateau in Northern Rhodesia



Source: Kenneth, P. Vickery, *Black and White in Southern Zambia: The Tonga Plateau Economy and British Imperialism, 1890-1939* (London: Greenwood Press, Inc., 1986), p.4.

Map 2: Map showing Monze district with its Chieftaincies and the neighbouring areas



Source: National Remote Sensing Center, Topographical Base Map of Zambia

(Lusaka:NRSC, 2017)

Statement of the Problem

The British policy of Indirect Rule was an administrative system designed for centralised societies and it was popularised and applied first in Africa in Northern Nigeria by Frederick Lugard. Northern Nigeria was a centralised society and therefore indirect rule worked well there. On the other hand, the implementation of indirect rule in the stateless societies of southern Nigeria posed challenges as there were no politically recognised chiefs. After indirect rule worked in Northern Nigeria it was then spread to the other British colonies including Northern Rhodesia. Most studies on indirect rule in Northern Rhodesia looked at it

from a wider perspective without particularly examining how the policy impacted on the various facets of societies like the Tonga. Thus, there was a need to explore how a system of administration which was designed for well organised structures with centralised political systems worked for Acephalous societies such as the Tonga of Monze district. Therefore, this study examined the British policy from a microcosmic approach. Particularly, the study examined how the British policy of indirect rule was implemented among the Acephalous Tonga society, focusing on its socio-economic and political impact on them. The study covered the period from 1890 to 1964.

Objectives of the Study

The principal objective of this study was to examine the impact of the British policy of indirect rule on the Acephalous society of Monze district. The following were the specific objectives of the study:

1. To examine how indirect rule was implemented among the Acephalous society of Monze district.
2. To assess the changes that occurred in the socio- economic organisation of the Tonga of Monze district as a result of indirect Rule.
3. To analyse the impact of indirect rule on the political organisation of the Tonga in Monze district.

Rationale

This study is expected to contribute to the understanding of the British policy of indirect rule among the Acephalous society of Monze district in Zambia. Most of the studies done on the British policy of indirect rule seem not to have looked at it among the Tonga. Therefore, this study examined the implementation, socio-economic and political impact of indirect rule

among the Tonga of Monze district from 1890 to 1964. It is also hoped that it will further scholarly interest on the British policy of Indirect Rule among other societies.

Literature Review

Lord Frederick Lugard's work on the *Dual Mandate* lays the foundation on the discussion of the British policy of indirect rule. He clearly points out that the policy of indirect rule was the system of British administration of using existing traditional structures to rule the local people. He states that the policy of indirect was to ensure that what was good in the traditions and culture of the people was to be preserved and respected. African chiefs were perceived to have been in a better position to rule their people since they were conversant with their people's way of life and culture. Therefore, the policy of indirect rule required the establishment of Native Authorities, Native Courts and Native Treasuries. Lugard further argues that in administration everyone was important and thus their input was important too. Indirect rule was said to have been misplaced if not impossible among the tribes where there were no recognised chiefs capable of exercising the rule. He also noted that the policy of indirect rule was desired for centralised societies and thus people among the decentralised or Acephalous societies were to be appointed as chiefs.³² Lugard's work is relevant to this study as it provides insights into the features and the implementation of the British policy of indirect rule.

Fortes and Evans-Prichard's work is equally important to this study because it describes the political systems that existed in Africa prior to colonial rule. They analysed the two main political systems that existed in Africa which were the Centralised and Decentralised or Acephalous societies. They argued that a centralised society consisted of those societies which had a centralised authority, administrative machinery and judicial institutions.

³² Lugard, *The Dual Mandate*, p.214..

Decentralised or Acephalous societies consisted of societies which lacked centralised authority, administrative machinery and had no judicial institutions. The introduction of the British policy of indirect rule among the two societies of the Acephalous and Centralised systems was also discussed. The introduction of the policy of indirect rule among the Acephalous societies such as the Tallensi, Masai, Nuer and the Igbos required the appointing of people who could be called chiefs and thus be the contact persons for the British.³³ The work of the two scholars is relevant to this study because it presents insights on the understanding of Acephalous societies and how the British policy of indirect rule was implemented.

Michael Crowder's work is also of significance to this study as it brings out the implementation of the British policy of indirect rule in Nigeria. Though conducted in Nigeria Crowder's work is important as it illustrates how indirect rule was implemented among the state and stateless societies of Nigeria. He explained that among the Igbo speaking areas of most parts of eastern Nigeria there were no indigenous authorities with clearly defined executive powers. He also argued that in such communities that traditionally did not have chiefs the British authorities gave warrants to those they thought had some authority. The people whom they gave warrant, included some of those with religious powers and some who were suggested by the community. Most people were said to have bitterly resented the chiefs who were appointed by the British as they claimed that they had no traditional right over them³⁴

Unlike the case in some societies in the eastern part of Nigeria Crowder argues that in the northern part of that country, the existence of respected and politically recognised chiefs made the implementation of indirect rule a lot easier because of the existence of political

³³ Fortes Meyer and Edward E. Pritchard (ed), *African Political Systems*, (London: Oxford University Press, 1940), pp. 1-7

³⁴ Michael Crowder, *Nigeria: An Introduction to its History*, (London: Faber and Faber, 1979), 153.

structures on which the British policy of indirect rule could just be anchored. Moreover, the British had promised that they would not interfere with the local people's leadership.³⁵ Ubah also analysed the impact of indirect rule among the Acephalous societies of the Igbo in Nigeria. He stated that some appointed chiefs refused to have anything to do with their appointing officials, the British. He further noted that men who did not matter prior indirect rule were given responsibilities to be chiefs under the new dispensation. He also noted that the British were not interested in finding out how the Igbo managed their public affairs and what leadership meant to them. In this regard, the appointment of chiefs during indirect rule changed the patterns of leadership which existed prior to the policy of indirect rule.³⁶ Crowder's and Ubah's work on indirect rule provided useful information on indirect rule and its implementation especially that it was also carried out among Acephalous or stateless societies, bearing in mind that this study is on the implementation the socio-economic and political impact of the British policy of indirect rule among the Acphalous society of Monze district.

Additionally, Daannaa also contributed to the debate on the British policy of indirect rule. He examined how indirect rule as a system of administration affected the two different societies in Ghana namely; the Chakali and the neighbouring Wala state. Daannaa discovered in his research that the policy of indirect rule was worse off among the Acephalous societies since the indigenous people found it difficult to be loyal to the newly appointed chiefs and the colonial authorities. On the other hand, the implantation of indirect rule among the Wale state was not met with a lot of challenges as it was a matter of using chiefs who were already in existence prior of the coming of the British to that community. He also noted that among the

³⁵ Crowder, *Nigeria: An Introduction*, p.154.

³⁶ C. N. Ubah, "Changing Patterns of Leadership among the Igbo 1900-1960", *Trans African Journal of History*, Vol. 16 (1987), pp.172-74

Chakali state people still continued to recognise their local tribal and spiritual leaders.³⁷ Though it was done in Ghana, Daannaa's study was of benefit to this study in that it provided useful information on how indirect rule was implemented and how it impacted on the stateless or Acephalous society.

The works of Tosh and Tignor also contribute to the discussion on the British policy of indirect rule. Though their research was conducted on the Acephalous societies of Uganda and Kenya, their findings still remained important to this study as they brought out the impact of indirect rule among the Acephalous societies there. Tosh pointed out that the people who were appointed as chiefs among the Lango Acephalous society of Uganda were not viewed as traditional leaders with the interest of the people but as civil servants who were impersonal and impartial. The appointed chiefs were therefore not respected by their people as their authority was considered alien to them³⁸

Similar to Tosh's argument Tignor also explains that the appointed chiefs among the Acephalous Kikuyu society caused a decisive break from the pre-colonial political systems. The appointed chiefs were regarded as little respected middlemen between the alien colonial government and the local authorities. Chiefs helped with the introduction and collection of tax which was not traditional among the Kikuyu and they also became recruiters of labour. The British gave wide political influence to men of no status in society. He further argued that chiefs among the Kikuyus were given a new responsibility of settling disputes and they became law givers.³⁹ The works of Tosh and Tignor are significant to this study as they also explored the socio-economic and political impact of the British policy of indirect rule among the Acephalous societies in Uganda and Kenya respectively. Tosh's study also referred to the

³⁷ Daannaa, "The Impact of State and Law", p.68.

³⁸ John Tosh, "Colonial Chiefs in a Stateless Society: A Case Study from Northern Uganda", *The Journal of African History*, Vol. 14, No.3 (1973), pp.478-482

³⁹ Robert, L. Tignor, "Colonial Chiefs in Chiefless Societies", *Journal of Modern African Studies*, Vol. 9, No. 3(1971), pp.340-341

Acephalous stateless society of the Tonga of Northern Rhodesia as a good documented example of a stateless society, making his work more relevant to this study.⁴⁰

Additionally, Yahaya contributes to this discourse on the impact of the British policy of indirect rule among the Acephalous societies by stating that the introduction of indirect rule was a radical departure from the Acephalous ways of life to having an alien type of leadership. He argues that among the Acephalous society of southern Zaire authority was based on the clan above which no one exercised it. The appointment of chiefs among the Acephalous society was seen to have undermined any traditional arrangement that might have existed. This was because the new village head, appointed by the British, became an alien colonially inspired sole authority of some sort. Indirect rule came with total disregard and humiliation of their culture, customs and traditional institutions.⁴¹ Yahaya's work is important to this study as it provides insights into the political and socio-economic impact of the British policy of indirect rule among the Acephalous society of Southern (Belgium) Congo.

Andrew Roberts's work is also relevant to this study. He analyses the origin of most tribes of Zambia and their chieftaincies. He argued that chieftainships were the most important political institutions in different tribes of Zambia. Most tribes in Zambia were said to have originated from Zaire now the Democratic Republic of Congo. There seemed to be a general agreement that most chieftainships in Zambia traced their origin from the Luba and Lunda kingdoms of Zaire. Tribes such as the Lozi, Lunda and Luvale are believed to have originated from the Lunda kingdom in Zaire while tribes such as the Bemba, Bisa and Chewa are believed to have originated from the Luba kingdom also in Zaire. In fact, the resemblance in

⁴⁰ Tosh, "Colonial Chiefs in a Stateless Society: A Case Study from Northern Uganda", pp.478-482

⁴¹ Yahaya Aliyu, "Colonialism in the Stateless Societies of Africa: A Historical Overview of Administrative Policies and Enduring Consequences in Southern Zaria Districts, Nigeria," *African Social Science Review*: Vol. 8: No. 1 (2016).p.59

certain aspects between Zambian chiefs and those of the Luba-Lunda support the argument that these tribes might have originated from there. On the other hand chieftainship of any kind seems to have been uncommon among the Tonga speaking people of Zambia until in the nineteenth century.⁴²

Roberts also discusses the duties of a chief among the tribes that had them. Chiefs assisted by their senior subjects maintained order in their chiefdoms, they administered the poison ordeal for discovering witches and above all they were the custodians of the tradition and customs of their people. Chiefs received tribute of different kinds which was as a sign of loyalty of the people. Roberts's work is relevant to this study as it provided insights into the origin of chieftaincies in Zambia and brought out what was expected of a chief. His work also provided significant information which brought to light the absence of centralised authority among the Tonga speaking people.

Elizabeth Colson is one of the principal scholars on the history of the Tonga people. Notable among some of her works which are relevant to this study include the following, the *Plateau Tonga of Northern Rhodesia*, *The Social Organisation of the Gweembe Tonga*, *The History of Napeyo* and the *Rain Shrines of the Plateau Tonga of Northern Rhodesia*. In most of her research on the Tonga she gave a detailed analysis of the life of the pre-colonial Tonga, paying attention to their social, economic, political and religious way of life. The Tonga people were Acephalous in nature and among them the *Simalendes*, *Sikatongo* and *Ulanyinka* were the ones who had assumed authority although their communities were not politically organised.⁴³ Colson also notes that political authority if it ever existed among the Tonga was in an embryonic form and never extended over any large group. The Tonga did not have courts or chiefs to enforce decisions, however, the enforcement of claims rested on

⁴² Andrew Roberts, *A History of Zambia* (London: Heinemann, 1975), p.80-83

⁴³ Colson, "The Plateau Tonga", pp. 95-100 .

the solidarity of small matrilineal kinsmen. She however argued that the introduction of the British policy of indirect rule led to the creation of a new political system altogether. The former religious leaders and Ulanyikas were recognised as chiefs among the Tonga. Native Courts were also introduced and chiefs were given the responsibility of settling disputes in these courts.⁴⁴

Colson's work on the rain shrines of the plateau is also significant to this study. She argues that rain shrines among the Tonga were very important because they encouraged unity and cooperation among them. The British administration during indirect rule is said to have paid little attention to the rain shrines and demanded that those appointed as chiefs desist from the rain making rituals.⁴⁵ For instance, the recognition of Chief Chona resulted in him losing his divination powers. Chona was asked to give up on his services as a diviner because the appointing authorities who were the British opposed it. Furthermore, Colson's work on the history of Nampeyo is important to this study. She highlighted the controversies that emerged during the recognition of Chief Chona by the British during indirect rule. She noted that the people in Chief Chona's area claimed that Mwanza was not their chief and that they did not know him not until the British arrived.⁴⁶

Colson's works on the Tonga is important to this study as they provide a solid background on the way of life of the Tonga prior to indirect rule. Her works also gives some insights into the political and socio-economic impact of the British policy of indirect rule. Although Colson's work is rich on the Tonga she seemed to have written on so many different themes and therefore she did not give detailed attention to the British policy of indirect rule since most of the times the aspect of indirect fell under other themes of her discussions, she did not

⁴⁴ Elizabeth Colson, *The History of the Plateau Tonga of Northern Rhodesia* (Manchester: Manchester University Press, 1962) pp,207-222

⁴⁵ Elizabeth Colson, "Rain-Shrines of the Plateau Tonga of Northern Rhodesia", *Journal of African Institute*, Vol.18, No.4 (Oct., 1948), p. 282.

⁴⁶ Elizabeth Colson, *The History of Napeyo* ,(Lusaka: Kenneth Kaunda Foundation, 1991),pp.46-48

pay much attention to it. Therefore, since such a gap from one of the prolific authors on the Tonga exists, this study focused on the implementation, socio-economic and political impact of the British policy of indirect rule among the Acephalous society of Monze district from 1890 to 1964.

Other literature also points out, the introduction and implementation of indirect rule in Northern Rhodesia. For example, Hall discussed the introduction and implementation of the British policy of indirect rule in Northern Rhodesia. He argued that the implementation of the British policy of indirect rule was done through the enactment of the Native Authority Ordinance (NAO) of 1929. The NAO and the Native Courts Ordinance (NCO) came into force on the 1st of April 1930. Hall also analysed the difficulties that were experienced during the implementation of the policy of indirect rule. Some of the difficulties that he discussed include the weak tribal organisations, development on the Copperbelt and the conflicting views of Africans concerning the Native Authorities.⁴⁷

Similarly Gann also contributed to the discussion on the implementation of indirect rule. In his work he first presented Northern Rhodesia under direct rule of the British South African Company and then described the introduction of the indirect rule policy through the passing of the 1929 NAO.⁴⁸ The introduction of Native courts and the Native treasuries were also discussed. He further showed the different ways in which indirect rule was implemented and then illustrated the political tensions which came as a result of British recognition of people as chiefs and paramount chiefs.⁴⁹ Although both scholars, Hall and Gann, did not particularly write on the subject of indirect rule among the Tonga of Monze district their works are

⁴⁷ Hall, *Zambia*, p. 104-5

⁴⁸ Lewis H. Gann, *The History of Northern Rhodesia: From Early Days to 1953*, (London: Chatto and Windus, 1964), p.285.

⁴⁹ Gann, *The History of Northern Rhodesia*, p. 287.

important to this study as they brought out the implementation of the British policy of indirect rule and in some cases they also referred to its political impact.

Henry Mebeelo's work is also relevant to this study as he, just like Hall and Gann, discusses the implementation of the British policy of indirect rule. Mebeelo states that the implementation of the British policy of indirect rule among the Bemba was not difficult because of the hierarchy of authority that already existed among them. He also notes that the only problem among the Bemba came in when some chiefs who exercised extensive powers prior to indirect rule did not readily allow their sub-chiefs to exercise the authority which the new ordinances gave them. The controversies that surrounded the appointment of paramount chiefs was also discussed, for example he presented the appointment of chief *Kopa* of the Bisa as the paramount Native Authority among the Bisa chiefs. This was strongly objected to by Matipa and other chiefs.⁵⁰ Mebeelo's work is significant to this study in that it gave a different view of how indirect rule was implemented among the centralised societies consequently leading to the appreciation of the fact that indirect rule was implemented according to the type of political system that existed prior to its introduction.

In his contribution to the discussion on indirect rule, Samuel Chipungu challenged the views held by most scholars of the 1960s that Native Authority employees in British colonies were only used to serve colonial governments with little regard for the indigenous people. He argues that the view held by most scholars of the 1960s about African chiefs always imposing their views in an authoritative manner among people than was the case prior to indirect rule. He further disputed the view that the appointed African chiefs always forced their subjects to pay tax and offer labour for agricultural production. Therefore, he observed that the early arguments seemed to suggest that Native Authorities were merely instruments of the colonial state that always had to implement the state requirements at any costs. He further stated that

⁵⁰ Mebeelo, *Reaction to Colonialism: A Prelude to the Politics of Independence* ", p.202-4

views which depicted African chiefs as always wanting to carry out the duties of the colonial government without question projected the personnel of the Native Authorities as forging a monolithic unit in implementing the state agenda.⁵¹

Moving away from the views of the 1960s scholars concerning Native Authorities during the policy of indirect rule, Chipungu argued that Native Authorities whose omnipotent presence was felt on a daily basis by the rural populace attempted to balance their official duties as representatives of the people and of the British colonial government. He further argued that at a practical level it was possible for Native Authorities to have their own ideologies and perceptions about the colonial state which might have influenced their attitudes towards their subjects contrary to the interests of the state. He also mentioned that African chiefs had the capacity to engage in various struggles so as to gain relative autonomy from the colonial state. In cementing his argument Chipungu used an example from rural Zambia of how chiefs tried to avoid the collection of taxes which they thought were resented by their subjects. Thus, Native Authorities were sometimes projected as having sought to strike a balance between carrying out their duties as government employees and protecting the interests of their people.⁵²

Chipungu also analysed the rise of Native Authorities. The British policy of indirect rule came into existence in colonial Zambia following the enactment of the NAO of 1929. The role of the Native Authorities in revenue collection and maintaining of law and order was also analysed. Chipungu's work concentrated on the experiences of African leadership under indirect rule in colonial Zambia. His work highlighted on some aspects of the

⁵¹ Samuel N. Chipungu, "African Leadership Under Indirect Rule in Colonial Zambia", in Samuel N. Chipungu (ed) *Gurdians in their Time: Experiences of Zambians Under Colonial Rule 1890-1964* (London: Macmillan, 1992), pp. 50-51

⁵²Samuel N. Chipungu, "African Leaders Under Indirect Rule ", pp. 50-51

implementation, political and the socio-economic impact of indirect rule in colonial Zambia as a whole without focusing on a particular society as done in this study.

Saaha's research is important to this study as he gives a background to the social and religious way of life of the Tonga people. His area of focus was the history of Tonga chiefs in Monze district and how they became recognised among the local people. He argued that people who were recognised as chiefs among the Tonga were prior to colonial rule not politically recognised and that these were sometimes powerful herbalists, rain makers and skilled people in dispute settlements.⁵³ He cited examples of Chief Monze the rain maker, Chief Hamusonde who seemed to have had the skill to organise a fight and Chief Mwanza who was a herbalist. Just as Colson had earlier stated, Saaha also explained how the chiefs among the Tonga were elevated to be politically respected and recognised during the policy of indirect rule.⁵⁴ His work provided information on the type of leadership that existed among the Tonga both prior to indirect rule and during indirect rule. It also provided information on how the idea of politically respected chieftaincies came about among the Tonga of Monze district. Though Saaha's work also partly discussed the implementation of the British policy of indirect rule, it did not examine the socio-economic and political impact of the policy of indirect rule among the Tonga.

Furthermore, scholars such as Vickery and Momba have researched on the impact of the British colonial rule among the Tonga speaking people. Vickery examined the impact of imperialism on the economy of the Tonga society.⁵⁵ Momba's work presented a detailed background of the pre-colonial economies of the Tonga people. He analysed the introduction

⁵³ Saaha, *The History of Tonga Chiefs*, p. 38.

⁵⁴ Saaha, *The History of Tonga Chiefs*, p.39.

⁵⁵ Vickery, *Black and White*, p.16.

of colonialism and its impact on the two districts, Mazabuka and Monze.⁵⁶ These scholars seemed to have concentrated much on the impact of the colonial rule on the Tonga pre-colonial economy, thus this study focuses on the implementation, socio-economic and political impact of the policy of indirect rule. Although both scholars concentrated on the Tonga economy during the colonial rule, their works provided insights on some of the socio-economic impact of the British policy of indirect rule which was the system of administration in colonial rule.

Dixon Fyle examined the politics and agrarian change among the plateau Tonga of Northern Rhodesia in the period 1924- to 1963. Among other themes in his study was a background on the plateau Tonga and the identification of the various local chiefs who did not have political power. He, like other scholars, studied the policy of direct and indirect rule and other laws which were passed. He also examined the controversies that surrounded the appointments of Native chiefs.⁵⁷ Dixon-Fyle's main focus was agrarian and political change among the plateau Tonga which included Monze district. Dixon Fyle's work thus provided relevant information to this study especially on the implementation and political impact of indirect rule among the Tonga people.

Datta's work is also important to this study. She gave a background on what was obtaining on the ground leading to the introduction of the British policy of indirect rule. She argued that the British colonial officials were of the view that the system of administration practiced in Northern Rhodesia prior to indirect rule was harmful to the indigenous people because it seemed not to care about the culture and traditions of the natives.⁵⁸ She also examined the frequent divergent views of colonial officials over the implementation of the British policy of

⁵⁶ Jotham, C.Momba, "The State Peasant Differentiation and Rural Class Formation in Zambia: A Case of Mazambuka and Monze District", PhD Thesis, University of Toronto, 1982, p.27.

⁵⁷ McSamuel R. Dixon-Fyle, " Politics and Agrarian Change Among the Plateau Tonga of Northern Rhodesia 1924-63" M.A Dissertation, University of London, 1976", p.76.

⁵⁸ Datta, "The Policy of Indirect Rule ", p.12

indirect rule. She analysed how these views as well as the other local pressing factors affected the evolution of the policy of indirect rule from 1924 to 1953. She further examined the implementation of indirect rule, and how it worked in Northern Rhodesia. She examined indirect rule from a wider perspective but highlighted on how it was implemented in different parts of Northern Rhodesia.

Datta notes that among the Acephalous Tonga society the British recognised the former *Ulanyikas* (Owners of the land) as chiefs whose authority remained questionable among the Tonga. The recognised chiefs were also given judicial responsibility which was sometimes resented by the Tonga people.⁵⁹ Although she analysed the British policy of indirect rule in Northern Rhodesia, her research was on a wider perspective though she brought out examples of the experiences of indirect among different societies including the Acephalous Tonga society. Datta's work covered the period from 1924 to 1953 whereas this study covered the period from 1890 to 1964. Moreover, this study's focused on the implementation, socio-economic and political impact of the British policy of indirect rule among the Acephalous society of Monze district. Datta's work provided insights on the implementation and the socio-economic impact of indirect rule among the Acephalous society of Monze district.

Maud Muntemba's work is also relevant to this study. She examined the political systems of pre-colonial and colonial times of the Lenje, Illa and the Tonga groups of people. Just like Datta, Muntemba also discussed the implementation of the British policy of indirect rule and how it changed the pre-colonial political systems of the Lenje, Illa and the Tonga society. She argued that the colonial office adopted the policy of indirect rule which saw indigenous political systems become the basis of African administration. Indigenous leaders were given

⁵⁹ Datta, " The Policy of Indirect rule ", p. 123.

legislative, decision making, judicial, administrative and executive powers.⁶⁰ Following the NAO of 1929, chiefs were appointed among the Tonga.

Muntemba's work is useful to this study since she touched on some of the relevant issues on indirect rule in the three groups of people one of them being the one this study has examined.⁶¹ Muntemba looked at the evolution of political systems among the Lenje, Ila and Tonga and also examined the pre-colonial Tonga political system. She noted that the Tonga did not have political chiefs but instead they had people among them whom they considered as their leaders. The wealthy people, religious leaders and the *Ulanyikas* were some of the leaders that existed among the Tonga.⁶² The Tonga people were operating under a non-centralised political system and there was no proper coordination among the various chiefs. She also argued that among the Tonga chiefs did not command much respect and that people opted to respect their old type of leadership of the *Sikatongos* and *Ulanyikas*.⁶³ Mutemba focused on the evolution of the political systems among the Ila, Leje and Tonga while this study's focus was on the implementation, political and socio-economic impact of the British policy of indirect rule among the Acephalous Tonga of Monze district. Mutemba's work is important to this study as it provided insights on the implementation and the political impact of the British policy of indirect rule among the Acephalous society.

Although Moono Mizinga did not discuss the British policy of indirect rule on its own, he makes reference to it. Therefore, his work is important to the study as it clearly points out the social changes in the inheritance role which occurred among the Tonga with the introduction of the criminal law and wills during the colonial rule. The wealth accumulation which came with the advent of capitalism among the Tonga made some people disregard their customary

⁶⁰ Muntemba, "The Evolution of Political Systems", p. 127

⁶¹ Muntemba, "The Evolution of Political Systems", p. 21.

⁶² Muntemba, "The Evolution of Political Systems", p. 52.

⁶³ Muntemba, "The Evolution of Political System", p. 196.

law of inheritance and embrace the new law of Will writing. The appointed chiefs during indirect rule faced difficulties in implementing this law because they themselves did not understand it. Native Courts experienced difficulties in settling disputes of inheritance and the aspect of resolving disputes between people and courts. Moreover, issues of Will writing were new to the people with the courts and the issues of will writing were new to the people owing to their acephalous nature prior to colonial rule.⁶⁴

All in all, it can be stated that most of the literature reviewed on the Tonga addressed the aspect of the Tonga way of life both in the pre-colonial and colonial period. Most of the studies though addressing the economic, social, political and religious way of life of the Tonga also highlighted on some aspects of the British policy of indirect rule. Studies done on the policy of the British Indirect rule as earlier alluded to either concentrated on the whole of Northern Rhodesia where examples of different societies including that of the Tonga were given. However, there seems to be a gap on the implementation, socio-economic and political impact of the British policy of indirect rule among the Acephalous Tonga society of Monze district. Therefore, this study is hoped to fill this gap.

Research Methodology

This study was conducted using the qualitative approach and data was collected from both primary and secondary sources. The data was drawn from the University of Zambia main Library where dissertations, theses, books and journal articles were consulted. The second part of the research was conducted at the National Archives of Zambia (NAZ) where primary sources in the form of government documents such as District Commissioners Note Books, District Commissioners and District Messengers tour reports and Provincial Annual reports were consulted. Government colonial reports were also analysed.

⁶⁴ Moono, F.Mizinga, "Inheritance and Social Change among the Tonga of Southern Province of Zambia, 1900-1989", Masters Dissertation, University of Zambia, 1990, pp.66-70

At the Faith and Encounter Centre (FENZA) library secondary sources such as books were consulted. Most of the books consulted were written by Elizabeth Colson one of the prominent scholars on the Tonga speaking people. The information obtained was useful for the study more especially that Colson lived among the Tonga. Thus, she gave a detailed understanding of the way of life of the Tonga. Sources such as journal articles were also consulted from the library at the Institute of Economic and Social Research (INESOR) Furthermore, primary data was collected from the Livingstone Museum Archival documents on the Tonga speaking people.

Additionally, a field study was conducted in Monze district. In the field, oral interviews were conducted in the chiefdoms that existed in Monze district. Chiefs and some elderly people were individually interviewed. The idea of having separate interviews was meant to make the respondents free to express themselves. While using oral sources the researcher was mindful of the drawbacks of relying on too much on this type of data. This is because some were sceptical as they thought that maybe the researcher had a political agenda. However, data was collected on the life of the Tonga before the coming of the Europeans and also on the impact of indirect rule among the Tonga people.

Thus, the research was based on archival documentary and oral sources and largely employed qualitative analysis of the data collected. Both archival and oral data were analysed in comparison to each other. Specific themes were identified were data was analysed and presented.

Organisation of the Study

This study consists of five chapters. Chapter one is the introduction and historical background. Chapter two examined how the implementation of the British policy of indirect rule was done among the Acephalous society of Monze district. Chapter three assessed the

socio-economic impact of the British policy of indirect rule among the Acephalous society of Monze district. Chapter four analysed the political impact of the British policy of indirect rule among the Acephalous society of Monze district and the fifth chapter is a conclusion of the whole study.

CHAPTER TWO

THE IMPLEMENTATION OF INDIRECT RULE AMONG THE ACEPHALOUS SOCIETY OF MONZE DISTRICT

Introduction

In 1924 the British colonial government in Northern Rhodesia took over “direct rule” of the territory from the British South Africa Company (BSAC), to run the affairs of the natives according to the 1916 proclamation.¹ The British colonial government condemned the policy of direct rule in Northern Rhodesia stating that it had destroyed the indigenous institution of the area and deprived the community of its chance to be ruled by the native leaders.² Thus in 1929, the colonial government introduced the policy of indirect rule where the natives could be ruled through their own traditional leaders. The implementation of the British policy of indirect rule among the acephalous society of Monze district was not an easy task. This was because the policy required the presence of chiefs like in a centralised society where it could just be fitted in the already existing political framework. Having had no such a framework among the Tonga of Monze district, the British colonial administrators tried to establish this framework in order to make the policy work.

This chapter examined how the policy of the British indirect rule was implemented among the acephalous society of Monze district. The chapter is sub divided into five sections. The first section explains the meaning of the British policy of indirect rule and also describes the features of this policy. The second section describes the two types of societies which existed in African societies prior to colonial rule as this is vital to the understanding of the implementation of indirect rule. The third section briefly highlights the application of indirect

¹ Maud, Muntemba, “The Evolution of Political System in South Central Zambia 1894-1953”, M.A Dissertation, University of Zambia, Lusaka, 1973, p. 128.

² Livingstone Museum Achieves Museum (Thereafter LM A) TH2/17/19 Box 3, Tonga and Makonde, G.M Muyangana, “The people of Chikuni: Indirect Rule”, 1960, p.11.

rule in some African countries prior to the introduction of indirect rule in Northern Rhodesia. The fourth section briefly describes the implementation of indirect rule in Northern Rhodesia. The last section examines the implementation of indirect rule in Monze district in the light of the creation of Native Authorities, Native Courts and the Native Treasuries.

The British Policy of Indirect Rule and its Features

Indirect rule was a system of British administration which was popularised in Africa by Lord Frederick Lugard. Lugard in his famous book, *The Dual Mandate*, advocated for indirect rule in which he defined it as the control of Africans through their existing traditional political systems.³ Lugard also noted that in administration every person was important and that their views were cardinal to the policy of indirect rule thus the emphasis on ruling through the local people.⁴ Daannaa also defined indirect rule as a British system of administration where the native people were ruled not directly by Europeans but indirectly through their own native rulers who were invariably chiefs.⁵ The Africans' institutions of leadership which were to be used during indirect rule were not to act on their own but were to be answerable to the British administrators.

Indirect rule was founded on the belief that every system of government, it was to be permanent and progressive, needed to have its roots in the framework of indigenous societies.⁶ Additionally, native administration or the rule through the indigenous political systems of authority gave the chiefs a chance to manage their own affairs within their areas and it was also hoped that it would preserve and maintain what was good in the native custom

³ F. D Lugard, *The Dual Mandate in British Tropical Africa* (London: William Blackwood and Sons Ltd, 1929), p.193.

⁴ Lugard, *The Dual Mandate*, p. 193.

⁵ Henry S. Daannaa, "The Impact of state and Law on Custom and Leadership in a Post-Colonial State: A Legal Historical Case Study of Centralised Wala and Acephalous Chakali in Northern Ghana", University of London, PhD Thesis, 1922, p.63.

⁶ T. Walter Wallbank, "Principles and organisation of British Native Rule in Tropical Africa", *Pacific Historical review*, Vol.3, No. 2 (1934) ,P. 145.

and organisation and do away with what the British termed as bad practices.⁷ It was also hoped that native administration would enable chiefs to take interest in their affairs and natives would also be contented if they were ruled through their own indigenous institutions.⁸ Despite attempts to portray the use of indigenous institutions as the means to involve Africans in the running of the affairs of the Natives it was seen as nothing of that sort, because the ultimate authority remained with the British officials. Besides there were other reasons why there was need to rule Africans through their existing local structures. As many territories were being brought under the British control in Ghana, Nigeria and other territories, the British were faced with the cost and logistical issues associated with the administration. Unable and unwilling to shoulder the cost that came with the administration of their newly acquired colonies the British resorted to the familiar policy of indirect rule.⁹ Cultural differences between the British and Africans and the shortage of British personnel also were the reasons why they adopted the policy of indirect rule.¹⁰

The British policy of indirect rule had some features which were to be present wherever this system of rule was to be implemented. One of the features of indirect rule was the creation of Native Authorities which would comprise the chief, headmen, *kapasus* and *indunas*. Native Authorities required that there were to be chiefs who would then be duly recognised by the British colonial administrators and empowered with stipulated powers.¹¹ The chiefs were the most important component of indirect rule and every colonial power seemed to depend on them. A chief was supposed to maintain law and order and ensure that the natives obeyed government orders.¹² Another feature was the creation of Native Courts. These courts were to

⁷ Northern Rhodesia. Legislative Council Debates, 18th March 1929, p.233-256

⁸Lugard, *The Dual Mandate*, p. 141.

⁹ Joseph K. Adjaye and Buba Misawa, “ Chieftaincy at the Confluence of Tradition and Modernity: Transforming African Rulership in Ghana and Nigeria”, *International Third World Studies Journal and Review*, Volume XVII, 2006, p. 2.

¹⁰ A.Adu, Boahen, *General History of Africa Vol. II : Africa Under Colonial Domination 1880 to 1935, Abridged Edition* (Lusaka: University of Zambia Press, 1997), p.143.

¹¹ Wallbank, “ Principles and organisation of British Native Rule in Tropical Africa”, p. 147

¹² Boahen, *General History of Africa*, p.146.

be headed by the chief and the elders who would also be part of the court sessions. Native Courts were to become an integral part of the machinery of Government and were to provide for the natives tribunals which fully understood their customs, mode of thought and their confidence.¹³ Native Treasuries were also another feature of indirect rule.¹⁴ Native treasuries were seen to be of much importance in the functioning of Native Authorities. The dual mandate also hoped that the local people could generate their own resources and use them in the operations of the Native Authorities.¹⁵ In order to understand how the above features of the policy of indirect rule were implemented, it is of great importance to briefly highlight the type of governments that existed in African societies prior to the colonial era.

Centralised and Decentralised (Acephalous) Societies

Fortes Meyer and Evans- Prichard in their edited book titled *African Political systems* give an insight into the different types of African societies. The political systems they described fell into two main categories, the first category was the centralised society and the other one was the decentralised or acephalous societies. Centralised societies were described as those that had a centralised authority, administrative machinery and judicial institutions. Examples of some of the centralised societies comprised of the Zulu, Ngwato and the Bemba.¹⁶ The position of the chief where it existed in centralized states was guided and based on specific institutionalized traditions with respect to accession to office and performance of functions. The office often resided in specific lineages that were genealogically linked to the founding ancestors.¹⁷

¹³ Lugard, *The Dual Mandate* , p. 548.

¹⁴ Wallbank “ Principles and organisation of British Native Rule in Tropical Africa”, p.148

¹⁵ LMA ,TH2/17/19 Box 3, G.M Muyangana, “The people of Chikuni: Indirect Rule”, 1960, p.18.

¹⁶ Fortes Meyer and Edward E. Pritchard (eds.), *African Political Systems*, (London: Oxford University Press, 1940), p.5.

¹⁷ . Adjaye ,and Misawa, “ Chieftaincy at the Confluence of Tradition ”, p.2.

Furthermore, the chiefs or rulers acted as the source of centralised authority. They had authority in every area of their community life, and were usually assisted by a well-established council of elders, called the inner council. This ‘council of elders’ were the advisors to the chiefs and worked in tandem with the chiefs in governing the societies. A chief could not and was not customarily allowed to take unilateral decisions, but needed to consult and seek his advisers’ opinions first before taking any action related to the administration of the village.¹⁸

The other groups of societies described by Fortes and Evans- Pritchard were the decentralised or Acephalous societies. These societies were those that lacked centralised authority, administrative machinery and constituted judicial institutions. The people in these societies were often homogeneous, and their political awareness was often much more limited to the requirements and social attitude of a closely-knit group. The tie of kinship was stronger and more pervasive in these societies than in the chiefly one.¹⁹ Among the stateless or Acephalous societies, the people who were leaders were mostly religious or people with good personal qualities. In very few cases did the authority of such leaders extend over a large area, and thus their authority was limited.²⁰ These leaders were far from the type of an African chief that the Europeans were looking for when trying to rule Africans through their indigenous institutions. Examples of decentralised societies included the Longoli, Tallensi, Nuer, Tonga, Ibos and the Masai.²¹

Indirect rule in African countries

The system of indirect rule was implemented and practised wherever possible in Britain's colonies in West Africa and in most of her other African territories. For instance, the policy

¹⁸ M .Fortes, and E.E., Evans Prichard, *African Political Systems*, p.5

¹⁹ M .Fortes, and E.E., Evans Prichard, *African Political Systems*, p.5

²⁰John Tosh, “Colonial Chiefs in a Stateless Society: A Case Study from Northern Uganda”, *The Journal of African History*, Vol.14, No.3 (1973), p. 476.

²¹ M. Fortes, and E.E., Evans Prichard, *African Political Systems*, p.5

was implemented in Nigeria, Cameroon, Uganda, Sudan, Kenya, Malawi, Tanganyika, Northern Rhodesia and South Africa. The implementation of indirect rule was easily done in centralised societies because of the presence of well organised traditional government structures. On the other hand the policy of indirect rule was seen to be misplaced if not impossible among the tribes which lacked recognised chiefs capable of exercising this rule.²² This however can be noted in what Crowder stated that the system of indirect rule developed by Lugard when applied in northern Nigeria worked well due to the strong and respected central authority which already existed.²³ However, the British had a challenge in trying to find the European stereotype of an African chief in stateless societies, who could be recognised as chief. After having tried the policy of indirect rule in various African countries the British colonial government also decided to introduce it in Northern Rhodesia.

Indirect rule in Northern Rhodesia

In Northern Rhodesia, some British officers, urged by the failure of “direct rule” under the BSAC rule, advocated for the principle of working through the chiefs and headmen. It was thus envisaged that the natives were to be administered through their local chiefs so that the chiefs were no longer undermined and not only used as mere instruments of the administration.²⁴ In 1927 a conference of administrative officers recommended the introduction of a system of indirect rule, with the important limitation that no financial responsibility was to be given in the initial stages.²⁵ The policy of indirect rule was thus accepted as the best system by which to administer Northern Rhodesia. To realise this, the Native Authority Ordinance (NAO) was passed in 1929 and became operative in the early

²² Lugard, *The Dual Mandate*, p.214

²³ Michael Crowder, *Nigeria: An Introduction to its History*, (Guda Abudulahi: Longman Group, 1979), p.155

²⁴ Henry S Meebelo, *Reaction to Colonialism: A Prelude to the Politics of independence in Northern Zambia 1893-1939* (Manchester: Manchester University Press, 1971), p. 189.

²⁵ Alan Pim, “Anthropological Problems of Indirect Rule in Northern Rhodesia” *Royal Anthropological Institute of Great Britain and Ireland*, Vol.38 (November, 1938), pp.180-185.

1930s.²⁶ The NAO gave authority to the governor to appoint chiefs and was obliged to notify such appointments in the gazette; in addition he was also empowered to create superior and subordinate Native Authorities.²⁷ By the 1930s the state recognised hundreds of chiefs as leaders of the Native Authorities and it also designated paramount chiefs and subordinate chiefs to each ethnic group. For instance chief Milambo became the senior chief among the Ushi in Luapula province, The Kambombo chieftaincy in eastern province became senior in Lundazi district and Nkomesha became senior chief of the Soli in Lusaka district.²⁸

The establishment of Native Authorities in a hierarchical structure like that of the Lunda, Lozi, Bemba and Chewa met with very few problems of adjustment. This was because the system of indirect rule just rested on an already existing centralised political structure. For instance, Meebelo argued that Superior Native Authorities and Subordinate Native Authorities upon which the new system was to rest was already an important feature of the Bemba political system.²⁹ Similarly the well organised system of government that existed in Barotseland made the British colonialist conclude that there would be fewer problems to be faced during the implementation of indirect rule.³⁰ Additionally, the Lozi political structure was considered as a living embodiment of the ideals of indirect rule.³¹

The lack of a centralised type of leadership among the Tonga was not considered at first by the British in Northern Rhodesia as they were advocating for the policy of indirect rule. Datta, rightly observes that the Northern Rhodesia colonial government had taken it for

²⁶NAZ SCE2/1254 Native Authorities: Application of Native Authorities Ordinance 1929-1934, Native Authority Ordinance 1929.

²⁷ Muntamba, "The Political Systems", p. 129. See also L.H Gann, *A History of Northern Rhodesia: Early Days to 1953* (London: Chatto and Windus, 1964), 228.

²⁸ Samuel, N. Chipungu, "African Leadership Under Indirect Rule in Colonial Zambia" in Samuel N. Chipungu (ed.), *Guardians in Their Time: Experiences of Zambia Under Colonial Rule 1890-1964*, (London: Macmillan Press Ltd, 1992), p.52.

²⁹ Meebelo, *Reaction to Colonialism: A Prelude to the Politics of independence*, p. 202

³⁰ A.W. Pim and S. Milligan, *Report of the Commission Appointed to Enquire into the Financial and Economic position of Northern Rhodesia* (London: HMSO, 1938), p. 179.

³¹ Gann, *A History of Northern Rhodesia from early days*, p.294

granted that the indigenous people were well organised under hierarchies of chiefs with military institutions at their disposal. She further added that it had become the duty of the British to find a chief without first finding out whether there was a chief in a given area.³² For the British the chief had been frequently utilised in Northern Nigeria, Cameroon, Tanganyika, Uganda and Kenya. Therefore they saw no reason why Northern Rhodesia should be an exception.³³ When the British realised that some tribes like the Tonga were not centralised they thus resolved that in order to make indirect rule work among the Acephalous societies there was need to recognise chiefs and create the Native Authorities Let us then explore how indirect rule was implemented among the Tonga of Monze district.

Implementation of Indirect rule in Monze District

Just like in other societies of Northern Rhodesia, the policy of British indirect rule was first applied through the promulgation of the 1929 NAO which required the establishment of Native Authorities.³⁴ In the formative stage the Native Authority staff comprised a chief, court clerk, headmen and a number of *ba kapasu* (Native Authority Policemen).³⁵ However, the creation of Native Authorities among the Acephalous societies such as the Tonga of Monze district of Northern Rhodesia was faced with challenges because the authority of a chief like it was among the centralised had been non-existent.³⁶ This was because prior to the coming of the Europeans, the Tonga had no recognised chiefs with a well organised government. One informant in chief Monze's area mentioned that the Tonga people had different authorities such as the religious leaders *Sikatongos* and the *Ulanyikas* (Owner of the land). The informant further stated that it was these types of leaders who were sometimes

³² Kusum Datta, "The Policy of Indirect rule in Northern Rhodesia 1924-1953", PhD Thesis, University of London, 1976., P.62.

³³ Datta, "The Policy of Indirect Rule", p. 62.

³⁴ National Archives of Zambia (here after NAZ), NAZ SEC2/1254, Native Authority Ordinance of 1929. See also Chipungu, "African Leadership under Indirect Rule", p.53.

³⁵ NAZ SEC2/1254 Extract from Famine Relief Report 1931-32.

³⁶ Pim and Milligan, Report of the Commission Appointed to Enquire into the Financial and Economic position of Northern Rhodesia, p. 179.

referred to as *Mwami* among the Tonga which literally translates as “chief”.³⁷ Chief Monze because of his ability to pray for rain was referred to as *Mwami wahula* meaning chief of rain and the *Ulanyikas* were known as *Bami ba Nyika* meaning chiefs of land.³⁸ Similarly Colson also observed the existence of the aspect of various people among the Tonga who had some form of authority though it was limited, examples of such people included the *Sikatongos* and the *Ulanyikas*.³⁹ Additionally, Chief Monze was believed to have been possessed by the spirits and that is why he had the power to make rain and prophesy to people what would happen next.⁴⁰ The power possessed by Monze made him to become a powerful rain maker among the Tonga who later on worshiped him and referred to him as their great chief.

During the policy of direct rule under the BSAC, some people among the Tonga were appointed as chiefs to help them administer their rule and these were mostly used as agents in the collection of tax and conducting census.⁴¹ Richard Hall mentioned that during direct rule the BSAC officials were the ones in charge of the legislative, judicial and administrative powers. Thus it can be noted that even during the company rule the Tonga still were lagging behind in centralised type of government since everything was done by the company colonial administrators.⁴² The Tonga people kept on referring to chiefs appointed during the company rule as “government chiefs” and did not respect them as their chiefs and if they did it was out of fear of the government.⁴³ Consequently, the British authorities had it at the back of their

³⁷ Interview, Edith Mutinta Hamanzuka (85 years) Chief Monze’s Chiefdom, Monday 1st February 2016.

³⁸ Interview, Steven Sikwale Chief Ufwenuka’s Chiefdom, Wednesday 3rd February 2016 See also Dan O’Brien, “Chiefs of Rain. Chiefs of Ruling: A Reinterpretation of Pre-Colonial Tonga (Zambia) Social and Political Structure”, *Africa: Journal of the International African Institute*, Vol. 53, No. 4 (1983), p.36

³⁹ Elizabeth Colson, “The Plateau Tonga of Northern Rhodesia”, in E. Colson and M Gluckman (eds.), *Seven Tribes of British Central Africa*, (Manchester: Oxford University Press, 1962), p.152.

⁴⁰ LMA TH2/17/19 Box 3, Elijah Mundenda “the History of my people: Short History of Batonga,”, 1941,p.2

⁴¹ Muntamba, “The Political Systems”, p.75

⁴² Richard Hall, *Zambia*, (London: Pall Mall Press),pp.104-5

⁴³ Elizabeth Colson, *The Plateau Tonga of Northern Rhodesia*, (Manchester: Manchester University Press, 1962), p.222.

minds that they needed to have indigenous chiefs in place that would be respected by the people since the idea of centralised authority was something new to the Tonga.⁴⁴

Faced with a challenge to implement indirect rule through the creation of Native Authorities the British colonial government used various ways of appointing chiefs who in turn appointed *kapasus* (Native Police Officers) and clerks. Among the methods used to appoint the chiefs included the use of the famous rain maker Chief Monze to guide on who was to be appointed chief. Chief Monze, having earned much respect among the people because of the rain making powers, was therefore, considered to be an influential figure by the British authorities in their implementation of indirect rule. He was asked to help in identifying the right chiefs in the area and thus he toured the area with district officers in order to find the rightful people to be appointed and recognised as chiefs.⁴⁵ However, Chief Monze was sometimes said to be biased as he would go round prior to the tour and inform the people that when asked by the district commissioner who the chief among them was, they were to mention the person Monze desired. For instance, Kazoka Solomon, the grand son to Chief Simuyobe, wrote a letter to the secretary for National affairs complaining that he had been deprived of his chieftainship due to the bias of Chief Monze who went round discouraging people from mentioning his name when asked who their chief was.⁴⁶ Chief Monze is said to have convinced the people in Chief Simuyobe area that Kazoka should not be made their Chief because he was educated and that he would always follow the orders of the government and neglect the needs of his people.⁴⁷

As Chief Monze was going round with the District Commissioner in search of some new Chiefs, he explained to people that things had changed and the people should accept the

⁴⁴ Muntamba, "The Political Systems", p.173

⁴⁵ Muntamba, "The Political Systems", p.173.

⁴⁶ NAZ SEC2/300 Chiefs and headmen recognition of Southern Province, 1937-48, Letter from S. Kazoka, grandson to the late Chief Simuyobe to T.F Bandford secretary for national affairs

⁴⁷ NAZ SEC2/300: Letter from S. Kazoka, grandson to the late Chief Simuyobe to the secretary for national affairs

reality of the arrival of the alien administration.⁴⁸ Upon their selection, the new chiefs were given, by the colonial officers, the official documents in a box and a walking stick. It is for this reason that for a long time these Chiefs were always referred to as “box chiefs” because they were created by the British who gave them boxes containing documents. The District Commissioner told the new chiefs that they were independent of Chief Monze and were urged to rule the indigenous people through the local traditions and the government guidelines. Since the authority and duties given to the appointed chief was something new among the Tonga people, they kept on referring to Chief Monze as their only chief and this was mainly due to his religious powers. For instance those who went to work in Southern Rhodesia and South Africa wrote in their legal documents as having come from Chief Monze area even if that was not where they were coming from.⁴⁹ It can therefore be noted that the use of Chief Monze in the appointing of chiefs compromised the process of choosing chiefs. This was because it seemed that Monze mostly recommended the people that he himself desired and not just somebody who could manage the task. Besides that Chief Monze whom the British colonial officials had entrusted to help them identify people who could be appointed chiefs was not trust worthy. This was because he would tell people not to mention someone who were educated, Chief Monze warned the people that if they let an educated person be chief, they would suffer because that person would always respect the will of the colonial government and not of the people.

Apart from going round with chief Monze, to try and recognise and appoint chiefs, the British officials sometimes passed on the information to the local people that whoever was a ‘chief’ (*Mwami*) or had some form of authority amongst the people was supposed to go and register at the Boma in order for him to be recognised. However, the various individuals who had a

⁴⁸ Santosh, C. Saha, *History of the Tonga chiefs and their people in Monze District of Zambia* (New York; Peter Lang Publishing, Inc., 1994), p. 27.

⁴⁹ Saha, *History of the Tonga Chiefs and there people*,p. 27.

bit of authority among the Tonga such as the *Sikatongos* and *Ulanyika* declined to register at the Boma and gave various excuses because they were suspicious of the colonialists and thus withheld the information.⁵⁰ One informant mentioned that some of the people who refused to register thought that there was a problem and that was why they were asked to register, while others just declined because they were scared of the new administrators.⁵¹ This kind of attitude among the Tonga resulted in the sending of wrong people to the Boma to register as chiefs. Sometimes slaves were the ones who were asked to register as chiefs because they were less valued and people did not care what was to happen to them. Consequently, a slave was said to have been put forward as a chief in chief Hamusonde's area, and after people discovered that a slave was now to be respected they became jealous and only waited for him to die so that the chieftainship could be taken up by somebody else.⁵²

Some missionaries in Monze district were also seen to be influential in the identification of individuals who were to be appointed as chiefs during implementation of indirect rule. Jacob Hamwanga and Hachitabwa from Rusangu mission wrote to the District Commissioner Mazambuka complaining about Ufwenuka's chieftainship. They stated in the letter that Ufwenuka was not their right chief because he was not from that area and that he came from Ndimunene in Demu area in Pemba. They further mentioned that in 1936 Fr. J Moreau S.J. deprived Chisuwo of his chieftaincy and gave it to Ufwenuka Moreau's friend⁵³. Because of this Chief Ufwenuka's appointment is said not to have been announced to the people. It can be stated that missionaries who were tasked with the responsibility of spreading the good news and converting people to Christianity sometimes misled the colonial masters on who

⁵⁰ Muntamba, "The Political Systems", P.114.

⁵¹ Interview, Jacob Mukweemba (75 years) Chief Monze's Chiefdom, Monday 1st February 2016

⁵² Interview, Hachibamba Boyd Mazuba (80years) Chief Mwanza's Chiefdom, Monday 5th February 2016

⁵³ NAZ LOC 4641/SP3/6/2, Native Authority Chief Ufwenuka, Letter from Jacob Hamwanga and Hachitabwa to District Commissioner Mazambuka, dated 26th April 1953

was to be appointed chief. This is because they tended to put forward people they preferred to be recognised as chiefs even when they knew that such people were from another area.

The policy of indirect rule among the Acephalous society of Monze district was also implemented by the recognition of some of the chiefs who had been recognised by the BSAC administrators. However, it was not all the Chiefs recognised by the BSAC who were recognised as Chiefs, because the British colonial government noticed that there were so many chiefs than the new government was prepared to accept. Some of these Chiefs had few followers and were regarded as petty Chiefs.⁵⁴ During the recognition and appointment of chiefs, amalgamations and abolition of minor authorities was seen to be the best solution in reducing jealous and suspicion which prevented the formation of strong tribal organisations among the Acephalous societies.⁵⁵ There were too many petty chiefs in Southern Province that did not even recognise each other's authority.⁵⁶ As a result, the provincial commissioner in Livingstone wrote to the Chief Secretary in Lusaka stating that in the appointment and recognition of Chiefs, those with few followers were not to be recognised⁵⁷. The result of this pronouncement by the Commissioner was that Chiefs like Mwanachingwala, Siamusonde and Choongo were reinstated as chiefs. Chief Siowi's chieftainship was abolished since his followers had all drifted away from him and he had only remained with a small village and according to the British administrators he did not qualify to be a chief.⁵⁸ Chief Katapazi in Kalomo of Southern province had about 100 followers and was left out. Additionally, ex-chief Changa in Gweembe area was put under Chief Mweenda of the Plateau.⁵⁹ It was also

⁵⁴Muntemba, "The Political Systems", p.173.

⁵⁵ NAZ SEC2/398, Native Authorities- Indirect Rule Extension, Letter from the Native Affairs Secretary to the Chief Secretary Livingstone ,dated 7th December 1931

⁵⁶ NAZ SEC2/398: Letter from the Native Affairs Secretary to the Chief Secretary Livingstone , dated 7th December 1931

⁵⁷ NAZ SEC2/300: Letter from the Provincial Commissioner Livingstone to the Chief Secretary Lusaka, dated 26th November, 1936.

⁵⁸ NAZ SEC2/300: Letter from the Provincial Commissioner Livingstone to the Chief Secretary Lusaka, dated 26th November, 1936.

⁵⁹ NAZ SEC 2/1056, Mazambuka tour report, 1940-1947,

stated that there was to be no dissatisfaction among those left out and that they just had to respect the people who were chosen as their leaders.⁶⁰

Even though there was emphasis on the Natives to respect whoever was appointed and recognised as chief, the Provincial Commissioner of Southern Province pointed out that, it was one thing to do away with a Subordinate Native Authority on paper and another in practice because Natives continued to recognise a chief or Subordinate Authority amongst themselves even after the former had been abolished by government.⁶¹ For instance, some villages among the Acephalous people of Monze district claimed that they did not recognise the authority of the chief whom they were placed under. The District Commissioner for Mazabuka wrote to the Provincial Commissioner of Southern Province stating that villages which were placed under chief Mwanza did not recognise his authority but instead recognised Chona as their chief.⁶² He also mentioned that it was resolved that those villages which did not recognise chief Mwanza should be put under chief Chona whom they believed was their chief and that those that recognised chief Mwanza should remain under him. Chief Chona was to be gazetted as a Native Authority and as a Native Court and chief Mwanza was also to be gazetted as a Native Authority and as a Native Court. The Chieftaincy of Mwanza was then to be abolished after his death and his area was to be put under chief Chona.⁶³

Consequently, the desire by the colonial government to want to remain with a limited number of Chiefs resulted in others losing their chieftaincies and where these chieftaincies were re-established they did not go to the rightful owner. The lack of a centralised government structures and a history of chieftainship made it very easy for the government to abolish petty

⁶⁰ NAZ SEC 2/1056, Mazabuka tour report, 1940-1947,

⁶¹ NAZ SEC2/404, Native Authorities General Vol.1., 1940-49, Extract of Minutes from the Provincial Commissioners Conference Held September 1940.

⁶² NAZ LOC 5171/SP 4 /11/ 1, Native Authorities and Courts under new Ordinances 1936, Letter from District Commissioner Mazabuka to Provincial Commissioner Livingstone, dated 21st June 1937.

⁶³ NAZ LOC 5171/SP 4 /11/ 1: Letter from District Commissioner Mazabuka to Provincial Commissioner Livingstone, dated 21st June 1937

chiefs among the Tonga people. This however was not the case with the chieftainships among the Bemba where they had a long history of their chiefs and chiefdoms. In the letter from the Provincial Commissioner of Northern Province to the district commissioner Kasama it was stated that, “though the Shimumbi is a very petty chieftainship I am afraid we can hardly abolish it as it goes back several generations,..., government would find it difficult to act contrary to the paramount’s wishes”.⁶⁴ It can be noted that the colonial government found it very easy to abolish what they regarded as petty chiefs among the Acephalous Tonga society simply because those chieftaincies could not be traced from their history like was the case among Bemba whose chieftaincies dated many years backwards.

The implementation of indirect rule through the creation of Native Authorities also included appointment of Paramount chiefs among the Natives. A Paramount chief was to be someone who was of outstanding importance and was to be nominated as the Superior authority for the ethnic group.⁶⁵ However, the recognition of chiefs was seen to have divergent views as to what classes of chiefs were to be designated as “Paramount Chiefs”. One of the views was that the only chiefs who should bear the title paramount are those who were recognised as paramount over a whole tribe, and not sections of tribes actually domiciled in the territory.⁶⁶ The other view was that the use of the term paramount was found to be artificial and was not understood by the natives in general. It was suggested that the only chiefs who should be designated paramount were Yeta, Chitimukulu and Mupezani, and that if any Provincial

⁶⁴ SEC2/1205, Chiefs misconduct: Chief Shimumbi 1948-9, Letter from G. Howe, Provincial Commissioner Northern Province to the District Commissioner Kasama, dated 15th January 1959.

⁶⁵ NAZ SEC2/1254 Letter from the Department of Native Affairs Livingstone to the Chief Secretary Livingstone, dated 24th December 1929

⁶⁶ NAZ SEC2/299 Chiefs Recognition, Letter from Provincial Commissioner Fort Jameson to Chief Secretary Lusaka, dated 11th February 1937.

Commissioner considers that any other chief should be also designated, he was to give full reasons for his view.⁶⁷

The appointment of a paramount chief among the Acephalous society of Monze district was a far-fetched idea because, to start with, the institution of modern chieftaincy was not something known to them and those who were regarded as chiefs were independent of each other. Chief Monze, having acquired a good status among the Tonga as a rain maker thought that he could be appointed as paramount chief during indirect rule application. Contrary to Monze's claims, the other appointed chiefs in the Plateau Native Authority when asked if Monze was to be appointed Paramount chief refused stating that there was no one above the other chiefs and that they were all equal.⁶⁸ Therefore lack of a history of modern chiefs among the Tonga people could be one of the reasons why the appointment of a paramount chief was difficult. Historical evidence among the Tonga only proves that certain men exercised a limited and evanescent reason of their own personality or through the tradition of a ritual function.⁶⁹ The modern Tonga chief was not developed from their indigenous institution and thus the difficulty in finding a paramount chief among them.⁷⁰ Since it proved difficult to appoint a paramount chief among the Acephalous Tonga society, the British thought of putting in place some form of superior authority among the Tonga of Southern Province. This was done by putting in place a council of chiefs to constitute a Superior

⁶⁷ NAZ SEC2/299, Letter from the Chief Secretary Lusaka E.A.T Dutton (Acting chief secretary) to All Provincial Commissioners, dated 2nd February 1937.

⁶⁸ NAZ LOC 3064 SP1/7/1: Letter from the Provincial Commissioner Southern Province to Chief Monze, dated 30th November 1953.

⁶⁹ NAZ LOC 5085/SP4/2/27 Lord Hailey Information Reports, Kalomo: Southern Province, October 1947

⁷⁰ NAZ LOC 5085/SP4/2/27 Reports for Kalomo, Southern Province, October 1947.

Authority.⁷¹ Chiefs such as Monze, Singani and Mapanza and a council of chiefs from around constituted the Superior Native Authority.⁷²

The policy of indirect rule was also implemented by training the appointed chiefs in administrative courses. During the appointment and recognition of chiefs, the British colonial government realised that the chiefs were unprepared for their new duties under indirect rule. The point of unpreparedness was raised in the initial stages of indirect rule by Gore-Brown a member of the Northern Electoral Area during the debate for the amendment of the NAO of 1929. He mentioned the importance of educating the chiefs if they were to understand their new roles under indirect rule.⁷³ Even though the need to educate chiefs was noticed in the early stages of the implementation of indirect rule there were no concrete efforts made in this direction till 1951. In 1939, the department of African education began to organise courses for chiefs at the Jeans training school in Chalimbana. The courses were found to be irregular till 1943 when they began catering for twelve chiefs at a time.⁷⁴ The chiefs often complained that the courses that were being offered were not on administration. Though the initial stages in the establishment of the Jeans school had drawbacks after 1951, chiefs were benefiting from the changed courses that were of benefit to them. Chiefs, Councillors and Court Clerks were all eligible for the courses. The lectures included different aspects of the work of Native Authorities, Treasuries and Native Courts.⁷⁵

Other than the emphasis on training of the chiefs in Administration courses at Chalimbana, the British authorities also considered having an educated chief as somebody who had passed through formal education. It was discovered that most chiefs did not know what was expected

⁷¹ NAZ SEC2/1254: Letter from the Department of Native Affairs Livingstone to the Chief Secretary Livingstone dated 24th December 1929

⁷²NAZ LOC 5171/SP4/11/1: Letter from Provincial Commissioner Livingstone to the Chief Secretary Lusaka, dated 26th December 1936. See also Muntamba, "The Political Systems", p.174

⁷³Legislative Council Debates, 5th May 1936, p.72

⁷⁴ Datta, " The Policy of Indirect rule ", p.281

⁷⁵ Datta, " The Policy of Indirect rule ", p.282.

of them from the Europeans and also that those young ones who were at least educated did not understand the custom.⁷⁶ Chipungu stated that from the 1940s, an educated chief was considered by the colonial state as an asset in the running of Native Authorities, which increasingly began to initiate development projects and also improvement in the maintenance of law and order.⁷⁷ Despite the fact that the desired educated young men did not know the custom of the Tonga people, the British authorities went ahead and made some of them chiefs. It was discovered that by the 1950s, the policy of finding chiefs with formal education was mostly attainable in Southern province where a number of men were installed. Examples of the people who were installed included Katowa an ex teacher who became chief Mapanza in Choma district and the appointment of the acting chief Monze who was a government trained agriculture officer.⁷⁸ However, the appointment of educated chiefs was prevalent in Southern Province mainly because the institution of modern chieftainship was new. On the other hand places where the institution of chieftaincy had a deep rooted history did not experience much of the appointment of educated chiefs and a good example is that of Luapula and Northern Provinces. In these areas they continued to appointment old and illiterate chiefs, for instance chief Kanyembo was an old man thoroughly weak but he was still appointed as a chief.⁷⁹

After the appointment and recognition of chiefs in Northern Rhodesia, the Provincial Administration had been re-examining the Native Authorities which were created with a view of making them strong and progressive.⁸⁰ This involved the creation of even larger Native Authorities as the central government desired improved administration and agriculture

⁷⁶ NAZ SEC2/404 :Extract from the Proceedings of the First Session of the African Representative Council, November 1946.

⁷⁷ Chipungu, “ African Leaders under Indirect Rule ”, p. 90.

⁷⁸ Chipungu, “ African Leaders under Indirect Rule ”, p. 90.

⁷⁹ NAZ SEC 2/887 Kawambwa Tour Reports, 1960 No.7.

⁸⁰ NAZ SEC2/216 Native Administration Proposed Re- Organisation, Letter from the Chief Secretary Lusaka to All Provincial Commissioners, dated 24th January 1946.

development.⁸¹ In southern province for example the plateau Tonga Native Authority emerged, comprising ten Chiefs between Mazabuka and Choma towns. Additionally, there were also subordinate Authorities who included chiefs like Monze, Singani and Mapanza. Sub chiefs included Choongo, Ufwenuka, Hamusonde, Chona and Mwanza. Table 1 shows the list of chiefs who were appointed among the Tonga and their Native area of their Native Authority.

Table 1: Recognised Chiefs among the Tonga of Monze district during Indirect Rule

Name of Chief	Native Authority Area
Monze	Monze
Choongo	Banakaila
Mwanza	Njola
Hamusonde	Bwengwa
Ufwenuka	Nabubanga
Chona	Nampeyo

Source:: NAZ, SEC2/299 Chiefs Recognition, 1937

The emphasis on rural development was another item that was much emphasised in the late 1940s.⁸² Native Authorities were expanded to include better educated personnel (mostly upper primary school level) and skilled councillors. Following this, every Native Authority had an education, health, agriculture/ veterinary/ and public works councillor⁸³. The appointment of councillors was aimed at strengthening the Native Authorities since these

⁸¹ Samuel N. Chipungu, *The State, Technology and Peasant Differentiation in Zambia: A Case Study of Southern Province*, (Lusaka: Historical Association of Zambia, 1988), p.91.

⁸² Chipungu, "African Leaders under indirect Rule", p.53

⁸³ NAZ SEC2/216 Extract from minutes of a Conference of District Commissioners Central Province, Held On 4th to 6th July 1945 at Broken Hill. See also, NAZ SEC2/186, District Commissioners Conference Southern Province 1934-1946 Minutes of District Commissioners Conference Southern Province Held in Livingstone from 18th to 23th August 1945.

were to add pressure on the ineffective chiefs.⁸⁴ The councillors were supported by messengers who carried out all the errands. In supporting the appointment of councillors, M.G Billing, the Provincial Commissioner, observed that there were still too many chiefs with a low standard of education and thus the councillors were to be of help.⁸⁵ The district commissioner in Mazabuka also mentioned in the annual reports that educated councillors were progressive while the majority of the chiefs were lacking in these qualities of leadership.⁸⁶ By 1950s the colonial government had decided that councillors were to be nominated because elections would result in the appointment of old people who would be inexperienced in executive duties. District officers therefore monopolised the appointment of councillors and they mostly chose the skilled ones who could spear head developmental projects.⁸⁷

Indirect rule was also implemented through the establishment of Native Courts and these fell under the Native Authorities. Prior to British rule under the colonial government, the Tonga people did not have courts where they could be tried by an independent person like it was among the Bemba. Among the Bemba chiefs were said to have had judicial authority even before the establishment of Native Courts during indirect rule.⁸⁸ Colson mentioned that the enforcement of claims among the Tonga ultimately rested on the solidarity of small groups of matrilineal kinsmen. The kinsmen aimed at protecting their member's rights or avenge their wrong.⁸⁹ Similarly Gann also mentioned that the Tonga people did not possess any formal courts, but relied on the support of their matrilineal kinsmen who alone would back an

⁸⁴ NAZ SEC2/186 Extract of Minutes of the District Commissioners Conference Southern Province Held at Livingstone on the 9th March 1945. See also NAZ SEC2/216, Letter from Chief Secretary Lusaka to All Provincial Commissioners, dated 24th January 1946.

⁸⁵ M.G Billing, "Tribal rule and modern politics in Northern Rhodesia", *African Affairs*, 58.231 (1959):137

⁸⁶ NAZ SEC2/139 Annual Report on African Affairs for Southern Province 1951-1953

⁸⁷ NAZ SEC2/186 Minutes of District Commissioner Conference Southern Held in Livingstone from 30th May to 2nd June 1950

⁸⁸ Audrey, I. Richards. "The Political System of the Bemba Tribe- North-Eastern Rhodesia " in M. Fortes and E. E. Evans- Prichard (eds.), *African Political Systems* (London: Oxford University Press, 1940), p.104

⁸⁹ Colson, *The Plateau Tonga*, p .207.

injured relative, recovering stolen stock or extracting compensation for an arm broken during beer-drinking.⁹⁰ Even during the BSAC rule the Tonga people did not have courts because the company administrators ruled using the policy of direct rule and by this they assumed political, legislative, judicial and administrative powers.⁹¹ This however pointed to the fact that, the Chiefs appointed by the BSAC were just there to facilitate administration especially with regard to census and collection of tax.⁹² During direct rule junior British officers were granting decrees of divorce and of judicial separation and also dealing with equally complicated native civil cases. This was all because there were no native courts.⁹³ Thomson, the secretary for native affairs rightly stressed that chiefs were better able to judge and preside over the cases of the natives and were also in a better position to gather information which was not obtainable by Europeans.⁹⁴ Furthermore, many civil cases were so bound up with native custom thus it was impossible for a district officer to be knowledgeable in native custom and traditional laws and deliver a fair and comprehensive judgement.⁹⁵

In view of the foregoing, indirect rule was thus implemented by the introduction of the Native Courts Ordinance (NCO) of 1929 which was then reviewed in 1936.⁹⁶ Through the creation of Native Courts, there was an addition to the political and administrative powers of the chief's judicial powers.⁹⁷ The Native courts were given jurisdiction to hear all civil and minor criminal cases among Natives, with the exception of cases which may be specifically withheld from their jurisdiction.⁹⁸ The Native courts were also put in place to enforce orders of the authority and to enforce customary law. The Native Courts were of different classes

⁹⁰ Gann, *A History of Northern Rhodesia*, pp.227-228

⁹¹ NAZ BS2/7 High Commissioner's Notice No. 68 of 1908. See also Hall, *Zambia*, pp.104-105

⁹² Muntemba, "The Political Systems", p.113.

⁹³ LMA ,TH2/17/19 Box 3, G.M Muyangana, "The people of Chikuni: Indirect Rule", 1960, p.11.

⁹⁴ Legislative council debates, 18th March 1929-1940, p.238.

⁹⁵ Legislative council debates, 18th March 1929-1940, p.238.

⁹⁶ NAZ SEC2/378 Native Courts Powers and Organisation of Courts 1929-36 , Native Courts Ordinance 1936.

⁹⁷ See Appendix number one for the Native Courts Ordinance

⁹⁸ NAZ SEC2/378 extract from Provincial Commissioner's Conference held on 18th September, 1929

and had different degrees of authority. There was the inferior court which was under a sub chief, superior court which was under a powerful chief with a council of elders and there was the tribal appeal court which was under a paramount chief.⁹⁹ The civil cases included divorce, adultery and other matrimonial cases. These cases were therefore supposed to be handled in light of the traditional laws and customs of the people. Other cases which were supposed to be dealt with in the native courts included a breach of the native rules and orders, theft and the invasion of tax.¹⁰⁰ By the NCO, the Chief was empowered to trial cases between natives falling in his jurisdiction. In the Native Courts the chiefs were assisted by the court clerk, *kapasus* and *babetesi* (Court assessors). The Native courts personnel were sometimes taken for training in short courses at Chalimbana. Their course emphasised cleanliness, punctuality and good personal conduct.¹⁰¹

The chiefs recommended for recognition had all been gazetted as Native Authorities and holders of Native Courts. In Southern Province the list of Sub chiefs who had also been gazetted to have Native Courts were sub chief Siamandu, Sianjalika, Nabuzoka, Moyo, Simonga, Mwenda, Ufwenuka, Mwanza, Chona, Munyumbwe, Changa, Simuyobi, Chongo, Chikanta, Simaubi and Siasikabole with their councils.¹⁰² The Native courts that were formed by these chiefs were referred to as courts of inferior jurisdiction. Chiefs who were regarded as important formed the superior courts of the area. These chiefs were Monze, Singani and Mapanza with their councils.¹⁰³ The absence of a paramount chief in Southern Province made the establishment of an appeal tribal court difficult and was not as straight forward as in Northern Province where they had Chitimukulu as paramount Chief. Therefore, in order to constitute a tribal appeal court all independent chiefs of the tribe with their councillors would

⁹⁹. NAZ SEC2/378 , extract from Provincial Commissioner's Conference , 1929

¹⁰⁰ Chipungu, "African Leaders Under Indirect Rule", p.58

¹⁰¹ Chipungu, "African Leaders Under Indirect Rule", p.59.

¹⁰² NAZ LOC 5171 SP4/11/1: Letter from District Commissioner Mazabuka to Provincial Commissioner Southern Province, dated 25th November 1936.

¹⁰³ NAZ LOC 5171 SP4/11/1: Letter from Provincial Commissioner of Livingstone to the Chief Secretary Lusaka dated 8th January 1937.

make up the tribal appeal court. And in default of a paramount chief, the district commissioner would select members for each session.¹⁰⁴ This was to be acceptable to the chiefs themselves and had additional advantages of preventing litigant's persons from endeavouring to influence the court.¹⁰⁵

The Governor made regulations concerning the jurisdiction of the courts.¹⁰⁶ Subsequent government notices provided for the three grades of the Native courts. In minor criminal cases, the following was how the courts were to deal with the offenders. Native courts of the inferior jurisdiction would award a jail sentences of up to one month imprisonment or a fine of 5 pounds or five strokes of cane, the superior Native Court jurisdiction would award three months of imprisonment or a fine of 15 pounds or 8 strokes and the Tribal appeal court would award 6 months imprisonment or a fine of 30 pounds or 10 stokes¹⁰⁷ Appeal from a court of inferior jurisdiction was first supposed to go to the appropriate court of superior jurisdiction before going to the tribal appeal court. Following of this channel, was said to enhance the authority and prestige of these chiefs who had never experienced this kind of authority due to their lack of a centralised society.¹⁰⁸

The British policy of indirect rule was also implemented by the establishments of Native Treasuries. Prior to the introduction of Native Treasuries there seemed to be little progress in the policy of Native Administration and it was thought that only when Native Treasuries were instituted would progress be made.¹⁰⁹ The inability of Native Authorities to undertake works of social welfare made it difficult for them to prove to their people that they were there to

¹⁰⁴ NAZ 5171/ SP4/11/1: Letter from District Commissioner Mazabuka to Provincial Commissioner Southern Province, dated 14th November, 1937

¹⁰⁵ NAZ 5171/ SP4/11/1: Letter from Provincial Commissioner Livingstone to Chief Secretary Lusaka , dated 8th January 1937

¹⁰⁶ Gann, *A History of Northern Rhodesia*, p.229

¹⁰⁷ NAZ LOC 5140 SP4/5/2: Letter from the Provincial Commissioner Livingstone to the Chief Secretary Lusaka, dated 30th November 1936

¹⁰⁸ NAZ LOC 5140 SP4/5/2: Letter from the Provincial Commissioner Livingstone to the Chief Secretary Lusaka, dated 30th November 1936

¹⁰⁹NAZ SEC2/1286 Annual Report on Native Affairs Southern Province; 1935

serve their interests.¹¹⁰ The interests of the Native Authorities were to be awakened by the control of money. Therefore, it was observed by some British officers that if Native Authorities were to expand and be more effective more Native staff was to be incorporated into the Authorities thus making the principle of native administration manned by the natives themselves. This entailed more financial responsibilities and that Native Authority was to have its own treasury and have funds placed at its disposal from which it could pay salaries of its personnel, build its own court houses and schools and make its own roads.¹¹¹ During the provincial Commissioner's conference in 1931 it was discovered that in almost every direction in which the Authorities might wish to operate, they were held up for lack of funds. Instead of learning to rely on themselves, Native Authorities were still forced to look to the District Commissioner and Government. It was therefore found that the institutions of Native Treasuries could not be delayed anymore and that they were to be started as soon as they were able to collect their own revenue.¹¹²

Thus, the Native Treasury Ordinance (NTO) was promulgated in 1936 and became operative in 1937. By this Ordinance the Native Authority could, with the approval of the Governor, establish a native treasury for the area under its control.¹¹³ The British colonial government considered Native Treasuries as an important aspect of the functioning and the success of Native Authorities.¹¹⁴ There were several sources of Native Treasury revenue, one of the sources of revenue was from Native Tax which from the early 1930s included poll tax and hut tax. A court fine imposed by the courts on the offender was also another source of revenue. Another source of revenue was from licences and permits, individuals wishing to

¹¹⁰ Datta, "The Policy of Indirect Rule", p. 153.

¹¹¹ LMA, TH2/17/19 Box 3, G.M Muyangana, "The people of Chikuni: Indirect Rule", 1960, p.18.

¹¹² NAZ SEC2/398 Native, Provincial Commissioner's Conference, Kafue Province, 1931

¹¹³ LMA, TH2/17/19 Box 3, G.M Muyangana, "The people of Chikuni: Indirect Rule", 1960, p.189

¹¹⁴ Chipungu, "African Leaders Under Indirect Rule", p.56

acquire property such as dogs and fire arms bought licences of ownership. People intending to participate in fishing and hunting were required to have permits.¹¹⁵

The call for the establishment of Native Treasuries among the Tonga people was received with mixed feelings among the British colonial administrators. The British appointed Tonga chiefs had not yet learnt to take their responsibilities seriously and many of them barely functioned at all, and thus adding more responsibility to them would not be a good idea.¹¹⁶ It was also thought that since most Native Authorities especially among the Tonga did not know what was expected of them in their new positions, the creation of Native Treasuries would mean the end of indirect rule because most of the work would end up being done by the District Officers.¹¹⁷ Tonga chiefs did not understand what their position entailed since they were acephalous people and thus failed to attach seriousness to this office. The district Commissioners at Kalomo, Livingstone and Mazabuka were all emphatically of the opinion that none of their Authorities were ready for more responsibilities.¹¹⁸ The coming of Sir Herbert Young, as the new governor of Northern Rhodesia in 1934, accelerated the move toward the creation of Native Treasuries.

Regardless of the attitude of chiefs among the Acephalous societies of Monze district, the pronouncements of the NTO of 1936 also saw the creation of treasuries in Monze district like in other parts of Northern Rhodesia. The Native Authorities in Monze could levy local rates and fees with the government's permission.¹¹⁹ Native Treasuries were conducted by Native Authorities under the control of Government through District Commissioners. Sub Treasuries were to be controlled by the Superior Native Authority which conducted the

¹¹⁵ Chipungu, "African Leaders Under Indirect Rule", p.56.

¹¹⁶ NAZ SEC2/398: Letter from Provincial Commissioner Batoka Province to J.H.C Griffiths (Acting chief Secretary) Lusaka, dated 13th July 1933.

¹¹⁷ NAZ SEC2/398: Letter from Provincial Commissioner Batoka Province to J.H.C Griffiths (Acting chief Secretary) Lusaka, dated 13th July 1933.

¹¹⁸ NAZ SEC2/398 :Letter from Provincial Commissioner Batoka Province to J.H.C Griffiths (Acting chief Secretary) Lusaka, dated 13th July 1933.

¹¹⁹ Datta, " The Policy of Indirect Rule ", p.167

Native Treasury for the Tribal area. The extent of control which each Sub Treasury was to have was carefully defined. For instance expenditure other than the one specifically approved by the Superior Native Authority in estimates could not be incurred without the Superior Native Authority being consulted.¹²⁰

Conclusion

This chapter examined the implementation of the policy of the British policy of indirect rule among the acephalous society of Monze district. It has been established that the implementation of indirect rule was done through the introduction of the Native Authorities, Native Courts and the Native Treasuries. The creation of Native Authorities which required the use of chiefs in the administration of the Native Authority was met with challenges because of the lack of a centralised society among the Tonga of Monze District. In order to have the chiefs in place the British colonial administrators appointed and recognised people as chiefs who in turn were to work with the village headmen and the *kapasus*. The appointment and recognition of the chiefs among the Tonga had so many uncertainties because some of the people who were installed as chiefs were rejected by their communities. And also the British realised that most of the people they were appointing as chiefs did not understand what was required of them.

Apart from the creation of Native Authorities indirect rule was also implemented through the establishment of Native Courts which came through the enactment of the 1929 NCO which was reviewed in 1936. It has been found that the Native Authorities which were created among the Tonga of Monze District had Native Courts placed under them. These courts were put in place to deal with civil and criminal cases among the Africans. The courts that were established were put in categories according to their authority and importance.

¹²⁰ NAZ SEC2/404, Provincial Commissioners Conference April 1940

It has also been argued that indirect rule was also implemented through the creation of Native Treasuries. The creation of Native Treasuries among the acephalous societies of Monze happened after the pronouncements of the Native Treasuries Ordinance of 1936. The Native Treasuries were the ones to manage the resources of the Native Authorities, and also to take care of the salaries for the Native Authorities staff. After the British colonial government implemented indirect rule through the creation of Native Authorities, Native Courts and Native Treasuries among the Acephalous Tonga society, the question of how these impacted on the people's social-economic ways of life arose. Therefore the following chapter examines the socio-economic impact of the policy of indirect rule among the Acephalous society of Monze district.

CHAPTER THREE

THE SOCIO- ECONOMIC IMPACT OF INDIRECT RULE ON THE ACEPHALOUS SOCIETY OF MONZE DISTRICT

Introduction

The implementation of the British Policy of Indirect Rule among the acephalous Tonga society of Monze district empowered people who were appointed and recognised as chiefs. The appointment and recognition of chiefs entailed that they were now part of the government machinery during indirect rule and that the British were going to rule the Tonga people through them. The newly appointed Tonga chiefs were to use the authority they acquired to help the British colonial government in their quest to rule over the people. In places where chieftainship already existed the chiefs were already the ones in charge of their people's affairs and thus it was easy for them to work with the British to rule over their people during indirect rule. However, it is important to find out how the appointed Tonga chiefs managed to use their newly acquired authority to enable the British colonial government to rule over the Tonga and also find out how the people reacted to their chief's rule and other changes that came with the policy of indirect rule.

This chapter examines the socio –economic impact of the policy of indirect rule among the Acephalous society of Monze district. The chapter is divided into three sections. The first section examines how the newly appointed chiefs among the acephalous Tonga society tried to use their authority in enabling the British colonial government to impose their economic system on the people. In so doing the chapter will also bring out the response of the Tonga to the chiefs who were trying to use their newly found authority on them which they had never experienced. The second section examines how the Tonga chiefs used their authority to maintain law and order among the Tonga people according to the British colonial

government's requirements. The third section looks at how religious social practices among the Tonga fared when some of their leaders were appointed as chiefs and were given new responsibilities.

Taxation, Labour Recruitment and Land Allocation

The Native Authorities created by the British colonial government in Northern Rhodesia constituted chiefs, *kapasus* and traditional councillors. The chiefs together with other members of the Native Authority had functions which were limited to the control of traditional tribal affairs and they also acted as agents of the British colonial government in certain special matters within their areas.¹ Having mentioned that, it is important to state that the appointed chiefs among the Tonga acted as agents for the British in the collection of tax and labour recruitment.² These tasks were given to Tonga chiefs though they had practiced some of them during the company rule.

The appointed chiefs among the Tonga people sometimes encountered challenges in carrying out duties such as tax collection and labour recruitment because of lack of authority. The chiefs were tasked to collect native tax which in the early 1930s comprised poll and hut tax but became poll tax by the 1950s. Chiefs, with the help of the *kapasus* were to ensure that individuals wishing to acquire property including dogs and fire arms bought licences for ownership and also those intending to go hunting or fishing and brew beer paid for permits.³ The chiefs among the Tonga were reported to have faced challenges in the collection of taxes because in the past they had never had the power to do so. When people were asked to pay tax they refused and only paid after being threatened by the wrath of the district officers or

¹ National Archives of Zambia(Thereafter NAZ) LOC 3098 SP1/14/60 Native Authority History, 1963: Notes on Native Authority 1963.

²Samuel N. Chipungu, ‘‘ African Leadership under Indirect Rule in Colonial Zambia’’, in Samuel N. Chipungu (ed.), *Guardians in Their Time: Experiences of Zambia under Colonial Rule 1890-1964*, (London: Macmillan Press Ltd, 1992), p.50

³ Chipungu, ‘‘African Leaders under Indirect Rule’ ’, p.56.

when reference was made to the Boma but some declined altogether.⁴ For instance chiefs and headmen in Chief Ufwenuka's area seemed to have little influence in persuading people to pay their taxes and when they went to collect the taxes they often lent a listening ear to long stories on the difficulty of the year and the shortages of money.⁵ Thus in 1938, there was a considerable amount of tax unpaid and no valid reason was given as the people generally were rich in cattle and had a ready market for their maize. The evoking of the district officer's authority when collecting tax can be said to have been a clear indication that the Tonga chiefs lacked confidence in themselves and also that they avoided unpopularity with the people over whom they were placed to lead.⁶ Additionally during oral interviews, the Tonga were said to have resented tax paying and sometimes they ran and stayed in the bush during the District Commissioners tour.⁷ The following picture shows the collection of tax during a district Commissioner's tour.

Figure 1: The collection of tax during a tour by a district Commissioner.



Source: Samuel N. Chipungu, *Guardians in their Time: Experiences of Zambians Under Colonial Rule 1890-1964* (London: Macmillan Press Ltd, 1992), p.82.

⁴ Maud, Muntemba, "The Evolution of Political System in South Central Zambia 1894-1953", M.A Dissertation, University of Zambia, Lusaka, 1973, p. 181

⁵ NAZ SEC2/1054 Mazabuka Tour Report, 1933-39, Tour Report No 7 of 1938: Chief Ufwenuka's area.

⁶ NAZ SEC2/ 1286 Annual Report on Native Affairs for Southern Province, 1935.

⁷ Interview, Henry Ngandu, Chief Mwanza, Chief Mwanza's Chiefdom, Monze, Friday 5th February 2016 and Kenford Miyanda, (77 Years) Chief Hamusonde's Chiefdom, Wednesday 10th February 2016.

Furthermore, some chiefs were often reluctant to enforce unpopular means of collecting revenue which was much to the annoyance of the white state representative at the Boma. Among the unpopular measures of collecting revenue were dog licence and fish and livestock slaughtering levies. For instance dog licence was regarded as an imposition and was very much resented especially in Chief Choongo and Ufwenuka's area.⁸ In addition at Chunka village in chief Choongo's area, only 3 out of a total of 30 tax payers turned up for payment of tax and the headman had said that the rest had refused.⁹ A further complication in the tax collection was due to the continuous migrations of the Tonga up from the Gweembe and up the plateau. Some were moving from Monze district into Mumbwa and showed little regard for the laws of moving without permission.¹⁰ The District Commissioner mentioned that the problem of tax defaulting among the Tonga was because of the lack of authority by the chiefs and that authority needed to be tightened so that those found evading tax through migration could be made to pay.¹¹

The touring officer S.P Bounce also observed in Chief Monze's area that native dog, game and gun licenses were not being uniformly paid up and he asked the Mazabuka Plateau Treasury Clerk to look into the matter and ensure that people paid.¹² The livestock officer also took to task the Native Authorities among the Tonga for allowing so many dogs to be kept and only a few were paid for. For instance, out of the 1,000 dogs in Monze district only 250 had been paid for.¹³ However, dog licence and other taxes showed an increase in payments during tours by the district officer because tax defaulters were arrested during the tours and also because the people had much more respect for the district officers than they

⁸ NAZ SEC2/1064, Mazabuka Tour Reports 1955-1956, Tour Report No. 7 of 1955: Chief Ufwenuka

⁹ NAZ LOC 4623 SP3/3/3 Chief Choongo Tour Reports, 1954-1961, Tour Report No. 12 of 1960

¹⁰ NAZ LOC 4623 SP3/3/3 Tour Report No. 3 of 1959.

¹¹ NAZ LOC 4623 SP3/3/3 Tour Report No. 3 of 1959.

¹² SEC2/1055 Mazabuka Tour Reports 1939-40, Tour Report No 8 of 1939 : Chief Monze's Area

¹³ NAZ LOC 5050 SP4/1/8 Minutes of Meetings Plateau Tonga Native Authority, 1946, Record of Minutes of Plateau Tonga Native Authority Meetings held at Kachomba on 23rd -24th June 1949

had for their appointed and recognised chiefs and other Native Authority staff. This, therefore, explains the increase in payments during the tours.¹⁴ Appendix number two is a table that shows the variations in tax payments due to the tour by the District Commissioner.

Being an acephalous society, the Tonga people were not used to the idea of having to obey the newly appointed chiefs and they constantly referred to them as government chiefs and accused them of only serving government interest.¹⁵ The chiefs in trying to avoid being unpopular among their people and also in a bid to get their people's confidence went on to explain that the pressure being placed on them during the collection of revenue was not the idea of the chiefs but that of the district officer who demanded more tax so that the people did not remain with anything.¹⁶ Additionally, Chief Monze rarely took action on people who avoided paying tax. For instance in 1950 there were about 50 outstanding cases in the tax register for non-payment of tax and it had to take the district officer to order the chief to take them to court.¹⁷ The statement by Chief Monze stating that the colonial authorities had asked chiefs to ensure that they collect everything from the people showed that the people the colonial government relied on to rule were the ones painting a bad picture about them.

The chiefs among the Tonga people hardly toured the areas assigned to them and were always passive in their duties and because of that it was difficult for them to convince people to pay the taxes.¹⁸ In order to get the chiefs in the Native Authorities among the Tonga to be serious with the tax collection, the district officers warned the Native Authorities that

¹⁴ NAZ SEC2/1286, Annual Report for Native Affairs for Southern Province 1935, see also Tour Report No. 3 of 1959.

¹⁵ Elizabeth Colson, *The Plateau Tonga of Northern Rhodesia*, (Manchester: Manchester University Press, 1962), p. 222.

¹⁶ NAZ SEC2/ 1067 Vol.1, Mazabuka Tour Reports 1958 , Tour Report No 1 of 1958: Chief Monze's Area

¹⁷ NAZ SEC2/1059 Mazabuka Tour Reports 1950-51, Tour Report No 5 of 1950.

¹⁸ NAZ SEC2/1286 Annual Reports for Native Affairs for Southern Province 1935.

failure to cooperate in tax collection would result in the withdraw of their share in the treasury and also they might be stripped of their positions as chief.¹⁹

During the British colonial rule over Northern Rhodesia there were a number of public works which were being done such as the construction of wells and the clearing of footpaths. In order to have these works done chiefs were called upon to help in the mobilisation of labour which could be of help in these works. The mobilisation of labour among the Tonga people was not an easy one. This was mainly because prior to the appointment of chiefs the various leaders who were present such as the rain makers or the *Upanyikas* never had the power to mobilise labour. Moreover, some people did not have respect for the authorities that were recognised and appointed and thus would question their chief about how much they would be paid after the work. This type of question seemed dominant in the mind of the *Mutonga* (someone who is Tonga) to the exclusion of even his vital needs.²⁰

The negative attitude of the Tonga people towards providing labour for their projects was because of the weak administration of chiefs such as Mapanza who did little to improve the situation.²¹ The attitude of people in Chief Mapanza's chiefdom was typical of the whole district among the Tonga and in certain cases the chiefs were heard complaining that they were powerless to do so without even minding that the work would also benefit them. For instance, in Chief Hamusonde's area people were not willing to offer their labour towards the construction of a cattle dipping tank and the chief could not intervene and persuade his people thus the officer in charge of the dipping tanks was left idle.²² Chief Monze was said to have been inactive in the mobilisation of labour for social projects. In addition, Chief Monze complained bitterly that the British colonial government was to blame for his lack of

¹⁹ NAZ LOC 5088 SP4/2/39 Mazabuka Tour Reports 1948-49, Tour Report No 3 of 1949.Chief Ufwenka's Area.

²⁰ NAZ LOC 5088 SP4/2/39 MazabukaTour Report No 8 of 1950.

²¹ NAZ LOC 5088 SP4/2/39 MazabukaTour Report No 8 of 1950

²² NAZ SEC2/ 1200 Chiefs and Headmen Misconduct: Chief Hamusonde's dipping Tanks in Native Reserves 1929-1933.

authority to mobilise his people for social projects; and for the disorganisation in his area because before they came he had been well respected as a rain maker and that he had been listened to.²³ Despite the fact that some people were reluctant to offer their labour, there were some who agreed to offer their labour and they benefited from the projects. Following the refusal of Chikonga, Sangoma and Mwika villages to provide free labour for the building of a foot bridge over Magoye river near Rusangu mission, the foot bridge was moved to Chief Hamusonde's area because of the plentiful supply of labour there.²⁴ Furthermore, in areas where the chiefs were able to mobilise labour, the government was able to offer technical advice and wells were constructed in these areas. Chief Choongo's area is a good example of where people provided labour.²⁵ The Tonga seemed not to have been used to the idea of providing labour for free. This was because prior to the advent of indirect rule, they would work in each other's fields and that was how they offered their labour.²⁶ Thus, being told to offer their labour for free was not something they were easily ready to accept. This was because they were used to the idea of holding work parties where they worked in each other's fields and after which the owner of the field would offer them beer. However work parties which were called by some people who had some form of authority did not draw a lot of people compared to those organised by ordinary individuals. Therefore, the Tonga seemed not to have come to terms with the fact that their former *Sikatongos* and the *Ulanyikas* could now order them to provide labour.²⁷

Other than the recruitment of labour for public works, chiefs were in 1939 tasked with the responsibility of providing labour for the Northern Rhodesia Regiment after the outbreak of

²³ NAZ SEC2/1059 : Letter from R.P Bush Secretary for Native Affairs to the Provincial Commissioner Southern Province dated 27th October 1950

²⁴ NAZ SEC2/1067 Vol.1 Mazabuka Tour Report 1960, Tour Report No 2 1960: Chief Ufwenuka's area.

²⁵ NAZ LOC 4623 SP3/3/3 Tour Report No 3 of 1959: Chief Choongo's area

²⁶ Elizabeth Colson, "The Plateau Tonga of Northern Rhodesia", in E. Colson and M Gluckman (eds.), *Seven Tribes of British Central Africa*, (Manchester: Oxford University Press, 1962), p.118.

²⁷ Colson, " Plateau Tonga", pp.105-106.

the Second World War. The Tonga were perfectly content to stay at home and continue with their farming and herding cattle and were seen not to be the type to make good soldiers.²⁸ This was because they were Acephalous in nature and the idea of an established army like the ones which existed among centralised societies was not known to them.²⁹ Additionally, Colson notes that prior to the appointment of chiefs the leaders who existed among the Tonga had difficulties in mobilising people to defend the Tonga society from the Lozi and the Ndebele attacks. She also mentions that the Tonga were not war- like people.³⁰ Bearing in mind the history of the Tonga regarding war and the lack of authority by their leaders prior to the appointment of chiefs, some chiefs who were tasked with the responsibility of recruiting such labour were the ones in the fore- front defending the people that they could not fight because they were not strong enough. Furthermore, Chief Monze was reported to have expressed it well and succinctly with his remark “you cannot burn green grass”³¹ Chief Mwanachingwala’s reply to an appeal for recruits was that “ Bwana , we are all women and we are afraid”. However the remaining chiefs more especially Choongo and Siamaunder showed a lively appreciation of the needs of government and promised to co-operate. However, the Mazabuka district Officer noted that the number of men who would offer their services in 1939-1940 was unlikely to exceed twenty.³²The resistance faced by the Tonga chiefs in labour recruitment was an indication that they had no control over the labour in their villages. This still takes us back to the fact that prior to the introduction of indirect rule, those who had leadership positions among the Tonga had no rights to the labour. However, the provision of labour by the chiefs was different among the Bemba speaking people, though, they too experienced some resistance, it could not be compared to the resistance experienced

²⁸ NAZ SEC2/1055 Mazabuka Tour Reports 1939-40, Tour Report No 8 of 1939.

²⁹ Daniel, O’ Brien.’’ Religious Leader or King’’ , Conference of the African Association of Australia and the Pacific. University of new South Wales, August 24th -25th 1981, p. 12.

³⁰ Colson, *The Plateau Tonga*, pp. 215-216

³¹ NAZ SEC2/1055 Mazabuka Tour Reports 1939-40, Tour Report No 8 of 1939.

³² NAZ SEC2/1055 Mazabuka Tour Reports 1939-40, Tour Report No 8 of 1939.

among the Tonga. This was because prior to the introduction of the British policy of indirect rule, the Bemba chiefs had rights over labour in their chiefdoms and it was easier for them to provide the colonial state with labour.³³

The British policy of indirect rule, through the creation of Native Authorities, gave the chiefs recognised by government powers to control land allocation with the advice of the Agriculture Department.³⁴ Land was the most important means of production among the Tonga even before colonial rule, but since it was abundant its ownership was not an issue. The people who had some form of authority like the *Ulanyika* whom they referred to as “chiefs” did not traditionally control land holding among the Tonga in Monze district. The appointment of chiefs into Native Authorities acquired greater power largely as a result of the increased centralisation of their authority.³⁵ Prior to the establishment of Native Authorities “chiefs” among the Tonga did not have any land rights or the use of land.³⁶ The duties given to the appointed chiefs concerning land were embodied in a native Authority order. The Tonga questioned the powers of the chiefs in land allocation because in the past they did not have chiefs with such powers of land allocations and that individuals seemed to have taken what they required for themselves and their families without reference to anyone else.³⁷ Under the traditional system a man could obtain title to land which he had brought into use by the mere process of clearing of the land and the newcomers to an inhabited area would likely consult with the local *Ulanyika* (owner of the land) or *Basitutongo* to find out which areas were free although these figures did not have the legal power to distribute land, it was

³³ Audrey, I. Richards. “The Political System of the Bemba Tribe- North-Eastern Rhodesia ‘’ in M. Fortes and E. E. Evans- Prichard (eds.), *African Political Systems* (London: Oxford University Press, 1940), p.104

³⁴ Livingstone Museum Archives, (Thereafter LMA) TH2/17/19 box3 ,The Tonga and Makonde: Land Tenure Report of Southern Province, Report No. 1 of 1956.

³⁵ NAZ LOC 5085 SP4/2/27, Lord Hailey information for Reports Southern Province, Kalomo Southern Province, October 1947.

³⁶ NAZ LOC 5085/SP4/2/27, Reports for Kalomo Southern Province, October 1947.

³⁷ NAZ LOC 439/SP2/3/8, Native Land Tenure, 1949-70: Report of the Native Land Tenure Committee Part II- Mazabuka District 1946.

unlikely that a stranger would settle where unwelcome. His rights over the land were recognised after as long as he had not abandoned it.³⁸ Those who acquired the title of *Ulanyika* or *Basitutongo* would allocate plots to members of their lineage. For instance, if the *Sikatongo* was from the *Badenda* clan, then he would allocate pieces of land to those from his clan and that land would be referred to as *Katongo ka Badenda* (land for the Badenda clan).³⁹ However, someone from a different clan would give a gift of *Ngwala* (a string of beads) to the *Sikatongo* or *Ulanyika* in exchange for land.⁴⁰ Thus, this was how land was divided according to clans. Furthermore, once the land was exhausted, people abandoned it in search of virgin land without any restrictions. Prior to the Tonga chief's acquisition of authority over land, a man was secure on his land once he had cleared it and brought it into use and could abandon it when it was exhausted. However, giving chiefs powers to allocate land led to a lot of insecurity of land tenure. Chiefs using their new authority, from time to time disposed people of their land for reasons of personal animosity and also the fact that they had no such traditional functions placed them at a disadvantage.⁴¹

Furthermore, chiefs were also not to allow unauthorised settlements in their areas though some villagers did not respect the order.⁴² Chief Simuyobe complained about the disobedience of his people who were living just where and how they pleased even after he and his headmen had tried to stop them. In trying to get the people to obey the order and also to come to the aid of the chief, the district commissioner reminded the Tonga that by deciding

³⁸ LMA TH2/17/19 box3: Land Tenure Report of Southern Province, Report No. 1 of 1956.

³⁹ Moono, F. Mizinga, "Inheritance and Social Change among the Tonga of Southern Province of Zambia, 1900-1989", Masters Dissertation, University of Zambia, 1990,p.25.

⁴⁰ Mizinga, " Inheritance and Social Change", p.26 and Interview, Dimuna Mweemba, Chief Hamusonde's Chiefdom, Monze, Wednesday 10th February 2016

⁴¹ LMA ,TH2/17/19 Box 3, G.M Muyangana, " Indirect rule", p.7

⁴² NAZ LOC 5081 SP2/2/6 District Travelling Mazabuka 1938-1948 Tour Report No 2 1947

to go and live where ever they pleased, they were breaking the law and weakening the authority of their chiefs.⁴³

In Chief Monze's area for instance, villagers were reported to have been going to settle in unauthorised areas. The people who were settling in Chief Monze's unauthorised settlements had a bad record of not recognising Monze's authority, as they did not respect his orders.⁴⁴ Muntamba observed that in 1935 there were hundred and fifty people who had put up individual dwellings without the permission of a headman and thereby detaching themselves from the chief's authority.⁴⁵ Under the NCO a chief could prosecute those who disobeyed orders but Chief Monze had to be ordered to prosecute those who disobeyed the orders. However people whom he prosecuted and asked to move back into their villages after harvest ignored his orders. This showed that the chiefs exerted as little authority as possible.⁴⁶ Chief Monze was said to have been particularly weak regarding unauthorised settlements and the District Officer during the tour in his chiefdom emphasised that chiefs were to be serious with their work so that it could lead to better administration. However, chiefs were just seen by their people as agents of the British government and that made the chiefs lose respect among their members.⁴⁷ Despite the resentments by the people over the powers of the chiefs concerning land, chiefs were regarded as the guardians of the land on behalf of the community something which never existed among the Tonga before the introduction of the British policy of indirect rule.⁴⁸ It can be argued that the land authority given to the chiefs was not welcome by the Tonga people who were used to their old system of land management which also made it possible for them to live according to their clans. In fact, the chiefs themselves understood the old system of land management and settlements very well

⁴³ NAZ LOC 5082 SP4/4/2 /9, Mazabuka Tour Reports 1939-1940., Tour Report No 6 of 1939

⁴⁴ NAZ LOC 5081 SP2/2/6 ,Tour Report No. 2 of 1947

⁴⁵ Muntamba, "Political Systems", p. 180.

⁴⁶ Muntamba, "Political Systems", p. 180.

⁴⁷ NAZ LOC 5081 SP2/2/6 Mazabuka Tour Report No. 2 of 1947

⁴⁸ LMA TH2/17/19 box3: Land Tenure Report of Southern Province, Report No. 1 of 1956

and so did not exert much of their authority concerning land on their people. However, the British authorities mistook the Tonga chief's reluctance concerning new land orders for weakness.

Furthermore, Native Authorities were also tasked with the responsibility of ensuring that only the people with their permission were allowed to move to other villages. For instance a man who wished to join a village was to have consent from the village headman and was also to inform his old headman of his plans to move.⁴⁹ Furthermore, the British administration also required that for a man to form a new village he needed about nine male tax payers who would join him.⁵⁰ This was also resented among the Tonga who in the past would just move with their families and settle where ever they wished as has been alluded to in the preceding paragraphs.

However, the Tonga found it very difficult to understand why they were being restricted in their movements when in the past they could move however they wished. This was because whoever wished to shift and start his own village would just move with his relatives and clear a piece of land for their settlements.⁵¹ The continued Tonga people's movements without permission were an indication that they did not respect the authority of their chiefs and headmen. This lack of respect could be attributed to the fact that in the past they had not had an authority in place which dictated their movements since they were acephalous in nature. The Tonga believed that there was no reason why a man could not live where he wanted. Traditionally only slaves among them were bound to their owners rather than to a piece of land.⁵²

⁴⁹ NAZ LOC 5081 SP2/2/6 Mazabuka Tour Report No. 2 of 1947

⁵⁰ NAZ LOC 5081 SP2/2/6 Mazabuka Tour Report No. 2 of 1947

⁵¹ Colson, *The Plateau Tonga*, P.117

⁵² Colson, *The Plateau Tonga*, p 117

Chiefs as Agents of Agricultural Change

Prior to colonial rule and indirect rule the Tonga practiced farming, cattle rearing and hunting. Before 1930 the majority of farmers depended on hoe-axe technology for their cultivations. Inputs such as chemical fertilizer were unknown; except the ashes of trees, grass and leaves were the ones known to provide fertile soils.⁵³ However, changes in technology were already taking place, although the impact was only felt after 1930. Most of these changes like the use of the plough among the plateau Tonga were introduced by the missionaries and a good example is that of the Jesuits at Chikuni mission.⁵⁴ By 1934, there were a number of changes in peasant agriculture system in Southern Province such as the adoption of a plough and shift from growing sorghum to maize monoculture.⁵⁵ Besides, changes in tools and crops brought about changes in land usage and how to deal with soil erosion. In order for the colonial government to encourage the local people to adapt to the new changes in the agricultural sector, they appointed agriculture Councillor who was to work with the chiefs and other members of the Native Authority like the headmen. Some of the farmers among the Tonga easily adapted to new methods in agriculture, like the kanchomba farmers. Some farmers however did not want to adapt to the new changes because they did not want to be tied to the many rules and regulations that came with it; like being directed on what to plant and when to plant crops. Therefore, the adoption of the new technique in combating soil erosion was resented by some of the people. For instance, one agriculture supervisor mentioned that the contour campaign was met with great opposition in Mpongo area.⁵⁶ The introduction of the new technique of the contour ridges cultivation was not very much welcome among the Tonga because under their traditional practice of

⁵³ Samuel N. Chipungu, *The State, Technology and Peasant Differentiation in Zambia: A Case Study of Southern Province*, (Lusaka: Historical Association of Zambia, 1988), p.27.

⁵⁴ Chipungu, *The State, Technology and Peasant Differentiation in Zambia*, p.28

⁵⁵ Chipungu, *The State, Technology and Peasant Differentiation in Zambia* ,p.34

⁵⁶ Chipungu, *The State, Technology and Peasant Differentiation in Zambia* ,p.34

agriculture, loss of soil fertility meant abandonment of the fields for new ones and opening new gardens.⁵⁷

In a bid to stop people from opening up new gardens from time to time, Berwick, the District Officer of Monze district, ordered that no new gardens were to be started without the permission of the chief and the approval of the agriculture supervisor.⁵⁸ However even though the people were advised to seek permission before opening new gardens some people still maintained that prior to colonial rule the Tonga would open up new gardens without any restrictions.⁵⁹ The determination by some people, in wanting to continue in their old ways of opening up new gardens without restrictions as they lived in the past resulted in the chiefs and headmen having a difficult time in trying to make them obey the orders. For instance, in Chief Choongo's area headman Kaluwi once reported to the district commissioner Southern Province that he had been threatened with serious injury by people whom he had tried to prevent from opening up new gardens without permission from the Native Authorities.⁶⁰ The reluctance to obey the chiefs and headmen's orders among the Tonga indicated that they had little regard for the people who were placed as their chiefs.

Furthermore, some of the opposition to the contour ridge campaign was that the people believed that what had been good for their fore fathers was also good for them and they also feared that the Europeans would take over their farms.⁶¹ Therefore, most of the chiefs resorted to the use of persuasion in trying to convince people to embrace the new agricultural changes. Chiefs preferred persuasion which appeared to be one of patience because of the realisation that their authority over their subjects was limited and chiefs wanted to appear

⁵⁷ LMA TH2/17/19 box3: Land Tenure Report of Southern Province, Report No. 1 of 1956

⁵⁸ NAZ SEC2/1065, Mazabuka Tour Report ,1956-1957 ,Tour Report No 14 of 1956:Chief Monze'area

⁵⁹ LMA TH2/17/19 box3: Land Tenure Report of Southern Province, Report No. 1 of 1956

⁶⁰NAZ LOC 4623 SP3/3/3 ,Chief Choongo Tour Reports 1954-1961,Tour Report No 12 1960

⁶¹ NAZ LOC 4623 SP3/3/3, Tour Reports No 11 of 1961: Chief Choongo's Area

humane and caring to their subjects.⁶² It can be argued that in as much as indirect rule, through the use of chiefs, seemed to foster economic development; it also led to the disruption of their traditional way of life. The British authorities seemed not to have given chance to the appointed chiefs and members of the Native Authority to defend what they thought had been good for their community unlike just championing their new innovations at the expense of the old system.

Cattle among the Tonga

The introduction of measures to protect cattle such as the dip tanks received different reactions even though most of the health looking cattle was covered with ticks. In the initial stages of the introduction of dip tanks, people were not willing to have their cattle dipped. When the local people refused to dip their cattle the veterinary officers turned to the chiefs and headmen to convince their people to have their cattle dipped and also to explain to them the benefits of such a practice. However, some of the chiefs like Hamusonde refused to have their cattle dipped and thus portrayed a bad example to his people who in turn also refused to have their cattle dipped. Chief Hamusonde announced that dipping against ticks made the cattle thin. Furthermore, the people in his chiefdom stated that they feared their cattle would die or that the British would grab their cattle.⁶³ The District Officer noted that Chief Hamusonde might have refused to have his cattle dipped because of fear that his people might lose respect for him since the idea of modern chieftaincy was new to the Tonga people and thus they could refuse to recognise their chief at any time.

⁶² Chipungu, *The State, Technology and Peasant Differentiation in Zambia*, pp.92-3

⁶³ NAZ SEC2/1200 Chiefs and Headman's Misconduct: Chief Siamusonde's Dipping Tanks in Native Reserves 1929-33

Native Courts and Maintenance of Order among the Tonga

Before the British introduced the Native Courts and a hierarchy of authority, there was no neutral body to which anyone could report a case among the Tonga.⁶⁴ The protection of people and their property was the responsibility of the kin-group which demanded compensation for offenses committed against its members and enforced its rights by retaliation if compensation was not paid.⁶⁵ This meant that if one member of a kin- group committed a crime, it was the duty of his kin- group to meet the other kin- group for the offended party to settle the dispute. Unlike the traditional way of settling disputes through the use of kin- groups, the introduction of Native courts required that the offenders were to be taken to the courts where the appointed chiefs and court assessors (*babetesi*) could settle the disputes according to the laid down rules by the courts. Prior to the introduction of the Native Courts disputes not handled well sometimes forced the aggrieved kin -group to resort to acts of vengeance. For instance, the aggrieved kin-group would kidnap some women and children from the kin-group which had a dispute with them.⁶⁶ The kidnapped women and children would have their heads shaved; names changed and were treated as slaves. Disputes among kin-groups led to the disruption of the functioning of the community to an extent where attending public gatherings such as funerals or beer drinking parties became difficult. This was mainly because the two kin-group involved in the conflict were always ready to engage in a fight.⁶⁷ However, the introduction of the Native Courts was seen as a relief among the Tonga because disputes were now resolved at the courts and the acts of vengeance was condemned by the courts.

⁶⁴Colson, *The Plateau Tonga*, p , p.42 , and also Interview, Joyce Mudenda, (86 years) Chief Choongo's area's Chiefdom, Tuesday 9th February 20106

⁶⁵ Colson, *The Plateau Tonga*, p.54

⁶⁶ Elizabeth Colson, 'Social Control and Vengeance in Plateau Tonga Society', *African Journal of International African Institute*, Vol. 23, No 3 (1953)pp.205-8

⁶⁷ Colson, *The Plateau Tonga*, pp.114-115

Furthermore, even though the established Native Courts among the Tonga condemned the acts of vengeance among the kin groups, this act was still used to maintain social order in their communities.⁶⁸ This was because if the kin group that had offended the other kin- group through the acts of one of their members did not take responsibility, the offended kin- group would resort to acts of vengeance. The acts of vengeance among the Tonga included the capturing of the wives of the offended groups or picking fights with the members of the group which was believed to have offended the other group.⁶⁹ With the acts of vengeance upon their members the kin- group believed to have committed the offence would quickly rush to settle the dispute with the other group, and this in turn restored order and peace in their communities.⁷⁰ The kin group's act of vengeance in maintaining law and order showed that the maintenance of law and order were not interested in the punishment of the individual who committed the crime but instead in the re-establishment of peace between the kin groups involved.

Native Courts were met with resistance among the Acephalous society of Monze district because the powers given to chiefs to preside over the cases was alien to the people who were used to the system of kinship in resolving their problems. Datta mentions that Native Courts practically failed to work well in those societies where judicial powers of the chief had not been very pronounced in pre-colonial days.⁷¹ She added that among the Tonga the adjudication of disputes was a prerogative of the matrilineal kin groups. Neither the village headmen, the leaders of the neighbourhoods nor the *Ulanyika* (Owner of the Land) were present in resolving a dispute if they were not members of the kin group. Some of the people who resented the Native Courts complained that the British government had taken over the

⁶⁸ Colson, "Social Control and Vengeance in Plateau Tonga Society", pp. 205-8

⁶⁹ Colson, "Social Control and Vengeance in Plateau Tonga Society", pp.205-208

⁷⁰ Colson, "Social Control and Vengeance in Plateau Tonga Society", pp.205-208

⁷¹ Kusum Datta, "The Policy of Indirect rule in Northern Rhodesia 1924-1953", PhD Thesis, University of London, 1976., p.324.

responsibility of their elders in their kin group of sorting out disputes and gave it to the Native Courts which were headed by the chief who was a government nominee.⁷² Thus, some of the Tonga showed resentment against the use of Native courts and this resentment was directed towards the chief. Colson added that sometimes the Tonga would decide to migrate from the area of the Native Court which had given them an unfavourable judgement. In addition, the members of the Native Courts and their chief were denied food and water if they happened to pass through the village of a dissatisfied party.⁷³ Court clerks and Councillors said they were sometimes threatened with being cursed when they met people who lost a case.⁷⁴

Although the appointed chiefs with their Native Courts and the messengers were an effective force which tried to prevent the vindictive actions of social vengeance among the Tonga, underneath this superstructure of a hierarchy created during indirect rule, the interplay of the old forms of social control through the interaction of kin groups continued.⁷⁵ In addition, Native Courts were sometimes viewed as being exploitative among the Tonga because they demanded payment from people who took cases there, which was something new among them.⁷⁶ For instance, in Chief Monze's area one old man who had taken his case to the court failed to make payment for his case to be heard. The *kapusu* (Native Authority Police) therefore went and grabbed the old man's blanket as payment.⁷⁷ This act of demanding payment from complainants was resented among the people and some of them continued to take their cases to their kin group where they could be represented and not be made to pay as individuals.

⁷² Datta, 'The Policy of Indirect Rule', p.324.

⁷³ Colson, *The Plateau Tonga*, p.224.

⁷⁴ Colson, *The Plateau Tonga*, p.224

⁷⁵ Colson, 'Social Control and Vengeance in Plateau Tonga Society', pp.199-212

⁷⁶ NAZ LOC 5163 SP4/4/10, Chief Monze Area, Letter from Simpako(old) Kapasu to the District Commissioner Mazabuka dated 10 September 1937

⁷⁷ NAZ LOC 5163 SP4/4/10: Letter from Simpako(old) Kapasu to the District Commissioner Mazabuka dated 10 September 1937

The Native Courts encountered some challenges among the Tonga with the settlement of theft cases. Prior to the creation of the courts theft was always not considered possible because any member of the kin-group had a right to take and use the possessions of a fellow member for assistance.⁷⁸ Colson stated that for a Tonga one individual could own cattle and his Kinsmen had the right to demand his assistance. They distinguished between right of ownership and right of assistance.⁷⁹ Right of ownership was believed to apply to a particular beast while the right to assistance applied to the relationship between individuals. This entailed that an individual is subject to the demands of his kin for cattle no matter how the owner acquired it.⁸⁰ When a kin-group member got the cattle for another member and was taken to court, the courts found it difficult to charge the offender as having stolen, because it was the Tonga custom to have access to another member's cattle. For instance, in 1948 a young man working as a government clerk in Lusaka went back home only to find that his mother's brother had gotten some of his cattle and paid for his adultery case. When the young man presented this case to the court, the court declared it a difficult case and it also pointed out the young man's legal right to the ownership of the cattle. On the other hand the court also admitted that the young man had a moral obligation to help his uncle according to their traditional custom.⁸¹ Furthermore, in cases of such nature the offenders were seen to have no sense of shame as they gladly stated that it was their custom to take their kin-group member's property. The aggrieved people in the kin-groups sometimes did not want to take their cases to the Native Courts because they feared that their kin-group members could disown them and thus they feared to report any such cases to the court.

The introduction of Native Courts among the Tonga freed people from having to rely on their matrilineal kin-group for protection and also made it possible for people to report their kin-

⁷⁸ Mizinga, 'Inheritance and Social Change', p.43-44.

⁷⁹ Colson, *The Plateau Tonga*, p.125

⁸⁰ Colson, *The Plateau Tonga*, p.125

⁸¹ Colson, *The Plateau Tonga*, p.125

group members to force them to restore property or to pay damages. Therefore, the courts impacted on the Tonga custom regarding property because it held that if relatives took somebody's property without permission in the name of kin-group relationship, the owner of the property had legal redress in the courts where the act was to be defined as theft.⁸²

Moreover, the insertion of criminal law such as theft was a departure from the customary law which used to impose punishment on members of the offenders kin group and not individuals.⁸³ Once somebody had reported a member of the kin group who used his property without his consent the court would charge the offender with theft, which was defined as taking and carrying away an item, capable of being stolen with the intention of depriving the owner.⁸⁴ Despite the courts being instituted to help in settling disputes among the Tonga, they were seen to be reluctant to enforce the legal rights provided by the system of Native Courts for fear of being disowned by their matrilineal kin-group. For example a woman in Mwanza's chieftaincy whose cattle were taken by her kin-group member took the case to the court but withdrew the case after the initial hearing at the court, and decided to accept her losses. The case was withdrawn because the complainant came to the realisation that it was not good to take her relatives to court and also feared being segregated by kin-group members.⁸⁵ Though the Native Courts had problems in dealing with cases regarding the kinship customs, they gradually weakened the ties of the kinship as some people continued to drag their kin group members to court. However, there was still a sentiment attached to kinship and its obligations which created conflict when it came to the demand for individual freedom both in action and in the ownership of property.⁸⁶

⁸²Colson, *The Plateau Tonga*, p.127

⁸³ Mizinga, "Inheritance and Social Change", p.44.

⁸⁴ Mizinga, "Inheritance and Social Change", p.44

⁸⁵ Colson, *The Plateau Tonga*, p.127

⁸⁶ Colson, *The Plateau Tonga*, p.127

The Native Authority Court among the Tonga found itself in a dilemma when it came to the sorting out of cases because of expectations from both the British colonial government who established the courts and also expectations from the Tonga who were an acephalous society who wished their cases could be settled according to their customs. Colson noted that headmen often complained if the judgements given in their Native Courts were not according to their customs but instead was passed according to European law. On the other hand if judgement was passed in line with their custom the Native Authority staff would be reprimanded by the district officer.⁸⁷ For example, Chief Hamusonde was accused of wanting to delay justice when he wanted to settle a murder case in his chiefdom according to their custom of first inviting a witch finder to ascertain the truth.⁸⁸ Chief Hamusonde's act of first wanting to consult a witch finder instead of taking the accused to court seemed to be antagonistic with what the chief was required to do under the new law of Native Courts.⁸⁹ This therefore showed that the Tonga chiefs' authority in the courts was a challenging one and especially that it was something new to them because of their Acephalous nature and also that as they deliberated in the courts they were always not free as they strove to balance between their customs and obeying the British colonial rule regarding the courts. In as much as the introduction of the Native courts and the insertion of some European law in these courts seemed to have impacted on their old traditional way of settling disputes, there were some people who had welcomed some of the new laws and were pleased with them. For instance one informant in Chief Choongo's area mentioned that, the use of the Native courts to prosecute cases of murder and sending the murderer to jail was something

⁸⁷ Colson, *The Plateau Tonga*, p.127

⁸⁸ NAZ LOC 4641 SP3/6/4 Tour Report No 4 1958 Chief Mwanachigwala, Choongo and Hamusonde, : Investigations on Chief Hamusonde on Rumoured Four play

⁸⁹ NAZ LOC4641 SP3/6/4 Tour Report No 4 1958 : Investigations on Chief Hamusonde on Rumoured four Play

good unlike the old way of settling disputes where the accused's kin's men would just pay compensation to the other aggrieved kin group.⁹⁰

Chiefs among the Tonga experienced challenges as they tried to settle disputes brought to their courts because the chiefs and other court staff such as the court clerks, court assessors did not cooperate and support each other as members of the Native Courts.⁹¹ Additionally, though there was not yet open warfare between the chiefs and assessors there was a great deal of hostilities.⁹² There were some differences of opinion between the chief and the court clerk regarding how cases were to be handled since they were both much familiar with the sorting out of disputes through the use of kin groups. Some courts among the Tonga frequently suffered changes in court clerks and assessors because chiefs claimed that they were not respected by the court staff. Additionally, chiefs were also reported to have been not prepared to receive advice of their assessors and this was an impediment to making proper judgement.⁹³ The differences which were prevalent in the courts made people among the Tonga not to obey the judgements passed in their courts and there were many complaints about the court procedure. However, in trying to correct the situation chiefs were encouraged to attend administrative and judicial courses at the Jeans School in Chalimbana.⁹⁴

The Tonga chiefs who headed the various Native Authority courts proved to be inexperienced in judicial matters and thus failed to win the confidence of their people. The chiefs failed to build their reputation as good judges but instead kept referring to the boma as having been in support of their decisions as they passed judgement. The Tonga chiefs therefore were fond of invoking government authority in implementing their own decisions. This attitude of failing to establish their own authority entailed that the chiefs in the Native Courts were completely

⁹⁰ Interview ,Miyoba Hankazaba (83 years) Chief Choongo's Chiefdom, Tuesday 9th February 2016

⁹¹ NAZ SEC2/1067, Mazabuka Tour Report 1958 , Tour Report No 14 of 1958: Chief Monze'S area

⁹² NAZ LOC 4623 Tour Report No 11 1956 : Chief Choongo's area

⁹³ NAZ SEC2/1067 Tour Report 1958 , Tour Report No 14 of 1958 Chief Monze

⁹⁴ NAZ SEC2/1067 Tour Report 1958 , Tour Report No Chief Monze

dependent on the District Offices who sat in some court sessions influencing judgement of cases being heard. Furthermore, the chiefs would sometimes even dispute the judgement from another court given by a fellow chief and this complicated the lack of respect for these courts since chiefs were disregarding each other's judgements.⁹⁵ It can therefore be stated that the behaviour by the chiefs of disrespecting each other's judgements confused the local people more since they were still coming to terms with the fact that they had to take their disputes to Native courts and not to their kin groups.

The laxity of the chiefs among the Tonga and their procrastination in enforcing decisions in the courts impacted negatively on the outcome in the payments of fines that people were charged in the Native Courts.⁹⁶ In 1948, Chief Monze had about 18 cases which he did not settle due to procrastination. The chief did not bother to call the defendants nor record compensation for the cases he tried to settle. The position was such that his people had little or no respect for Chief Monze and they knew that if they avoided the payment of fines or compensation long enough their case would be forgotten.⁹⁷ Cases dragged on and the courts would delay to take action and to ensure that the outcome of the case was obeyed. In addition the majority of chiefs among the Tonga were not even aware of the provisions of the NCO particularly those sections which empowered them to charge those who failed to pay fines and compensations with contempt of court. On the other hand, some people did not find it worthwhile to pay the fines owing to the fact that the chiefs that asked them to pay the fines were not respected much and therefore decided to take their cases to the kinsmen to have them settled according to their tradition.⁹⁸

⁹⁵ Colson, *The Plateau Tonga*, p.225.

⁹⁶ NAZ SEC2/1061 Mazabuka Tour Reports 1952, Tour Report No 8 of 1952: Chief Choongo's Area

⁹⁷ NAZ SEC2/1059 Tour Report No 5 of 1950 Chief Monze's area

⁹⁸ NAZ SEC2/1059 Tour Report No 5 of 1950 Chief Monze's area

Furthermore, the chiefs were seen to have no strong control over their people since the judicial authority they possessed was alien to them and to their subjects who had been acephalous prior to the appointment of chiefs. There was no doubt that judicial authority of the chiefs was not respected as it should have been. Thus, Tonga chiefs usually complained of numerous cases of disobedience to summons but district officer encouraged the chiefs to report to the Boma cases of disobedience to summons.⁹⁹

Chiefs in the Native Courts were also empowered to prosecute cases of offences against Native Authority Rules and Orders. Most of the Native Authority Rules and Orders were resented by the local people and a good example was that of the hunting orders because in the past they did not have restrictions of such nature. Hunting orders required that the Tonga could no longer participate in their traditional communal hunting drive which they referred to as the *Chila*. In the past the *Sibulongo* (earth priest or the guardian of the soil) was the one who initiated the communal hunting drive as well as communal fishing and he was so respected among the Tonga that he received hunter's trophies like skins and claws of a lion and leopard and also the portion of meat that struck to the ground first.¹⁰⁰ The Department of Game during the colonial rule banned the communal hunting drive in the 1950s to avoid more animal killings and that only the hunting drive approved by the game department was to be carried out. The chiefs and headmen were charged with the responsibility of ensuring that the order of banning the *Chila* was respected by the communities.¹⁰¹ This order was rejected by most of the people as they believed that their forefathers practiced the *Chila* and thus they did not see anything wrong. Moreover, the Tonga also believed that their communal hunting drives were always permitted by the earth priest who was inspired in initiating the drive by the *basaugu* (medium of spirits affecting nature).

⁹⁹ NAZ LOC 5082 SP4/2/9 District Travelling Tour Reports 1939, Mazabuka Tour Report No 6 of 1939

¹⁰⁰ Thayer Scudder, *The Ecology of the Gwembe Tonga*, (Manchester: Manchester University Press), p.111-128

¹⁰¹ NAZ LOC 4623,SP3/3/3 Tour Report No 7 1957 : Chief Choongo's area

The village headman and the chiefs found it difficult to punish people who went against the order because in the past they had not possessed such authority over the people and. On the other hand, they also had to please the Europeans who had entrusted them with their new authority. However, headmen in Chief Choongo's area decided to side with their people because they too were not satisfied with the order. People in Chief Choongo's area together with their headmen held meetings where they decided to go against the order and hold the *Chila*. Chief Choongo in trying to avoid being part of the opposition to the hunting order declined to go with his people to the district officer to complain.¹⁰² Because Chief Choongo tried to distance himself from the acts of his people regarding the *Chila* the people in his chiefdom did not have any respect for him stating that he was only there to serve the government's needs. His headmen also threatened to get rid of him stating he was weak and not fit to represent them.¹⁰³

The banning of the *Chila* resulted in people boycotting the Native Court and those summoned also refused to report to the court. Additionally, Chiefs like Hamusonde decided to boycott Native Authority meetings because of the pressure from the people in their chiefdom over the *Chila*.¹⁰⁴ In reaction to boycotts of the Native Authority meetings and the Native Courts, the District Officer mentioned to the chiefs that the reasons for the unrest over the *Chila* was because of the chiefs poor leadership qualities and their failure to win the support of their people.¹⁰⁵ Therefore, it can be noted that the Tonga's allegiance to the old custodians of the land such as the earth priests made it difficult for them to obey the authority that was given to the recognised and appointed chiefs by the British colonial government. In line with this Colson observes that among the Tonga the offices of the chief and headman were regarded as

¹⁰² NAZ LOC 4623 SP3/3/3 Tour Report No 3 of 1959: Chief Choongo's area

¹⁰³ NAZ LOC 4623 SP3/3/3 Tour Report No 3 of 1959: Chief Choongo's area

¹⁰⁴ NAZ LOC 4641 SP3/6/4 Chief Hamusonde's Native Authority 1956-62, Letter from the District Commissioner to Chief Hamusonde, dated 10th October 1959

¹⁰⁵ NAZ LOC 4623 Tour Report No 11 1956 Chief Choongo's area

“affairs of the government” because the people continued to deal with the spirits of the land through the earth priests.¹⁰⁶

Since the chiefs did not command much authority among their people they decided to avoid prosecuting cases of breach of government orders so that they could remain popular among their people. The district officers noted that chiefs viewed with apathy the frequent orders and that it was obvious that little attempt was made to enforce the Native Rules and Orders.¹⁰⁷ The chiefs were therefore warned that they needed to use their new judicial powers bestowed up on them by the British colonial government to punish those who failed to respect the Native Rules and orders¹⁰⁸

The lack of experience and authority of the chiefs in the Native Courts resulted in some people opting to take their cases to be settled outside the court, through the discussion among the elders of the kin- groups involved.¹⁰⁹ Sometimes cases were taken to be settled by other old people in the community or the village headmen. Chiefs such as Choongo gave little importance to their judicial duties bestowed upon them during indirect rule. Dalton the district officer observed that Chief Choongo hardly attended court sessions but instead he preferred to sit outside the court room and allowed the assessors and court clerk to preside over cases.¹¹⁰ He also noted that Chief Choongo had a tendency of discussing court cases even after judgement had been given and was warned about this several times because it made the people question his judgements in the settling of disputes. Therefore, the behaviour of Chief Choongo regarding his court management showed that he was a frightened man who

¹⁰⁶ Elizabeth Colson, *Tonga Religious Life in the Twentieth Century*, (Lusaka: Book world Publishers, 2006), p.115

¹⁰⁷ NAZ SEC2/1059, Tour Report No 1 of 1948

¹⁰⁸ NAZ SEC2/1059, Letter from the Provincial Commissioner L.F Leversedge to District Commissioner Mazabuka dated 3 November 1947

¹⁰⁹ Mizinga, “ Inheritance and Social Change Among the Tonga”, p.44

¹¹⁰ NAZ LOC 4623, Tour Report No 11 1956 Chief Choongo

feared to act on his own because he did not want to get in trouble with his people.¹¹¹ Datta added that the lack of seriousness and laxity in the authority of chiefs among the Tonga people resulted in their subjects to take their cases to be settled by the District Commissioner. Additionally, the Tongas were fond of refusing to pay court fines that they were charged simply because they doubted the judgements passed in their Native Courts.¹¹² It can be noted that, the lack of experience by the appointed chiefs in settling disputes resulted in some people not wanting them to settle their disputes. Some people even opted to continue using their kin-groups as has been already alluded to, while others decided to trust the District Commissioner who knew nothing about their customs.

The Native Courts were set up in categories; these were the subordinate courts or inferior courts, superior courts and then the appeal court. Legally appeal was allowed from the subordinate court, then to the superior court and finally to the appeal court. However, the hierarchy of justice or jurisdiction among the Tonga was foreign to their social system and thus they failed to respect the laid down procedure of appeal by the government.¹¹³ Moussley a cadet in Mazabuka also observed that the right to appeal was not properly understood among the Tonga.¹¹⁴ For instance the Tonga would drag their cases from one court to another without following the hierarchy required in the appeal process. Colson observed that a case would first be taken to the superior court then to the subordinate authority's court and then to the District Officer who would refer the case back to the subordinate Authority.¹¹⁵ The resistance of the Tonga to accept the principle of hierarchy and jurisdiction led to the lack of respect for the newly established judicial institutions among them. Unlike the case among the Tonga were the newly appointed chief's judicial powers were not respected; it was an

¹¹¹NAZ LOC 4623 Tour Report No 11 1956 Chief Choongo, see also, Colson, *The Plateau Tonga*, p.226.

¹¹² Datta, " The Policy of Indirect Rule", p. 336.

¹¹³ Colson, *The Plateau Tonga*, p. 228

¹¹⁴ NAZ SEC2/1061 Mazabuka Tour Reports, 1952 , Tour Report No 8 of 1952 Chief Choongo's Area

¹¹⁵ Colson, *The Plateau Tonga*, p.228.

opposite state of affairs among the centralised Lozi society. The Lozi people respected their Native Courts because they were in existence prior to the establishment of indirect rule and therefore they only acquired a recognised legal status under the Northern Rhodesia law during indirect rule¹¹⁶ The Paramount chiefs' court continued to be the supreme legislative, judicial and executive body and the Barotse courts acquired the power to imprison offenders which was not known in the past.

The British colonial system introduced the law of writing wills before somebody died among the Tonga and the chiefs and other members of the Native Authority were tasked to ensure that people respected the wills.¹¹⁷ The idea of writing wills was rejected by most of the people among the Tonga because wills practiced by the Europeans never existed among them. However, there was a custom among the Tonga where the word of the deceased giving some of his property to a particular member of his family could be respected.¹¹⁸ In the past cattle were the only kind of wealth possessed by the Tonga and since a matrilineal group acted collectively on behalf of the individual members, cattle owned by any of the members could be inherited by the kin group once the owner had passed on. For instance if a man died among the Tonga his relatives would demand for all his property and if the widow had property of her own her people were supposed to help her claim that property, but if not her husband's kin group would take everything from her.¹¹⁹ Children of the deceased would not be given anything even if they had worked so hard to improve their father's economic status; this was discouraging and detrimental to the wellbeing of the children.¹²⁰ As the numbers of the farmers and rich peasants increased, the British law of writing wills was now embraced

¹¹⁶ Lewis, H. Gann, *The History of Northern Rhodesia: From Early Days to 1953* (London: Chatto and Windus, 1964), p.295

¹¹⁷ LMA ,TH2/17/19 Box 3, G.M Muyangana, " Indirect rule", p18., see also Mizinga, " Inheritance and Social Change Among the Tonga", pp.44-46

¹¹⁸ NAZ KSB 3/1 Mazabuka District Notebooks Volume II 1954: A Short Note on the Custom of the Plateau Tonga Relating to Practice of Making a Will.

¹¹⁹ NAZ ZA 4/1 Reports on Tribal Law and Customs, 1907-1910

¹²⁰ Mizinga, " Inheritance and Social Change Among the Tonga", p.66

and there was a growing need to break away from the customary law of inheritance. The successful peasants among the Tonga wanted a type of inheritance which would be justified and recognise an equitable distribution of wealth for the deceased.¹²¹

The written wills by the deceased were supposed to be respected by the remaining relatives and chiefs were tasked with the responsibility of ensuring that the wills were respected and those who acted contrary were to be dealt with by the chiefs in their Native Courts and also other members of the Native Authorities. However, the Native Authority among the Tonga did not speak with one voice on the subject of wills because some of them supported the idea of having wills while others opposed it. For instance, Native Authorities councillors like Mugondi and Manjata discussed the issue of wills in order to promote land tenure security when the owner had died. They suggested that the owner of the garden or land was entitled to making a will and leave his land to his sons.¹²² Since the writing of wills was not welcomed by most people among the Tonga, the Native Courts may have had a difficult time ensuring that the wills were respected during the inheritance of property of a deceased person.

However, it was difficult to understand how the appointed chiefs handled the cases of will writing and inheritance because most of the records left only gave information on the number of inheritance cases heard in different Native Courts.¹²³ A detailed account on how the inheritance cases were dealt with could have brought to light important information such as; how members of the deceased matrilineal group differed among themselves over the property, how the children reacted to the Tonga Customary law of inheritance since they may have taken part in the production of that property and also how the members of the matrilineal group of the deceased reacted to the will which the deceased might have left.¹²⁴

¹²¹ Mizinga, " Inheritance and Social Change Among the Tonga", p.66

¹²² NAZ SEC2/104, Mazabuka Tour Reports , 1955-1966:Chief Monze Tour Report No.5

¹²³ NAZ SEC2/138 Southern Province Annual Reports 1950-1951

¹²⁴Mizinga, " Inheritance and Social Change Among the Tonga", p.60

However the Plateau Tonga Native Authority resented the writing of wills, and the Plateau Tonga Appeal Court invalidated wills which were written and allowed the properties to be given to the deceased man's kin group.¹²⁵ It can be mentioned that the pressure put on the appointed chiefs among the Tonga to ensure that wills were respected was a difficult task for them. The chiefs were used to their customary law of inheritance and were sceptical going against their tradition which they had embraced for a long time, thus sometimes they opted not to respect the wills in their Native Courts. In addition chiefs among the Tonga had just assumed authority which they had never possessed prior to indirect rule and therefore they seemed conscious not to want to bring more confusion to themselves since people were still not sure about their authority. It can also be mentioned that will writing in as much as it was seen as a relief among the few wealthy Tonga promoted individualism while working against communal cooperation.

Tonga Religious Shrines

The recognition and appointing of people as chiefs who previously had been in charge of shrines or had religious powers impacted on some social practices like rain making among the Tonga. The Tonga rain cult was the most outstanding ritual and central feature of the people. The rain cult was believed to have been responsible for bringing people together in the Tonga communities. The rain cults organised small groups of villages for corporate activities and were able to impose sanctions on offenders against their rules.¹²⁶ Colson states that sometimes when the leader of a neighbourhood who assumed the title of *Ulanyika* (Owner of the Land) died, his kins-men and neighbours would build a shrine at his grave. The building of a shrine was a way of honouring the deceased *Ulanyika*. However this shrine was

¹²⁵ NAZ Mazambuka District Notebook, Appeal case No 35 of 1956 *Siachinda and Basimukowa Versus Amos Malambo* in an Inheritance Dispute heard on first August 1956.

¹²⁶ M.A Jaspan, "The Ila Tonga People of North Western Rhodesia", International African institute. London Part iv, p.60.

not a permanent one because it could be easily abandoned whenever the people decided to relocate. Shrines and religious rituals among the Tonga were important because they used them for prayers in times of drought or other disasters.¹²⁷ Below is an example of a neighbourhood shrine among the Tonga.

Figure 2: Neighbourhood shrine among the Tonga



Source: *Elizabeth Colson, The Social Organisation of the Gwembe Tonga* (Manchester: Manchester University Press, 1960), p.61.

The coming of British colonial rule through indirect rule changed the functioning of the shrines because some of the people who officiated at the shrines had been given other new responsibilities of being chief and charged with the duty of keeping law and order and thus they neglected their religious roles. For instance prior to indirect rule Chief Monze as a rain maker among the Tonga provided the focus of integration of the community and interceded for them in an event of an illness. This type of authority to integrate people was purely dependent on his powers as a rain maker and his ability to ward off an illness but not because

¹²⁷Elizabeth Colson, "Rain-Shrines of the Plateau Tonga of Northern Rhodesia", *Journal of African Institute*, Vol.18, No.4 (Oct., 1948), pp. 272-283

of a well-defined political structure or hierarchy.¹²⁸ Without much regard of the importance attached by the Tonga to their rituals and their religious leaders, the district officers made it clear to the people who were recognised as chiefs that they had to quit their positions as religious leaders. For instance, Chief Chona after being appointed as a chief during indirect rule was advised by the colonial administrators to give up on his religious duties and stop offering his divination services. In addition, Chief Chona after being challenged to abandon his religious duties claimed that he was no longer visited by *basangu* ever since he became recognised as a chief under indirect rule.¹²⁹ However, some of the Tonga chiefs still continued with their old religious positions even when the British administrators wanted them to concentrate on their new authority given to them. Chief Chona in the 1940s is said to have continued playing an important role in the rituals of the *Lwindi* ceremony.¹³⁰

The lack of understanding of the Tonga rain rituals by the British colonial government is believed to have led to ineffectiveness of the ritual. One informant in Chief Mwanza's area mentioned that the former rain priests like Monze started to pay less attention to the demands of their duties as officiators at the shrine and that some even lost interest in the rituals. He also added that during the reign of Chief Monze Cletus there was degradation on their social culture with regard to the ritual and so they believed that he was not possessed with the *basangu* which were important in the rain rituals.¹³¹ Furthermore, the informant also added that some chiefs who were appointed by the British during indirect rule were not from the true Monze lineage and thus they were not possessed by the rain making spirit (*Basangu*). It also came out that such chiefs were not allowed to enter the shrine during the rain making rituals. Similarly, O'Brien and O'Brien also stated that Cletus Monze did not have any

¹²⁸ O'Brien, "Religious Leader or King", p.12

¹²⁹ Elizabeth Colson, *the History of Napeyo*, (Lusaka: Keneth Kaunda foundation, 1991), p. 48.

¹³⁰ Colson, *the History of Napeyo*, p. 48.

¹³¹ Interview, Mathwes Hankasenke, (90 years) Chief Mwanza's area's Chiefdom, Friday 5th February

religious authority and thus he was more interested in his new authority acquired through the creation of the Native Authority.¹³² It can be mentioned that the British policy of indirect rule disrupted some of the ritual practices among the Tonga. Thus during oral interviews it was noted that the lack of religious interest and authority by Chief Monze Cletus resulted in some loss of traditions and customs regarding the religious rituals such as the Lwiindi which was for a long time associated with the Monze throne.¹³³ However, even though the British attempted to weaken the religious appeal towards rain making rituals and other religious rituals it did not weaken it completely. Furthermore, The Lwiindi rain festival in its periodic re-enactments underscored the bond between the secular and religious Tonga cosmology and cosmogony. The incumbents of the position of chief Monze have struggled to marry the religious and political duties from the time chiefs were appointed by the colonial government during indirect rule.¹³⁴

It can, therefore, be noted that the British colonial government seemed not to care much about the rain making rituals and this suggested that they only cared about getting their demands done. However, this was contrary to what they preached in the the initial stages of the implementation of indirect rule. In the initial stages, the British had stated that they would respect and maintain the traditional cultural practices of the local people. But what seemed to have obtained over the years was the opposite of what they promised when they were advocating for the rule through the indigenous people. The British promised to respect the culture of the indigenous people where they established their rule. Yet, as it has been discussed some people continued to attend to their rituals and this suggests that the idea of ritual practices did not die completely.

¹³² Dan O'Brien and Carolyn O'Brien "The Monze Rain Festival: The History of Change in a Religious Cult in Zambia", *The International Journal of African Historical Studies*, Vol. 29, No. 3 (1997), p.538.

¹³³ Dickson, Hantontola (78 years) Chief Ufwenka's Chieftom, Wensday 3rd February 2016.

¹³⁴ O'Brien and O'Brien, "The Monze Rain Festival", p.520

Conclusion

This chapter has examined the socio-economic impact of the British policy of indirect rule among the acephalous society of Monze district. It has been established that the chiefs who were appointed among the Tonga people were used as government agents in various social and economic activities. They collected different forms of tax with the help of the Native Authority Policy and they were also given authority over the land and labour and were also given judicial authority to trial civil and minor cases. It has also been noted that the authority given to chiefs to carry out the above mentioned responsibilities on behalf of the British administrators was questioned by many people who did not understand how their former religious leaders and some people who did not matter prior to indirect rule could be the ones commanding them on what to do. It has been established that the appointing of former religious leaders among the Tonga led to the ineffectiveness of their ritual practices.

It has generally been noted that most chiefs who were appointed by the British during indirect rule among the Tonga were not respected because Tonga people did not recognise their authority which was alien to them having been an Acephalous society. Since the Tonga had difficulties recognising the authority of the appointed chief stating that the leaders they had prior to colonial rule in this case indirect rule did not possess the type of authority which was given to the newly appointed chiefs. How then was the authority of the Tonga chiefs prior to indirect rule and how did the British policy of indirect rule impact on their political organisation. Therefore the next chapter will examine the political impact of the policy of the British indirect rule among the Acephalous society of Monze district

CHAPTER FOUR

THE POLITICAL IMPACT OF INDIRECT RULE ON THE ACEPHALOUS SOCIETY OF MONZE DISTRICT

Introduction

Prior to the introduction of the British policy of indirect rule, the Tonga were not politically well organised and had no chiefs or a hierarchy of leadership among them which made them Acephalous. Though they did not have a well organised political structure they had leaders among them who had limited authority and were sometimes addressed as *Mwami* which meant chief. The chiefs referred to as *Mwami* were not the same as the ones that existed among the centralised societies. Colson noted that any figure comparable to a chief among the Tonga was non-existent and that the term *Mwami*, now translated as chief, simply meant important man, rich man and a highly respected man.¹ She further added that it did not refer to an official position with powers over people or land.² Examples of people who were addressed as *Mwami* included rain makers, medicine men, *Sikatongos* (religious leaders) and *Ulanyikas* (Owners of the land).³

During the period of the British policy of indirect rule people who could fit in the British stereotype of an African chief were appointed among the Tonga in order to make the policy of indirect rule work. Therefore, it was important in this study to find out how the appointed chiefs and their newly acquired authority impacted on the political organisation of the Tonga. Thus, this chapter analyses the impact of indirect rule on the political way of life of the Tonga of Monze district. The analysis will be done under themes. It is important to mention from the

¹ Elizabeth Colson, *Marriages and the Family Among the Plateau Tonga of Northern Rhodesia*, (Manchester : Manchester University Press, 1958), p.31.

² Colson, *Marriages and the Family* , p.31

³ Elizabeth Colson, *The Plateau Tonga of Northern Rhodesia: Social and Religious Studies*, (Manchester: Manchester University Press, 1962), p. 207

onset that themes such as lack of authority by the appointed chiefs and lack of respect for the appointed chiefs have been alluded to in the previous chapter. However, these two themes although they were very much rooted in the political impact of indirect rule, were also an issue in the social and economic organisation of the Tonga during indirect rule. Thus, in this chapter they have been particularly examined with a view to show their political side while giving concrete examples.

Lack of authority by the appointed chiefs

The newly appointed chiefs among the Tonga during indirect rule seemed to lack authority because of lack of historical evidence to explain their existence in the past.⁴ As earlier mentioned, the leaders among the Tonga who were referred to as Mwami (Chief) prior to the introduction of indirect rule did not carry much authority among their people. This was because most of them had been religious leaders (*Sikatongos*) in charge of various religious rituals like praying for rain.⁵ It is thus significant to note that chiefs among the Tonga did not seem to have much authority over their people because of a lack of the existence of the concept of modern chiefs and a well formed culture of how they were to carry themselves as chiefs. The modern Tonga chief is not developed from an indigenous institution and was just a creation of the colonial government who made them to be more than beauracrats in the modern administrative machine without a traditional basis for their authority.⁶ One of the informants explained during an oral interview that in the past the Tonga did not have an agreed upon way of how to approach their chiefs as was the case among the Lozi people and that there were no laws one could refer to.⁷ He also said that Tonga chiefs did not have much

⁴National Archives of Zambia (Thereafter NAZ) NAZ SEC2/138 VOI. III, Annual Report on African Affairs for the Southern Province, 1950.

⁵,NAZ LOC 5085/SP4/2/27 Lord Hailey Information Reports, Kalomo: Southern Province, October 1947.

⁶ NAZ LOC 5085/SP4/2/27 Reports for Kalomo, Southern Province, October 1947.

⁷ Interview, Evans Malambo Munakempa, (89 years) Chief Choongo's Chiefdom, Tuesday 9th February 2016

authority over their people and as such he referred to them as having been ‘hi, hallo chiefs’, meaning that one could even by pass the chief or simply say “hi”.⁸ In a separate interview one of the chiefs among the Tonga stated that “us Tonga chiefs are not strict like the Lozi chiefs because if i were to be a Lozi chief I wonder how many times you could have clapped upon seeing me”.⁹ He also added that it would have been extremely difficult even to see him. However, the above statement by the chief cements the point that the lack of culture among the Tonga people concerning their chiefs which of course was due to lack of understanding of modern chiefs also explains their lack of authority among their people.

Unlike in centralised societies like the Bemba or Lozi where the giving of tribute was a sign of respect and loyalty, it was a different scenario among the Tonga who were not familiar with the institution of chieftainship as it was perceived by the British during indirect rule. Thus, when asked about giving gifts to their chiefs, both the young and old among the Tonga laughed at the idea and were hilarious when asked if they had sent gifts in form of tribute to their chiefs in the past.¹⁰ Furthermore, they stated that the gifts they gave to Chief Monze for instance were probably gifts for making rain and nothing more.¹¹ Similarly O’Brien argued that Chief Monze received tribute in form of axes and goats for his rain making powers and nothing else.¹² However, chiefs among the Tonga were reported to have been sending tribute to the Barotse chiefs as a way of gaining strength by attaching themselves to the Barotse chiefs.¹³ They tried to attach themselves to the Barotse chiefs because they realised they did not have authority over their people and also that the authority they commanded was not the

⁸ Interview, Fanwell M. Lubaya. (78 years) Chief Monze’s Chiefdom, Monday 1st February 2016

⁹ Interview, Petro Mang’za Kapuwa, Interview, Chief Monze’s Chiefdom, Monday 1st February 2016

¹⁰ W. Allan, M. Gluckman, et al. *Land Holding and Land Usage among the Plateau Tonga of Mazabuka District: A Reconnaissance Survey, 1945. Rhodes-Livingstone Paper 14.* (London: Oxford University Press, 1948.), p.90.

¹¹ W. Allan, M. Gluckman, et al. *Land Holding and Land Usage among the Plateau Tonga*, p. 9000.

¹² Daniel, O’ Brien. “Religious Leader or King”, Conference of the African Association of Australia and the Pacific. University of new South Wales, August 24th -25th 1981, p. 14.

¹³ W. Allan, M. Gluckman, et al. *Land Holding and Land Usage among the Plateau Tonga* , p.90

same as the one that the Barotse chiefs had. The sending of gifts to the Barotse chief by Tonga chiefs showed a sign of their vulnerability in their authority.¹⁴ Despite the lack of understanding regarding tribute, some members of the native authority were seen waving a truncheon horn at somebody and telling him that it was a good custom to give gifts to members of the chief's party.¹⁵ The *kapasus* (Native Authority Police) sometimes would demand gifts from the people claiming that it was a good custom to give presents of chickens to members of the chief's party.¹⁶ Therefore, it can be argued that the majority of Tonga chiefs did not possess good authority over their people and they received no gifts thus their respect was limited. Consequently, the exercise of authority by the Tonga chiefs during indirect rule was a continual bolstering action by government agents which made it effective.¹⁷

Despite the fact that lack of knowledge and culture about chieftainship among the Tonga resulted in the lack of authority among chiefs over their people, some chiefs claimed that actually it was the colonial government that was responsible for their lack of authority. For instance, chief Monze complained bitterly that the government was to blame for his chiefdom's disorganisation and that the Boma had taken away his power which he had enjoyed before the advent of indirect rule¹⁸ Prior to the introduction of indirect rule chief Monze was a powerful rain maker among the Tonga and was well respected and consulted by many people regarding rainfall.¹⁹ However, the lack of authority by the Tonga chiefs was also evident when a district commissioner stated that there was need for something to be done

¹⁴ NAZ LOC 5050 SP4/1/8 Minutes of Meetings, Plateau Tonga Native Authority, 1946: Letter from the District Officer Livingstone to the provincial Commissioner Southern Province Livingstone, dated 14th August 1951.

¹⁵ NAZ SEC2/1068 Vol. 1 Mazabuka Tour Report 1959, Tour Report No 2 of 1959: Chief Monze's area.

¹⁶ NAZ SEC2/1068 Vol. 1, Mazabuka Tour Report, No. 2 of 1959.

¹⁷ NAZ LOC 5085/SP4/2/27 Reports for Kalomo Southern Province, October 1947.

¹⁸ NAZ LOC 5088SP4/2/39 Mazabuka Tour Reports 1948-1950, Tour Report No. 5 of 1950, Chief Monze's Area

¹⁹ Livingstone Museum Archives (Thereafter, LMA) TH2/17/19 Box 3, Elijah Mudenda "History of my people: A short History of Batonga", 1941, p.2.

which could strengthen the authority of Tonga chiefs. The commissioner later suggested the need to amalgamate the authority of the chiefs into bodies which could obtain prestige amongst the people and that it would provide them with the leadership they required.²⁰

In trying to improve the leadership and authority of the newly appointed chiefs during indirect rule, the British colonial government decided to appoint councillors to help the chiefs in their duties. In as much as the appointment of councillors was meant to help the chiefs in the administration of their areas, some chiefs however saw this as something that would further weaken their personal authority that was already weak and had just been acquired through the Native Authority Ordinance (NAO) of 1929.²¹ The British colonial government was aware that some chiefs felt that the appointment of new councillors was to chief's detriment, thus they tried to convince them that they were still the ones in charge of their tribal law and the courts.²² However the councillors who were appointed took the lead in discussions at every meeting and some chiefs like Choongo appeared to be content to take a back seat.²³ It was noted that Councillors were intelligent and had progressive ideals while the majority of the chiefs were lacking in these qualities that they could not see that their authority was being undermined.²⁴ Therefore it can be stated that it was difficult for some chiefs to realise that their authority was being undermined because they seemed not to understand what was expected of them as chiefs and also that they were interested in the salary that they received at the end of the day. In addition some chiefs were happy just to be called chiefs and they found that prestigious thus they failed to notice that their authority was being undermined.

²⁰ NAZ LOC 5050/SP4/1/28: Letter from the District Officer in charge Livingstone to the Provincial Commissioner for Southern Province, 14th August 1951 and also LMA TH2/17/19 Box 3, Report of G.M. Muyangana, *The people of Chikuni: Indirect Rule*, 1960.

²¹ NAZ LOC 5085/SP4/2/27, Reports for Kalomo Southern Province, October 1947.

²² NAZLOC 5050/SP41/28: Letter from the District Officer Livingstone to the Provincial Commissioner for Southern Province, 14th August 1951.

²³ NAZ SEC2/139 Annual Report on African affairs for Southern Province, 1951-1953.

²⁴ NAZ SEC2/139, Annual Reports on African Affairs, 1951-1953.

Lack of respect for appointed chiefs

Lack of respect for the appointed chiefs was one of the political impacts of indirect rule among the Acephalous Tonga society. The Tonga found it very difficult to respect their chiefs whom they knew had never existed among them prior to the coming of Europeans. Apart from the fact that chiefs never existed among the Tonga as one of the reasons why they were never respected, there were other reasons that accounted for the lack of respect of these recognised chiefs. One of them was that the chiefs were not firm in the administration of their areas, for example some people did not respect Chief Mwanza because he did not carry himself as a chief and he did not know what was required of him.²⁵ Chief Monze was also not respected by some of his people. The lack of respect for chief Monze by some people was due to the lax administration of the Native Authority and it appeared that Chief Monze showed little interest in the administration and was more interested in his personal gains and his religious duty of praying for rain.²⁶ Another example of a chief who was not firm was Chief Ufwenuka, who was seen to lack the energy and drive to gain his area's support and thus people in his area were not law abiding and did not respect him.²⁷ He was said to have made no effort in going on tour with his assessors and thus the British authorities felt that Ufwenuka had the ability to administer his area well but could not make good use of himself.²⁸

Furthermore, Chief Choongo's support for the African National Congress (ANC) made the people that were not interested in the Congress to lose respect for him.²⁹ Other than that chief Choongo was very much interested in the prestige of being a chief and was quite unprepared

²⁵ NAZ LOC 5088 SP4/2/39, Mazabuka Tour Reports 1948-1950, Tour Report No. 1 of 1950, Chief Mwanza and Chief Chona's Area

²⁶ NAZ LOC 5081 SP4/2/6, Mazabuka Tour Report No. 2 of 1947.

²⁷ NAZ SEC2/1064 Mazabuka tour report 1955-1956, Tour Report No. 7 of 1955.

²⁸ NZA SEC2/1065 Mazabuka Tour Reports 1956, Tour Report No. 20 of 1956: Chief Ufwenuka' Area.

²⁹ NAZ SEC2/1067 Vol. 1, Mazabuka Tour Report 1960, Tour Report No 12 of 1960 Chief Choongo's Area.

to get on his job of administering the area. Therefore, it was discovered that the chief had none of the usual control over his people and was often regarded as being an agent of the central government rather than the leader who put his people's cases first.³⁰ The lack of respect for Chief Choongo worsened when he could not speak on behalf of his people concerning the *Chila* which was the hunting of Lechewes.³¹ The people in Choongos area were stopped from practicing their traditional hunting of the Lechewes and when they realised that their chief could not do anything they lost the little respect they had for him. In addition Chief Choongo did not seriously take his recognition as a chief in that he always left the headmen and court assessors of his area to make important decisions on his behalf. However, in addressing Chief Choongo's behaviour of lack of seriousness, the district commissioner challenged him to take a firmer grip of his authority or he would be removed from being a chief.³² It is important to state that not all the chiefs were disrespected by their people. There were also chiefs like Chief Chona who carried themselves as chiefs and were at least according to the Tonga individualistic standards respected though the respect seemed casual compared to how chiefs were respected among the societies that had chiefs prior to indirect rule.³³

As alluded to earlier, lack of touring by the appointed Tonga chiefs led to their people's lack of respect for them. The British colonial government emphasised the aspect of touring of the chiefs areas if they were to be respected by their people but most of the Tonga chiefs reluctantly accepted this.³⁴ The district officer thus observed that, the activity and effectiveness of the native authority depended almost entirely on the amount of touring done

³⁰ NAZ SEC2/1067 Vol.I, Mazabuka Tour Report No.12 of 1960.

³¹ NAZ SEC2/140 Annual Reports on African Affairs for Southern Province, 1954.

³² NAZ SEC2/1067 Vol.I, Mazabuka Tour Report No.12 of 1960.

³³ NAZ SEC2/1059 Mazabuka Tour Reports 1950-1951, Tour Report No. 1 of 1950: Chief Chona and Chief Mwanza's Area.

³⁴ NAZ SEC2/1067 Vol. 1, Mazabuka Tour Reports 1958, Tour Report No. 1 of 1958: Chief Monze's Area and NAZ LOC 5088/SP4/2/39 Mazabuka Tour Reports 1948-1949, Tour Report No.1 of 1948

by the chief.³⁵ The lack of touring by the chiefs resulted in them not knowing what was happening in their chiefdoms thus when a chief tried to go round his area, people would not turn up to meet him.³⁶ For example in chief Hamusonde's area the chief had some trouble with people who never wanted to turn up when he went on tour. They were very reluctant to turn up to meet him because of his lack of touring which made the people not to respect him.³⁷ However, most Tonga chiefs decided to only tour their areas in the company of the district or provincial commissioners if they were to be respected and regarded as chiefs by their subjects.³⁸ For instance, in Chief Monze's area his assessors accepted that they rarely toured their areas on their own but admitted that the only time they toured was when they were accompanied by the colonial administrators like district officers and other officers.³⁹ A long talk on the importance of touring by the Native Authority was given though the chiefs still agreed reluctantly.⁴⁰

Additionally, the increase of educated people after the 1940s among the Tonga saw a lot of disrespect for their chiefs. It became difficult for people to have any respect for a native authority in form of a chief with far less educational or personal qualities than many of his people. Thus, chiefs with less education or personal qualities were not accorded their deserved respect.⁴¹

The lack of respect for the chiefs was evident when too many complaints were going direct to the Boma instead of going to the chiefs first. Sometimes people said they did not trust that

³⁵ NAZ SEC2/1286 Annual Report for Native affairs for Southern Province 1935

³⁶ NAZ SEC2/1067 Vol.1, Mazabuka Tour Reports 1958, Tour Report No. 8 of 1958: Chief Siamusonde's Area

³⁷ NAZ SEC2/1065 Mazambuka Tour Report No. 20 of 1956.

³⁸ NAZ SEC2/1067 Vol.1, Mazabuka Tour Report No.8 of 1958.

³⁹ NAZ SEC2/1067 Vol.1, Mazabuka Tour Report No.8 of 1958.

⁴⁰ NAZ SEC2/1067 Vol.1, Mazabuka Tour Report No.1 of 1958.

⁴¹ NAZ LOC: 4623 SP3/3/3, Mazabuka Tour Reports 1960, Tour Report No.12 of 1960: Chief Choongo's Area

their chiefs could sort out their problems.⁴² Additionally, chiefs were said to be partly responsible for their people's lack of respect towards them. Examples of these chiefs included Hamusonde, Monze, and Choongo.⁴³ Colson observed that the Tonga attitude towards their chiefs reflected in their common saying that "any man may call himself a chief, but that does not mean that I will obey him" was also another reason for their lack of respect for the appointed chiefs.⁴⁴ Therefore, it can be noted that traditional respect accorded to the office of the chief was never strong in this province.⁴⁵ This was why O'Brien argued that the Native Authorities established and the chiefs appointed among the Tonga did not represent indigenous structures but what they represented was a bureaucratic method for ruling.⁴⁶ The Tonga people thus found it worthwhile to respect the office of ritual religious leaders which had a long history among them.

In trying to sort out the problem of lack of respect, the British officials at the Boma asked the chiefs to be carrying themselves as chiefs and that their conduct was to be above reproach and to be firm in their authority if people were to respect them.⁴⁷ Furthermore, the Provincial Commissioner during the indaba for the Tonga chiefs blamed them for their people's lack of respect and stated that nine out of ten cases of disrespect was the fault of the chiefs themselves for not governing the people properly and thereby failing to win their respect.⁴⁸ Furthermore, those chiefs who did not want to change were constantly threatened with dismissal from the native authority and were told that they would be replaced with others.⁴⁹

⁴²NAZ LOC 5050 SP4/1/28 Letter from the district commissioner to the Provincial Commissioner for Southern Province Livingstone, 14th December 1946.

⁴³ NAZ SEC2/1054, Mazabuka Tour Reports 1933-1939, Tour Report No.2 Of 1938.

⁴⁴ Colson, *Marriage and the family*, p.31

⁴⁵ NAZ SEC2/139, Annual Reports on African Affairs, 1951-1953 .

⁴⁶ O' Brien." Religious Leader or King",p. 18.

⁴⁷NAZ LOC 5050 SP4/1/28, Letter from the district commissioner to the Provincial Commissioner for Southern Province Livingstone, 14th December 1946

⁴⁸ NAZ LOC 5163/SP4/10/20 Indaba and visits of the Chiefs 1939-65: Record of Minutes of the Indaba held at Kachomba on Wednesday 30th October 1949.

⁴⁹NAZ LOC 5050/SP41/28, Letter from G. E Fane Smith Provincial Commissioner to the district Commissioner Mazabuka, dated 18th August 1950.

The threatening of the chiefs with dismissal was a clear indication that they were merely government employees who were expected to obey the demands of their employer in this case the colonial government. Therefore, it can also be stated that the viewing of chiefs as government employees also explained their people's lack of respect and constantly referred to them as 'Government Chiefs'.⁵⁰ This in turn could have had an effect on the establishment and strengthening of the institution of a well organised political structure. It can be mentioned that the lack of respect for their chiefs by the Tonga seemed to have also been caused by the British officials themselves. The reprimanding of chiefs and threatening them with dismissal indicated to the people that their chiefs were less important people and thus in most cases the Tonga people opted to respect the British officials than their own chiefs. However, even the respect given to the British officials could have been out of fear of being punished.

Controversial roles played by the chiefs

The new roles acquired by the chiefs during the policy of indirect rule had an impact on the political organisation of the acephalous Tonga society. Prior to the policy of indirect rule the people who exercised leadership among the Tonga only had limited authority over the people. For instance, they did not have roles or duties such as tax collection, land allocation and maintenance of law and order. The roles they had had prior to indirect rule were such as praying for the rain, providing traditional medicines and performing religious ritual ceremonies.⁵¹ However, during the policy of indirect rule those who were recognised and appointed as chiefs were given new roles such as tax collection which they felt was controversial. This was because in carrying out such new roles they were to be viewed as government employees and at the same time were to be representatives of their people and

⁵⁰ Muntamba, "The Political Systems", p. 119.

⁵¹ LMA Box 3 TH2/17/19, Land Tenure Report for Southern Province 1956, Report No. 1 of 1956.

guardians of the community resources.⁵² Prosecutions for offences against Native Authority rules and orders were far too few. The chief viewed with apathy the frequent breaches of the orders and it was obvious that little attempt was made to enforce them.⁵³ Chipungu notes that chiefs tried to distance themselves from more unpopular sources of revenue and mechanisms designed by the central government, but instead concentrated on the less controversial sources of revenue. As earlier mentioned in chapter two, he argues that chiefs during indirect rule tried to balance their roles by avoiding the collection of controversial taxes such as the dog tax.⁵⁴ Although Chipungu rightly observed that chiefs avoided the collection of controversial taxes, it can be stated that chiefs were still made to collect such taxes during the tours of the district commissioner.⁵⁵

Furthermore, it can be noted that some chiefs were careful not to implement policies that were against their people and at the same time were mindful not to go against the government. This meant that chiefs did not want to lose popularity among their people on one hand and also did not want to lose the salary they received as chiefs on the other hand. For instance, Chief Hamusonde tried to implement colonial policies which had been endorsed by his people because he knew that if he went against his people's wishes he would have been met with considerable opposition from them.⁵⁶ Thus Chief Hamusonde seemed not to be against the government but was still desperately anxious to avoid doing anything which would lower people's opinion about him among his subjects. Hamusonde was said to be too weak a person to take sides against the hand that gave him his subsidy.⁵⁷

⁵² Samuel N. Chipungu, "African Leadership Under Indirect Rule in Colonial Zambia" in Samuel N. Chipungu (ed.), *Guardians in Their Time: Experiences of Zambians Under Colonial Rule 1890-1964*, (London: Macmillan Press Ltd, 1992), p.50.

⁵³ NAZ LOC 5088/SP4/2/39, Mazabuka Tour Reports 1948-1949, Tour Report No.1 of 1948.

⁵⁴ Chipungu, "Leadership under Indirect Rule in Colonial Zambia", pp.56-57.

⁵⁵ NAZ, SEC2/1286, Annual Report for Native Affairs Southern Province, 1935

⁵⁶ NAZ SEC2/1200 Chiefs and Headman Misconduct-Chief Hamusonde's dipping tanks in Native Reserves 1929-1933: Letter from the District Commissioner Mazabuka to the Provincial Commissioner Mazabuka, 4th October 1930.

⁵⁷ NAZ SEC2/1068 Mazabuka Tour Report, No. 6/1959.

Among the Tonga, chiefs would be comfortable to see district officers emphasising obeying the government and not them doing it and thus in the absence of district officers Tonga chiefs had challenges in trying to rule their people.⁵⁸ Thus, it was noted that Chiefs in the majority of areas in the province were still prone in every emergency to look to a district officer in every lead or to remain supine in its absence. This attitude was due to innate conservatism and partly due to a desire to avoid unpopularity with the people whom they were placed.⁵⁹ In trying to help the chiefs carry out their duties without becoming unpopular among their people and at the same time serving the government, the district commissioner stated that care was to be exercised when carrying out the duties. He stated that in order to ensure that a chief did not become unpopular with his people because of the rule issued in his name; he should ensure that the authority given to him was not felt as burdensome to them.⁶⁰ In addition, the suppression of harmless rules which were desired by the colonial authorities was to be avoided and discouraged because it would have led to the derailment of the implementation of government policies.⁶¹

Hostilities and Jealousies among the Chiefs

The British policy of indirect rule created hostilities among some appointed chiefs and the ones not recognised and appointed as chiefs. Since not everyone was recognised as a chief there was some jealousy and hostility which developed by those who were leaders before but were left out for those who previously were not leaders but were appointed as chiefs based on chief Monze's recommendations.⁶² Consequently, some of those left out always wanted to cause trouble and never recognised the authority of the appointed chiefs. For instance Mulindi in Chief Monze's area claimed that his uncle was a chief who was not recognised in

⁵⁸ NAZ SEC2/1286 Annual Report for Native Affairs , 1935.

⁵⁹ NAZ SEC2/1286 Annual Report for Native affairs, 1935.

⁶⁰ NAZ SEC2/ 379 Native Authorities Rules and Orders General : Letter from The Chief Secretary J.H.C Griffiths in Livingstone to all Provincial Commissioners, 9th October 1934

⁶¹ NAZ SEC2/ 379: Letter from The Chief Secretary Livingstone to all Provincial Commissioners, 9th October 1934.

⁶² NAZ SEC2/1286 Annual Report for Native affairs, 1935.

part of chief Monze's area and thus his refusal to accepting the authority.⁶³ Despite being told by the Secretary of Native Affairs in person that his uncle's chieftaincy had been dead for many years, he continued disregarding the authority of Chief Monze and vowed to continue challenging it. Mulindi continued to cause trouble even when he only had little support from the people in Chief Monze's area.⁶⁴

Furthermore, the appointed chiefs were also hostile towards one another. Chiefs who seemed to follow what the government wanted and were trying to be good were often looked down upon and discouraged by the other Tonga chiefs. For instance Chief Chona who was energetic and had a likeable personality of commanding as much respect as ever likely to be afforded by the highly individualistic Tonga to a government chief was always looked down upon. Chief Ufwenuka and chief Mwanza always tried to belittle chief Chona's authority because of the credit given to Chona because of the way he had administered his area.⁶⁵

The hostilities and jealousy noted among the Tonga chiefs suggested that they lacked cooperation and liked the idea of being independent of one another. The independence of the Tonga chiefs can be traced from their past history prior to the introduction of indirect rule. The spirit of wanting to be independent among the Tonga chiefs was evident in their Native Authorities. For instance, Chief Hamusonde was said to be independent, conservative and argumentative and that he was only interested in pursuing his own interests and not for his subjects or considering the views of other chiefs.⁶⁶ Chief Monze regarded himself as the only important person while looking down upon other chiefs and headmen, consequently making it difficult for cooperation and smooth running of his area.⁶⁷ Furthermore, the lack of cooperation among the Tonga chiefs is said to have been evident even in their participation in

⁶³ NAZ SEC2/1063 Mazambuka Tour Reports 1954-55, Tour Report No. 15/1954.

⁶⁴ NAZ SEC2/1063 Mazambuka Tour Report No. 15 of 1954

⁶⁵ NAZ SEC2/1059 Mazabuka Tour Report, No. 1 of 1950

⁶⁶ NAZ SEC2/1065 Mazabuka Tour Reports 1956, Tour Report No. 17 of 1956: Chief Hamusonde's

Area

⁶⁷ NAZ SEC2/1063 Mazambuka Tour Report, No. 7 of 1954.

the Lwiindi ceremony. One of the informants during oral interviews mentioned that her predecessors were of the view that the Lwindi traditional ceremony was not all embracing and that it was dominated by a small group of Tongas. In addition, the informant seemed to suggest that the former chiefs in her chiefdom had been harbouring plans of having their own traditional ceremony which was to be called *Insamu Lyamomba*.⁶⁸ This ceremony was aimed at focusing on the celebrations of the Tonga men and women who took part in the fight for independence. The ceremony was to take place under one big tree called *Isamu Lyamomba* and it was believed that this was the place where the freedom fighters used to meet.⁶⁹ The informant also argued that the former chiefs of his chiefdom gave much importance to the freedom fighters that played an important role in the attainment of independence of Zambia thus the need to have a traditional ceremony about them. However, it is important to note that apart from the oral interviews, there was not any other evidence which the researcher came across which were of a similar view.

The independence of the Tonga chiefs was also evidenced during the Tonga Plateau Native Authorities meeting when the issue of who was to be a paramount chief among the Tonga people was raised. After the appointment and recognition of chiefs, there was a need to have a paramount chief just like it was among other societies that had the institution of chieftainship like the Bemba. Chieftainship being a new idea among the Tonga, it was difficult for them to agree on who should be their paramount chief. However, based on his famous title of a rain maker Chief Monze wrote a letter to the provincial commissioner in Livingstone that he should be made paramount chief of Southern Province. His letter read this;

Sir I would like to know the prominent chief among all the other chiefs in Southern Province. It's been a long time from the time the Europeans arrived in this area and its time that I can be considered paramount chief of this area. The

⁶⁸ Interview, Diana Bene, Chief Choongo's Chiefdom, Tuesday 9th February 2016

⁶⁹ Interview, Diana Bene

reason why I say so is because most of the chiefs and their people such as the Gweembe, Lenge-Leya, Ila and those across the Kafue used to come for petition of rain to chief Monze especially when the rains were scarce.⁷⁰ Chief Monze's request to be made paramount chief was however turned down by the Provincial Commissioner who argued that being a rain maker did not qualify one to be a paramount chief and that Chief Monze was not to be recognised as a paramount chief.⁷¹ The Commissioner also stated that other Tonga chiefs did not agree that chief Monze should be made paramount chief of the Tonga people and when the matter of paramouncy came up during the plateau Tonga Native Authority meeting, it was still turned down because the Tonga chiefs did not believe that it was necessary to have one important chief among them.⁷² However, the British authorities somehow may have raised chief Monze's hopes of becoming the paramount chief by the way they undermined other chiefs. On one hand Chief Monze was praised and considered to be the only one with a tradition behind him though his background was religious rather than executive.⁷³ On the other hand other chiefs were considered no more than heads of enlarged family groups whose authority hardly suggested great traditional responsibilities.⁷⁴

In addition, the educated members of chief Monze's area had proposed that Chief Monze be made paramount but the old people who understood the Tonga tradition opposed it.⁷⁵ Despite having evidence from the past that chief Monze was not the paramount chief among the Tonga, during the interview one of the informants maintained that Chief Monze was the paramount chief of all the Tonga people and that he had been made paramount chief in 1929 by the British government but later they revoked his appointment due to his involvement in

⁷⁰NAZ LOC 3064 SP1/7/1, Chief Monze's Area: Letter from Judah Manongo Head Assessor for Chief Monze Katimba court on behalf of Chief Monze to the Provincial Commissioner Livingstone dated 17th November 1953.

⁷¹NAZ LOC 3064 SP1/7/1, Chief Monze's Area: Letter from the Provincial Commissioner to Chief Monze, dated 30th November 1953.

⁷²NAZ LOC 3064 SP1/7/1, Chief Monze's Area: Letter from Gervas Chay the Provincial Commissioner, 30th November 1953 to Chief Monze.

⁷³ NAZ SEC2/1294 Annual Reports upon Natives Affairs 1947-1948, Southern Province

⁷⁴ NAZ SEC2/1294 Annual Reports upon Natives Affairs 1947-1948, Southern Province

⁷⁵ NAZ SEC2/139 Annual Reports on African Affairs 1951-1953, Southern Province

politics.⁷⁶ However, there is no evidence among the colonial documents and other sources used which support the view that Chief Monze had been appointment paramount chief of the Tonga . However, during a separate oral interview, one informant mentioned that there was no paramount chief among the Tonga and that there had never been one.⁷⁷ This informant pleaded with the interviewer that she wished to remain anonymous because many people had lost their lives over this issue of paramouncy. Additionally, two other informants in chief Ufwenka's area stated that they were not sure if the Tonga had a paramount chief and they also said that, the issue of paramouncy among the Tonga is one issue that had remained unresolved for a long time.⁷⁸

Abuse of authority of office by the appointed chiefs

The policy of indirect rule enabled the Tonga chiefs to enjoy the authority and privileges of being a chief which they had never experienced. The appointed chiefs among the Tonga during indirect rule were allowed what O'Brien referred to as little power and were given a small salary and were also allowed to trial minor cases in their Native courts.⁷⁹ Chiefs however, began to abuse their acquired authority in the sense that they began accepting bribes from people and involved themselves in bad vices like witchcraft. Chief Mwanza abused his authority by continually involving himself in witchcraft practices all because he had new authority and knew that he was in charge.⁸⁰ On the other hand, Chief Choongo was said to have accepted money in an irregular manner. In one case the money was spontaneously offered but in other instances he was said to have demanded for money in connection with

⁷⁶Interview, Petro Mang'za Kapuwa (Chief Monze) and Patior Natara(headman Chief Monze's Chiefdom), Monday 1st February 2016.

⁷⁷ Interview, Anonymous

⁷⁸Interview, Exilda Himabala, Chief Ufwenka's Chiefdom, Wednesday 3rd February 2016 and Gilbert Cheelo (84 years), Chief Ufwenka's Headman, Wednesday 3rd February 2016

⁷⁹ O' Brien, "Religious Leader or King", P.18.

⁸⁰ NAZ LOC 3064 SP1/7/1 Chief Monze's Area: Letter from the provincial Commissioner Livingstone, to the Chief Secretary Lusaka, dated 1st November 1937.

court cases.⁸¹ Chief Monze also abused his authority by asking headmen from Chief Moyo's area to pay fines and gave no reason why and no receipts were issued after the people paid the fine.⁸² Furthermore chief Monze took advantage of having been a great rain maker and asked one of his headmen named Siamazongo to pose as a chief and tour chief Moyo's area to hear cases and fine people just like a chief would. Siamazongo also went ahead and told people that he was a chief and that he was sent by chief Monze, when people heard that he was sent by Monze, they obeyed him because they were afraid of Chief Monze.⁸³ Most people among the Tonga were afraid of Chief Monze and usually said that he was a great chief (*Mwami Mupati*).⁸⁴

All in all, some of the appointed chiefs among the Tonga enjoyed their newly acquired authority which they never had before and ended up abusing their authority by collecting fines from people without issuing receipts, and started amassing wealth for themselves such as the purchasing of a car by Chief Monze in 1937. In fact at some point Chief Monze faced charges of embezzlement, extortion and injustice. The desire to amass wealth by the Tonga chiefs resulted in lack of proper treasuries because the ones which were there were disquieting.⁸⁵

⁸¹ NAZ SEC2/1198 Chiefs misconduct 1940-48: Letter from the district Office Mazabuka to the District Commissioner Mazabuka, 24th September, 1940.

⁸² NAZ LOC 3064 SP1/7/1: Letter from the district Commissioner Mazabuka to the Provincial Commissioner for Livingstone, dated 8th March 1938

⁸³ NAZ LOC 3064 SP1/7: Letter from the district Commissioner Mazabuka to the Provincial Commissioner for Livingstone, 8th March 1938

⁸⁴ NAZ LOC 3064 SP1/7: Letter from the district Commissioner Mazabuka to the Provincial Commissioner Livingstone, 8th March 1938.

⁸⁵ NAZ LOC 3064 SP1/7/1: Letter from the provincial Commissioners Livingstone, to the Chief Secretary, 1st November 1937.

Dual Chieftaincy

The appointment and dismissing of chiefs among the Tonga during indirect rule created a dual chieftaincy in chief Monze's area. In 1950; the British colonial officials in charge of indirect rule began contemplating the removal of Chief Monze Longwani who was very old and sickly.⁸⁶ They argued that chief Monze had become too old and as chairman of the Native Authority and as area chief, his influence was discouraging. They further mentioned that he had authority as a traditional rain maker and the question of his retirement in favour of someone more in tune with times and energetic was a delicate one.⁸⁷ Though they wanted to retire chief Monze, they knew that it was going to be difficult because of the tribal position he held of a rain maker. Thus, they agreed to appoint a deputy and strong assessors leaving Monze as a rain maker.⁸⁸ When Chief Monze was approached he demanded that he and his people were to be the ones to choose someone who would succeed him but he was not granted that.⁸⁹ However, it can be mentioned that unlike among the Tonga where an old chief was threatened with removal, among the previously centralised society this was not the case as their chieftaincies were deeply rooted in their traditions. For instance Chief Menga among the Bemba people who was too old and bed-ridden was allowed to continue being in charge of his area.⁹⁰ Chief Menga was said to have even continued presiding over cases held in Menga village and that when cases were held elsewhere his heir presided over them and always inquired from the old chief before making the final judgement.⁹¹ It can therefore be noted that the British colonial officials thought that they could easily remove some chiefs and replace them with others among the Tonga who were prior to indirect rule Acephalous in

⁸⁶ Santosh, C. Saaha, *The History of Tonga chiefs and their people in Monze District of Zambia*, (New York: Peter Lang Publishing Inc., 1994), P. 27.

⁸⁷ NAZ SEC2/138 VOI. III, Annual Reports on African Affairs Southern Province, 1950.

⁸⁸ NAZ LOC 5088 SP4/2/39, Mazabuka Tour Report, No. 5 of 1950.

⁸⁹ NAZ LOC 3064 SP1/7/1, Chief Monze's Area: Letter from Chief Monze Katimba Court Pemba to the Provincial Commissioner Livingstone, 9th May 1951

⁹⁰ NAZ LOC 4826 NP1/191/2 Native Courts Kasama District: Tour Report No.4 of 1934 Kabwibwi and Menga Areas

⁹¹ NAZ LOC 4826 NP1/191/2 Tour Report No. 4 of 1934

nature but that was not the case. This was because some people who were recognised among the Tonga to be chiefs were previously powerful religious leaders who still had religious duties and this made it difficult for them to be easily replaced.

Furthermore, in 1954 Mugodi was appointed as chief Monze's deputy in form of an administrative councillor.⁹² Mugodi was asked by the British to act as temporary chief from 1954 and take charge of the running of the chiefdom.⁹³ A year later a meeting was held by the Native Authority which decided that the old chief must go into retirement and Mugodi the popular choice should take over.⁹⁴ The old Chief Monze Longwani started complaining to every touring officer that he was the only rightful chief and there was no way an area could have two chiefs at the same time.⁹⁵ The people in chief Monze's area expressed their disapproval of the appointment of deputies pointing out that a chief was always a chief during his life time and that the people did not understand deputies nor were they ready to obey them.⁹⁶ In addition the whole idea of having two chiefs resulted in divided loyalties among their people and sometimes people did not know who to obey as both chiefs claimed to be the right chiefs.⁹⁷

Furthermore, both the court assessors and the court clerks complained about the differences between Mugodi and Longwani. One said that their position was difficult because of trying to serve two masters and as a result the work and efficiency of the court suffered.⁹⁸ The old chief Monze sometimes opened letters addressed to Mugodi and never allowed them to reach Mugodi. The old chief continued to be in charge and was always delighted at the mention of any detail of the Lwiindi ceremony showing how much it meant to him.⁹⁹ Additionally, the

⁹² NAZ SEC2/1065 Mazambuka Tour Report, No. 14 of 1956

⁹³ Saaha, *The History of Tonga Chiefs and their people*. 28

⁹⁴ NAZ SEC2/1065 Mazambuka Tour Report, No. 14 of 1956.

⁹⁵ NAZ SEC2/1067 Vol. 1, Mazambuka Tour Report, 1 of 1958..

⁹⁶ NAZ LOC 5050 SP4/1/28: Letter from the district commissioner to the Provincial Commissioner for Southern Province Livingstone, 13th September 1948

⁹⁷ NAZ SEC2/1064 Mazabuka Tour Report, No 6 of 1955.

⁹⁸ NAZ SEC2/1064 Mazabuka Tour Report, No 6 of 1955.

⁹⁹ NAZ SEC2/1068 Mazabuka Tour Report, No. 6/1959.

appointing of Mugodi to be the deputy of Chief Monze caused a lot of problems and uncertainties in relation to the old Chief Monze and also considering the fact that the idea of chieftaincy was something new among the Tonga who were still learning it.¹⁰⁰

The British authority later realised that the deputy chief Monze Mugodi did not have the authority of the Monze chieftainship because the old Chief kept a foot in the door and always went back when it pleased him. It was also observed that, the dual chieftaincy which was going on was not good for the Tonga who previously were acephalous and were still trying to understand the concept of modern chieftaincy.¹⁰¹ The British authorities later on came to realise that, they had made a mistake of not spelling out the exact duties that Chief Monze Mugodi the deputy to Chief Monze Longwani was supposed to do.

Furthermore, they did not specify if Monze Longwani was to completely stay away from the administration of his area. Consequently, they later regretted their act of refusing Chief Monze Longwani to choose his deputy, stating that maybe if they had allowed him choose, the problems in his area could have been avoided.¹⁰² It can be argued that dual chieftainship among the Tonga people might have occurred because the Tonga people were not ready to let go of some of their past leadership styles prior to indirect rule. Chief Monze Longwani was respected by his people because of the past history associated with the Monze chieftainship. Chiefs who assumed the Monze throne were referred to as chiefs of rain (*Bami Bamvala*) and because of that it was difficult for the people to easily accept somebody be installed as Chief Monze. To a Tonga the Monze throne was held in higher esteem because of the religious duties it carried and thus the British found it difficult to replace Chief Monze Longwani.

¹⁰⁰ NAZ SEC2/1064 Mazabuka Tour Report, No. 6 of 1955.

¹⁰¹ NAZ SEC2/1068 Mazabuka Tour Report, No. 6/1959.

¹⁰² NAZ SEC2/1064 Mazabuka Tour Report, No. 6 of 1955.

Conclusion

This chapter has analysed the political impact of the British policy of indirect rule among the acephalous society of Monze district. It has been established that people who were recognised and appointed as chiefs among the Tonga lacked authority. The lack of authority by the chiefs was mainly because of the absence of a centralised political system among the Tonga since the institution of modern chieftaincy did not have a historical background. The appointed chiefs did not have authority because they hardly carried themselves as chiefs. Additionally, the appointed chiefs lacked authority because they were not in touch with their people on account of failure to regularly tour their areas. It has also been noted that the Tonga people did not accord their chiefs the most desired respect because they were not firm and did not have a grip of their authority. Chiefs were sometimes not respected because they were considered as agents of the government and were commonly referred to as ‘government chiefs’ and that, they were only interested in protecting government’s interest.

It has been observed that the appointed chiefs during indirect rule had controversial roles to play. They were expected to be the representatives of their people and be government employees at the same time. It has also been discussed that the appointed chiefs began abusing their authority. Some chiefs began fining their subjects unnecessarily while others collected money from those who had court cases if they wanted to be favoured. It has also been noted that chief Monze abused his authority by asking someone to pose as a chief and collect fines from people which was later given to chief Monze.

Furthermore, the recognition of chiefs among the Tonga resulted in a dual chieftainship which divided the loyalties of the Tonga people to their chief under the Monze chieftaincy. The aspect of divided loyalty confused the Tonga people more on the institution of modern chieftaincy which they were still coming to terms with.

CHAPTER FIVE

CONCLUSION

The Tonga occupy the southern part of Zambia. They do not have any migratory history like it is among the other ethnic group of Zambia like the Lozi or the Bemba. Thus, their origin is not clear. The Tonga people were Acephalous in nature as they lack a well organised political structure like that of centralised societies like the Lozi. They did not have chiefs as they existed among the centralised societies, but they had among them people whom they recognised as leaders. The leaders that existed included *Sikatongos* (Religious Leaders), Medicinemen and the *Ulanyikas* (Owners of the Land). These were commonly referred to as *Mwami* (Chief). This however, did not mean a chief as it was among the centralised societies. In 1929, the British colonial government introduced the policy of indirect rule which was popularised by Lugard. This policy entailed that Africans were to be ruled by their already existing political structures. The policy of indirect rule was specifically designed for centralised type of societies.

The focus of this study was to demonstrate how the British policy of indirect rule was implemented among the Acephalous society of Monze district and the impact it had on the socio-economic and political way of life of the Tonga people. It covered the period from 1890 to 1964. The study concludes that it was not easy to implement indirect rule among the Acephalous Tonga society because they did not find a well organised and defined political structure where indirect rule could have just been fitted as was the case among the centralised societies such as the Bemba, Chewa and the Lozi. It has been established that indirect rule was promoted through the creation of Native Authorities, Native Courts and Native Treasuries. The creation of Native Authorities which came through the 1929 Ordinance brought about the appointment and recognition of chiefs among the Tonga. The British

colonial government used various methods in the appointment and recognition of chiefs. Among the various methods used to appoint and recognise chiefs was the use of Chief Monze's recommendations as to who was to be made chief, the use of missionary's recommendations, appointing some of the former religious leaders, appointing those who were made chiefs during the British South African Rule, training of appointed chiefs in administrative courses and also by simply asking those who were interested to be chiefs to register at the boma. The appointed chiefs were to work with *Kapasus* (Native Authority Police) and village headmen.

The British policy of indirect rule was also implemented through the creation of Native Courts which came through the enactment of the 1929 Native Courts Ordinance (NCO) which was reviewed in 1936. It has also been established that the Native Courts were to be headed by the appointed chiefs. The courts were created to deal with civil and criminal cases among the natives. The courts that were established were in different categories according to their authority and importance. There were courts of lower jurisdiction which were under the authority of sub-chiefs; the other court was the superior court which was formed by one of the chiefs regarded as a senior important chief like Monze, Singani and Mapanza. It has also been established that the lack of a centralised society among the Tonga made it very difficult to appoint a paramount chief among the recognised and appointed chiefs. Unlike in a centralised state where there were paramount chiefs who headed the tribal appeal court. Among the Tonga it has been discovered that the appeal court was instead made up of the independent chiefs with their councillors.

Indirect rule was also implemented through the creation of Native Treasuries which were put in place following the passing of the Native Treasuries Ordinance of 1936. With the creation of Native Treasuries the British colonial government wished that the Tonga could be mobilising their own resources and manage them.

It has also been established that the British policy of indirect rule had impacted on the socio-economic life of the Acephalous society of the Tonga in Monze district. The recognised and appointed chiefs among the Tonga acted as agents for the British in the collection of tax and labour recruitment. Chiefs were tasked with the responsibilities of native tax collection and ensuring that individuals wishing to own property such as dogs and fire arms bought licences. However, it has been concluded that the appointed chiefs encountered challenges as they tried to collect tax and also ensure that people bought licences because people were refusing to pay. This was because in the past chiefs did not have such powers but instead some of them were mere religious leaders who never collected tax from people. The natives wondered how a rain maker or a *Sikatongo* (Religious Leader) began to demand for taxes, when their duties were to help the people by conducting rituals and also praying for rain. However, most of the Tonga paid their tax and bought licences only after being threatened by the wrath of the District Commissioners. This implied that the Tonga chiefs left on their own could not manage to collect taxes and ensure that people bought permits since people only obeyed them at the mention of the British Officials. However, appointed chiefs sometimes tended to avoid the collection of controversial forms of revenue such as dog licences.

It has as well been established that the appointed chiefs were required to mobilise labour for public works among the Tonga. Even in this case chiefs faced difficulties with the mobilisation of labour because the people did not recognise the authority of their chiefs. Additionally, it has also been concluded that it was extremely difficult for a *Mutonga* to easily provide his labour for free without asking for pay. Although there were some people who were willing to offer their labour for public works most of them refused and always preferred to work for themselves. The appointed chiefs were given authority over land, something that never existed among the Tonga because they believed that anyone was free to use the land provided it was empty. Prior to the introduction of the British policy of indirect

rule, the Tonga when in need of land would just clear any unoccupied land and make it theirs. Sometimes those who occupied the land used to welcome members of their clan to settle with them provided they were members of their clan. When the Tonga realised that their land was over used, they would simply abandon it without seeking permission from anyone. Based on their past way of land acquisition, the Tonga found it very difficult to respect the chiefs newly acquired authority of land. However, chiefs were constantly reminded by the district commissioner to prosecute those who settled in unauthorised areas because they also noticed that they were reluctantly doing that.

It has further been concluded that during indirect rule, the appointed chiefs were given judicial authority, something that had belonged to the kin groups prior to the introduction of indirect rule. Native Courts were introduced among the Tonga and the appointed chiefs were given judicial authority. Prior to the introduction of the British policy of indirect rule, disputes were resolved by kin groups, and because of this the Tonga did not respect the judicial authority of the chief. This however was not the case among the centralised society such as that of the Bemba because prior to indirect rule the Bemba chiefs already had judicial authority. Thus, during indirect rule it was just a matter of recognising their courts and tailoring them towards what the British wanted. For instance, during indirect rule Chief Chitimukuku's court was recognised as a court of appeal from the courts of first instance in the whole Bemba area. Other than the Bemba, the Lozi chiefs also had judicial powers which were respected by their people and thus during indirect rule the Lozi courts acquired legal status under the Northern Rhodesia law.

Among the Tonga, if an individual committed a crime he was represented by members of his kin group. However, it has been noted that the introduction of Native Courts was not very welcome among the conservative Tonga people because they did not see the need why somebody who was not a member of their kin group could take part in settling disputes

involving their relative. In addition, the use of kin -groups to settle disputes was seen as not only a way of resolving disputes but also a way of maintaining peace in the communities, unlike the idea of using Native Courts to punish an individual. On the other hand, there were some people among the Tonga who seemed to have welcomed the idea of having Native Courts because they were not comfortable with some of the customs of kin- groups. Some people who had received some form of education and were enlightened were against the idea of taking one's property without their consent all in the name of kin relations and such people welcomed the introduction of Native Courts because such an act was regarded as theft in the courts.

It has also been established that the British did not take time to understand how the Acephalous Tonga society resolved its disputes through the kin groups because if they had taken time to understand the kin groups, they could have maintained some of the good attributes of resolving disputes through kin groups. It has also been concluded that some of the people still continued to resolve disputes through kin-groups because they did not recognise the authority of their chiefs and sometimes they wanted to maintain their kin group relations. Furthermore, it has also been noted that the idea of hierarchy in the Native courts was not respected among the Tonga people because the idea of different types of courts such as the subordinate and superior courts did not exist among the Tonga. Additionally, the British system of writing wills was not welcomed among the Tonga because they believed that the property of the deceased belonged to one's kin-group. Thus, when wills were introduced most people among the Tonga resented the idea of writing wills. However, with the coming of capitalism some people who had acquired wealth embraced and welcomed the writing of wills. In addition, the Plateau Tonga Native Authority was said to have rejected the writing of wills and the Tonga appeal court invalidated the wills that were written.

It has also been established that the appointment of the religious leaders such as the *Sikatongos* as chiefs affected the performance of rituals in a negative way. The people who were previously religious leaders and were appointed as chiefs were asked to let go of their religious duties and only concentrate on the administrative duties. However, the appointed chiefs despite being asked to refrain from their religious duties continued attending to and practicing them. This was because the Tonga believed that the practice of social rituals promoted unity among them and thus they could not easily let go of their traditional practices.

It has also been concluded that the British policy of indirect rule had an impact on the political organisation of the Tonga people. The chiefs who were appointed among them were not respected because of lack of historical background of chieftainship. As earlier mentioned, the idea of modern chieftainship was not present among the Tonga and those who had some form of leadership like religious leaders mostly concentrated on their ritual duties. It has also been concluded that the people who were appointed as chiefs among the Tonga did not take their appointment seriously and thus they failed to win the respect of their subjects. The Tonga people seemed to respect their chiefs at the mention of the colonial officials such as District Commissioners. It has also been established that the appointed Tonga chiefs were sometimes referred to as government chiefs because they were seen to have been representing the will of the government at the expense of their people.

It has also been noted that the people who were appointed as chiefs began abusing their authority. Some chiefs like Chief Monze used their authority to ask people to pose as chiefs and collect fines and taxes from people. Previously Chief Monze had had rain making powers and he was greatly respected as *Mwami Wahula* (Chief of rain) and thus just at the mention of his name people feared him. Because of this, anyone who mentioned that he was sent by Chief Monze was welcomed. It has thus been established that some chiefs among the Tonga collected money as fines irregularly as some levels of embezzlement and extortion were

noted. The levels of extortion and embezzlement were also present among other tribes who were centralised in nature prior to the introduction of indirect rule. Since chiefs were given the authority of maintaining order and fining people, some chiefs saw this as an opportunity to enrich themselves. The desire to amass wealth was not only by the chiefs but it was also present among other members of the Native Authority such as court clerks and *kapasus*.

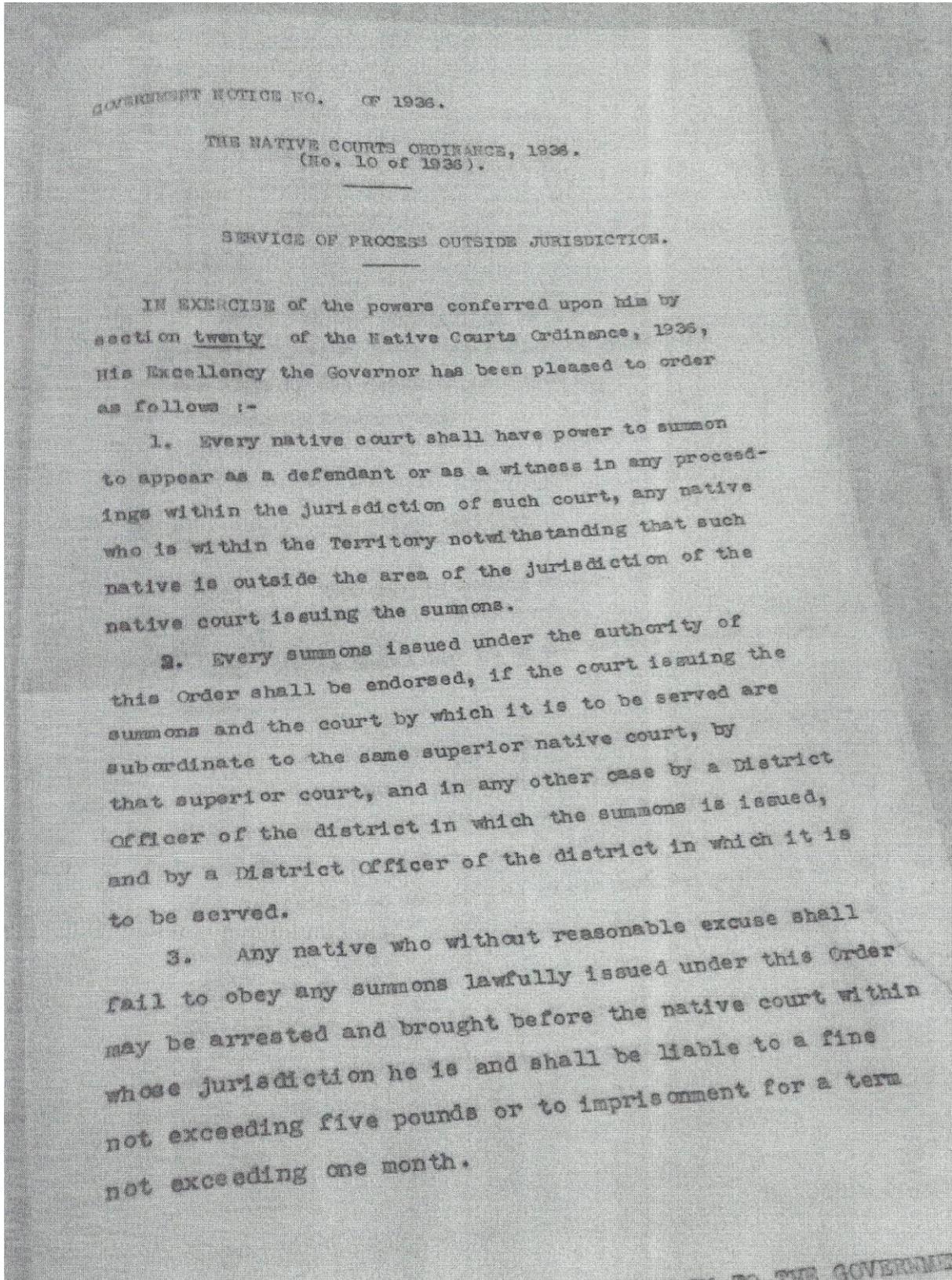
It has further been concluded that there seemed to have been some levels of hostilities among the appointed chiefs among the Tonga. Chiefs were seen to be hostile towards one another in that those who were leaders before the policy of indirect rule but were not recognised as chiefs were not happy and did not recognise the newly appointed chiefs. The hostilities among chiefs also came about because some chiefs thought that they were more powerful than others and also that they were the only chiefs among the Tonga. This thus led to lack of cooperation and coordination among the appointed chiefs. This implied that most chiefs were independent of each other. However, this aspect of being independent of each other could also be traced from their past. It has also been established that their history of being independent among the Tonga chiefs could have been the reason for their failure to agree on who was to be their paramount chief.

It has also been concluded that the appointment and removal of chiefs among the Tonga during indirect rule resulted in the creation of dual chieftainship. Dual chieftainship was when the Tonga had two chiefs at the same time. Dual chieftainship resulted in divided loyalties among the Tonga people because they did not know who was to be respected since both Chief Monzes for instance claimed that they were the right chiefs. It has also been established that dual chieftainship seemed to have made the Tonga people worse in their lack of respect for the appointed chiefs because they did not seem to understand how the succession to the Monze throne could be given to anyone. The Tonga believed that for

anyone to become chief Monze, that person had first to be possessed by *Basangu* the spirit of the former rain makers.

APPENDICES

Appendix 1: Native Courts Ordinance of 1936



3.
Ordinances mentioned in the first schedule of
the Native Court Rules (p. 14 Vol III.)

M. F. C. ROBINSON

PROVINCIAL COMMISSIONER.

Source: NAZ SP4/11/1, Loc.5171, Native Authorities and Courts under new ordinances

Appendix 2: Revenue Collection among the Plateau Tonga

Type of Tax	1934	1935
Arms	26 pounds	32 pounds
Dog	11 pounds	41 pounds
Game	11 pounds	18 pounds
Court Fines	56 pounds	32 pounds
Wheel Tax	130 pounds	75 pounds

Source: Adapted from NAZ SEC2/1286, Southern Province Annual Report for Native Affairs, 1935.

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