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Supporting the Prevention of Identity-
Based Violence through National
Mechanisms:

A Case Study OF ZAMBIA

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1-3 Coral Crescent
Lower Kololo Terrace
Kampala, Uganda

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1.0 Introduction

This case study seeks to kickstart and generate discussion especially amongst policy makers and implementers on the prevention of identity-based violent conflicts in Zambia. By bringing these issues into focus, it is hoped that legal, policy and action program frameworks will emerge to respond to challenges of governance and development in an effort to, among others, counteract causes, drivers and potentially disastrous effects of identity-based violence in the country. Zambia is a Member State of the Great Lakes Region, which is marked by over fifty-years of state fragility that can be attributed to colonial legacies, economic disparities and deprivation, and struggles to control the state which is often organized and mobilized along ethnic lines. A range of regional and international frameworks can help explain and recommend approaches to address this divisive and violent past, and can drive enduring change in relational and structural conditions and flaws that also characterize Zambia. The International Conference on the Great Lakes Region (ICGLR) presents one of those opportunities to achieve such sustainable change, through the 10 protocols contained in The Pact on Security, Stability and Development. The Pact articulates crucial roles and factions of various stakeholders where commitment to prevention of recurrence and punishment of perpetrators are clearly stated at the political and operational levels. Numerous operational and capacity challenges notwithstanding, Zambia can employ various preventative state-level policies and community-level programs to respond to factors that lead to identity-based hostilities and violence.

2.0 Background to Identity Based Violence in Zambia

These achievements have eluded other African countries and Zambia has been considered a model of peace and stability in the East and Southern Africa region. It has generally, undergone peaceful transitions. Unlike many other countries in the region, Zambia has not been under military coup despite three coup attempts and has not experienced internal strives that could destabilize the country. In fact, before 1990, a period characterized by one party rule, internal conflicts were non-existent and whenever they occurred, they were promptly quelled using the existing security institutions such as the police and the military.

During the one-party state, Zambia remained relatively stable under the mantra of “*one Zambia, one Nation*” that defined Kaunda’s quest for national cohesion. Kaunda propagated national unity through patronage networks. Through the system of ethnic balancing, Kaunda appointed ethnic elites into government, distributed gifts to ethnic chiefs, and courting ethnic constituencies [forming ethnic coalitions] (Ihonvbere, 1996). The ethnic appointments did not only awaken ethnic consciousness but ended up creating a bloated bureaucracy, entrenched the culture of corruption and impunity in government.

These factors coupled with shrinking political space and economic struggles of the 1980s lead to the agitation for the re-introduction of multiparty politics in 1991. Successive regimes after the reintroduction of multiparty politics continued with a culture of neo-patrimonialism that has awakened ethnic identity and resulted to violence confrontation during electioneering period.

Although ushered in through the wave of multi-party democracy, the Chiluba administration was characterized by closure of the democratic space. During the two legislative periods of Chiluba’s presidency for example, a culture of authoritarian rule and neo-patrimonial governance was established. The Chiluba government enacted restrictive laws against civil society organizations (CSOs) and the media. In 1996, the Chiluba government proceeded to amend the constitution, which weakened the powers of the judiciary, and effectively preventing certain persons from contesting the elections. The amended Constitution imposed new requirements on persons seeking to hold the office of president to be of Zambian parentage, which effectively excluded President Kenneth Kaunda since his parents were Malawian nationals. The constitutional amendments resulted in elite fragmentation along ethnic lines that has continued to manifest during election period.

After getting into power in 2015, president Edgar Lungu was also accused of perpetuating ethnicity in government by disproportionately appointing people from his ethnic group (Ngoni) into cabinet and other important positions in the bureaucracy (Habasonda, 2018). Whereas Zambia has been considered a model of peace and stability in the Southern Africa region as alluded to above, the recent violence conflicts reported in various regions have triggered scholarly interest on the role of social cleavages in explaining the emerging violence.

Although other identities such as religion and class manifest in Zambia, ethnic identity is more pronounced. This is mainly attributable to Zambia's multiethnic configuration. While ethnicity on its own does not lead to conflict, it has been instrumentalized thus making it a potential trigger for identity-based violence in Zambia. The instrumentalization of ethnicity has tended to dichotomize the Zambian society into "us vs. them". As argued by Staub (2009), if such dichotomization is not addressed, it is not only likely to lead to violent action, but it is likely to degenerate into "pathologically defensive action against a perceived existential threat".

2.1 Scope of the Case Study

This case study contends that, in Zambia, ethnic or tribal identity has the highest risk of leading to violent conflicts. Ethnic identity is usually based on a combination of several ascriptive factors of a tangible and non-tangible nature, and it embodies a deeply embedded sense of belonging to a group with unique identity markers. These include, amongst others, a common culture, (values and norms), a common language, a common religion, assumed kinship and collective ancestry (Endalew, 2002). Ethnic identity is also based on consciousness of group solidarity and an emotional commitment regarding shared territory, and a collective history, among others. Much of ethnic-based conflict is mobilized around these elements. In Zambia, the issue of identity, particularly its tribal dimension starts to manifest when other significant inequalities are present including skewed access to resources and political opportunities.

Other factors that are sources of observable cleavages in Zambia include the urban-rural divide and socio-economic equalities between the rich and the poor. These dichotomies have been amplified by the growing levels of inequalities brought by the burgeoning poverty levels. According to the Zambia Labour Force Survey Report (2018) for example, rural poverty was estimated at 76.6 percent compared to the urban poverty at 23.4 percent (Central Statistical Office. 2019). Despite the glaring gap in terms of poverty levels, the rural-urban and rich – poor identities have not been a source of violence. Religious cleavages have also not been a significant factor in identity politics in Zambia, because it largely remains a Christian nation. The declaration of Zambia as a Christian nation is embellished in the Pentecostal theology that advocates for peaceful solutions to emerging societal challenges. Emphasis is always placed in spiritual remedies (Kaunda, et al. 2018). Through the efforts of the Ministry of National Guidance and Religious Affairs (MNGRA), which is mandated, among other functions, to promote inter-denominational dialogue, the significance of religious cleavages has seemingly been diluted.

This Case study, therefore, seeks to identify the factors that have the potential to drive identity-based conflicts and violence with a view to find opportunities and develop interventions to fine redress in Zambia. It further examines legal, and policy frameworks that have been adopted, which have the potential to counteract the potentially disastrous effects of identity-based violence. Additionally, the paper identifies the existing challenges, dilemmas and gaps of addressing identity-based violence in the country.

2.2 Ethnic Outlook of Zambia

Zambia has a diverse mix of ethnic groups, estimated to be approximately 73 in number and distributed across the 10 administrative provinces and none of them holds an absolute majority. The Bemba account for 21 percent of the population, followed by the Tonga 14 percent, while others include the Chewa,

Lozi, Nsenga, Tumbuka, Ngoni, Lala, Kaonde and many others. There is also a tendency to among Zambians to identify themselves as members of one of the four language communities that characterize the country i.e. the Bemba-speakers, Nyanja-speakers, Tonga-speakers, and Lozi-speakers. Grievances over exclusion, discrimination and injustice are often framed along these four broad categories to differentiate between us and them, and to define insiders and outsiders with respect to, e.g. hiring and promotion prospects in both the private and public sector. As Posner (2005) argues, elites that are already in successful political and economic positions utilize their influence to favor and support co-ethnics to access the same opportunities. Competing politicians frame their electoral appeals in ethnic terms to influence voters and form winning political constituencies. This has greatly shaped how politics is conducted in the country, ranging from the founding of political parties to the composition of governments under each regime to control state power and national resources.

In the context of aspiring to establish democratic governance, as claimed by successive governments in Zambia, Mamdani (2009) recommends to *de-ethnocize* the civil society and *de-tribalize* native communities, as a necessary condition to break the impasse in democratization processes in the Africa. From this perspective, prevention of identity-based violence in Zambia requires social and structural reforms that de-ethnocize processes of how members of different ethnic groups are able to access and exercise power and resources. In Zambia, like in many states in Africa, *de-tribalization* suggests relinquishing tribal identities, in which case states must construct inclusive identities with incentives that motivate different groups to belong to the collective. Unfortunately, in many states in the region, citizens are made up of multi-tribal communities whose identities provide a strong sense of belonging, self-esteem and personal security that the state, but also renders them susceptible to easy mobilization of during conflict. In the absence of attractive national identities, it is not possible to *de-tribalize* communities or their members but possible to manage the different groups more inclusively and justly.

On the other hand in Zambia, the Bemba speaking language group continue to dominate politics and governance in Zambia, build through ethnic alliances with small ethnic groups to create a winning political majority that also perpetuates their dominance. Thus, Bemba has become an ethno-political identity (Erdmann, 2007) of different ethnic groups that is clearly distinguished in successive elections, and which politicians have exploited to entrench their political dominance to control state power. Unfortunately, as Erdmann (2007) further argues, some of the non-Bemba ethnic groups highlighted above are further fragmented into smaller sub-ethnic groups, which unfortunately can become a distinct political group identity based in shared experiences of exclusion and discrimination. By and large, ethnic identities are often more mobilized and profiled during electoral politics.

3.0 Factors underlying identity-based violence in Zambia

3.1 Ethnicization and regionalization of politics

In the wake of the democratisation, a key factor accounting for the salience of ethnicity is the instrumentalization of ethnicity by political elites. Recent elections in Zambia have witnessed the manipulation of ethnicity by politicians who mobilise their followers along tribal lines. As political competition becomes stiffer in Zambia, ethnic politics and political violence have become part of the political landscape. In fact, violence in Zambia is more prevalent during election period; in some instances, the violence has had ethnic undertones. However, cases of inter-ethnic violence based on other factors such as territorial control have intermittently been reported in some regions.

The culture of ethnic-inclined violence started emerging during the 1991 elections. The elections were marred with violence and ethnic fragmentation. During this election, more cases of violence and destruction of properties were recorded. In fact, more than 30 lives were lost in the violence (Perlez, 1990). During the 2005 by-elections in Mapatizya in Kalomo district and Kalulushi district on the Copperbelt, violence was widely reported. In Mapatizya (considered UPND stronghold) for instances, the United Party for National Development (UPND) party cadres adopted Mapatizya Formula a violent militia-style political activism to attack those who were passive as “outsiders” especially government

officials (Republic of Zambia, 2019). The 2006 general election was also characterised by violence and ethnic laced hate speeches. At the height of the 2006 elections for example, Sata (a presidential candidate from the Bemba ethnic group) allegedly argued that the Movement for Multiparty Democracy (MMD) under Mwanawasa was suppressing the Bemba-speaking ethnic group and that the anti-corruption crusade was selectively targeting Bemba politicians from the Northern and Luapula provinces, including the former president Chiluba. These utterances exacerbated political tension between communities during this period.

Despite the proliferation of political parties after the introduction of multiparty politics in 1991, three main political parties have dominated the political land scape, they included the Movement for Multi-Party Democracy (MMD), the Patriotic Front (PF) and the United Party for National Development (UPND). These political parties are not institutionalized. During elections, they have largely harness support and influence the voting patterns by campaigning, adopting candidates and organizing party structures on tribal and regional lines. For instance, the PF is perceived to be a Bemba party while UPND is considered a Tonga party. The trend of organising party structures on ethnic lines is perpetuating ethnic voting and ethnic violence. Ethnic elites in most cases invoke ethnic affiliation and manipulate ethnic grievances as the basis for political mobilization. In the 2016 election for example, the two leading presidential candidates – Edgar Lungu (PF) and Hakainde Hichilema (UPND) received most votes from their [co]ethnic regions. This was also the case in 2006, 2008, 2011, and 2015 elections.

Voting patterns in the 2016 presidential election by province

#	Provinces	UPND – Results	PF – Results
1.	North-Western	208,414	28,859
2.	Luapula	35,929	205,770
3.	Northern	63,719	218,938
4.	Muchinga	25,761	159,345
5.	Eastern	62,321	299,249
6.	Lusaka	242,172	375,760
7.	Central	177,854	138,517
8.	Copperbelt	189,562	345,275
9.	Western	226,722	46,255
10.	Southern	527,893	42,909

Source: Electoral Commission of Zambia (2016)

Furthermore, ethnicization of political parties is magnifying the belief that certain political parties belong to specific tribes and it is only members of those tribes that should vote for those parties. This problem has been exacerbated by hate speech or divisive pronouncements made by political elites. The use of derogatory language about other tribes tend to brew ethnic hatred. In addition, a loss by a candidate in an election is always perceived as a loss to the entire ethnic group to which the candidate belongs. The collective loss and winning mentality create ethnic tension between the losing and winning ethnic groups. In the 2016 elections for instance, the country was divided into almost two equal halves in terms of voting patterns. The Commission of Inquiry into Voting Patterns and Electoral Violence (2019) noted in its report that tribalism and regional voting characterised the 2016 elections. The Commission notes that:

A petitioner in Sinda district of Eastern province submitted that in 2016 he voted for a Presidential candidate originating from Eastern province because there was a consistent campaign message in the area which was aimed at persuading the electorate to vote for the “son of the soil”. According to the petitioner, the campaign slogan dubbed “*Wako ni Wako*” [Yours is yours] expressly discouraged people from voting for political parties whose presidential candidates belonged to other tribes or regions.

Related to this, is the lack of inter-party dialogue between political leaders and political party members. This mechanism is in most cases meant to build consensus among political leaders on issues of national interest and promoting national unity. Premised on the fact that the opposition leader garnered

approximately 48 percent of the total votes in the 2016 election and his arrest months after the election, polarized the country. Most of Hakainde supporters mainly from Southern, Western and North-Western provinces have continued to feel alienated from the current government.

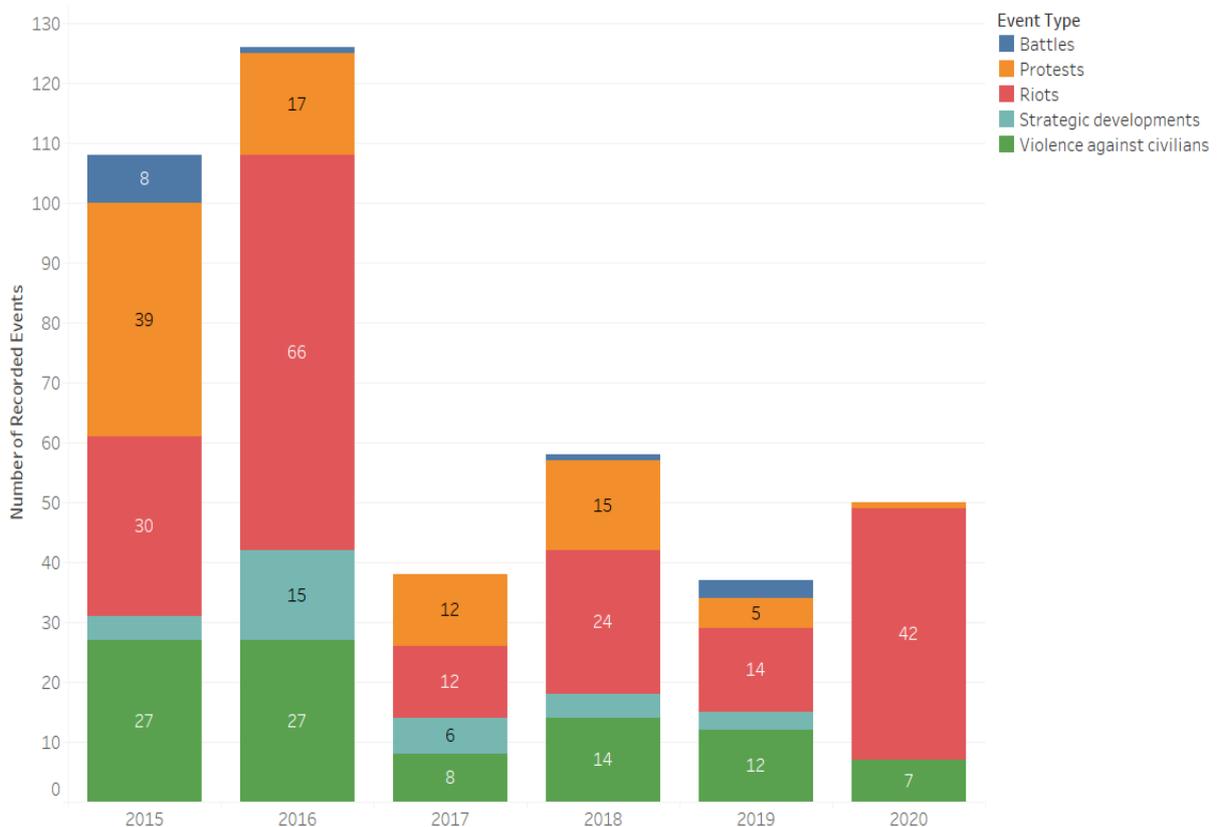
3.2 Political violence as a form of mobilisation

The use of political violence as a form of mobilization is not unique to Zambia. However, in Zambia, this phenomenon has become more acute since the PF came into power. The immediate-past three presidential elections in Zambia (2011, 2015 and 2016) have witnessed many incidents of violence, which not only threaten to erode democratic gains but also fracture social cohesion. During the 2011 elections for instance, violence; hate speech and incendiary pronouncements were unprecedented (Mukunto, 2019). The European Union Election Observation Mission (EUEOM) in their 2011 report, note that:

inflammatory and negative campaigning, at times some vitriolic rhetoric, and personalised insults have been observed at several MMD and PF rallies. There have also been a number of sporadic, localised and small-scale clashes between supporters of political parties in Lusaka and Namwala in Southern province.

Certainly, the 2016 elections marked the climax of violence in the Zambian history. According to the Armed Conflict Location and Event Data (ACLED) figures, there were 125 violent incidences in 2016 as summarised in figure 1. The main parties (PF, MMD and UPND) were involved in protracted violence that involved molestation and violent intimidation of perceived political opponents, seizure of private properties, protest and public disorder, vandalism and hate speech (see for example, Mukunto, 2019). The trend of the violence experienced during elections is worrying, if not contained may exacerbated ethnic antagonism leading to a wide scale ethnic inclined violence.

Number of all recorded events by event type in Zambia from Jan 1, 2015 to May 16, 2020 (Source: ACLED)



3.3 Leadership contestations, land and boundary issues

In June 2020, ethnic conflict erupted between the Lozi and Nyoka ethnic groups in Kaoma district. This was the second time the two ethnic groups were engaging in ethnic conformation. The Nyoka a relatively small ethnic group are opposed to being ruled by traditional leaders from the Lozi ethnic group, who dominate the western province (Inter Press Service, 2020). This conflict underscores the fact that there are underlying unresolved historical issues that trigger violence. If the underlying issues are not resolved, then the violent conflict between the two ethnicities is likely to escalate.

Land and boundary issues have also remained contentious in Zambia. From time immemorial, land in Zambia has been held under customary tenure, however this changed with the introduction of freehold and tenure systems. In recent times, competition and boundary disputes in both urban and rural areas have intensified manifesting as disputes between chiefdoms, ethnic groups and individuals. The disputes have in most cases been over boundaries and ownership of land. The disputes have been driven by increased economic activities, the increase in population, the influx of foreign nationals seeking to resettle or invest in Zambia and liberalization of land markets.

Traditional leaders have been embroiled in land disputes that have resulted in violence. For example, the boundary disputes between Chieftainess Mwape of the Nsenga people in Nyimba District and Chief Nyamphande of Petauke District degenerated into violence. The two leaders blamed each other of encroachment. In Lusaka District, cases of people encroaching and developing land which does not belong to them have been report. In most cases the illegal encroachment has resulted into violence confrontation.

The illegal encroachment in Lusaka has been blamed on party cadres who have been known to be grabbing land from farmers and dividing it among themselves or selling it. In some instances, communities have been displaced from their lands making them squatters. For example, it was reported that people in Kasembele village were displaced from their land after the land was allegedly sold to a private investor. From the above cases, it can be argued that as interest in land continues to grow and becoming scarce, we are likely to see an increase in land related conflicts. Given the fact that ethnic communities own land in specific geographical areas, land conflicts may be politicized to the disadvantage certain groups leading to identity-based violence.

3.4 Imbalance in political representation

Political representation that is cognizant of all segments of society is important in building a cohesive society. However, the political landscape in Zambia is characterized by unequal political representation among groups. There is a general feeling among the population that the presidency has been dominated by people from one region. This feeling tends to foment ethnic tension among the electorate especially during elections period. Out of the six Presidents that Zambia has had since independence, only one did not come from the North-Eastern region of the country. This has reinforced the sentiments about one regional-linguistic group dominating the political landscape in Zambia.

Related to this are the perceptions that the appointment of ministers and other senior officials have tended to be skewed in favour of one region. According to the Commission of Inquiry into Voting Patterns and Electoral Violence (2019), there is an emerging perception that “people from North-Western, Western and Southern province are not equitably represented in government at the level of cabinet and permanent secretary (Republic of Zambia, 2019). The skewed representation of ethnic groups in government has in many instances led to resentments from a cross section of society. After winning the elections in 2015 for example, president Lungu was accused of appointing his kinsmen into cabinet. The ethnic appointment triggered a wave of violence in various part of the country where the Nguni people (president Lungu’s tribe) were intimidated and harassed (Habasonda, 2018). The violence lead to the death of at least 6 people and destruction of property (Lusaka Times, 12 October 2018).

3.5 Militarization of politics

Political parties are important actors in promoting peace especially in divided societies. Besides recruiting and socializing members on issues of governance, they have a role to ensure that peace prevails in society. However, it has been observed that political parties in Zambia have often militarized politics using party cadres. Party cadres in most cases are young men and women recruited in the rank and file of political parties, but their role remain amorphous. The trend of cadreism has become rampant with the increase of unemployment. In 2019, it was estimated that the rate of unemployment stood at approximately 7.15 percent. Cadres have been known to engage in violence. In some cases, they have been accused of engaging in ethnic profiling and organizing attacks on individual perceived to be supporting different parties from their own. Cadres are known to carry crude weapons such as machetes. Some even carry guns publicly. This has made them ruthless in their actions especially when dealing with perceived opponents. Party cadres have also been known to abuse drugs. Marijuana and alcohol are the most abused drugs especially during electioneering period. The use of drugs makes the youth easily irritable at the slightest provocation (Namaiko and Etyang, 2020).

Amidst this political turbulence, Zambia's risk of identity-based violence is exacerbated by a growing youth bulge. In fact, Zambia has more youthful population has compared to the elderly. According to United Nations Population Funds (2016), Zambia had 4.8 million young people aged between 15-35 (36.7 percent of the population). The growing youth population coupled with limited opportunities have made the youth to be vulnerable to political manipulation.

3.6 Poverty and inequality

Other key drivers of identity-based violence in Zambia are poverty, inequality, exclusion and unequal growth. In fact, in societies with existing fissures on identity lines, factors like poverty, inequality and unemployment, can drive a wedge between groups and communities. Despite Zambia recording a decade of impressive growth averaging 7.4 % per year, and subsequently achieving lower middle-income status in 2011, this growth is not matching the reduction of poverty and inequality. The country is experiencing unequal, non-inclusive, jobless and ruthless growth. A report by the World Bank notes that the growth that Zambia has witnessed seems to have bypassed most of the population and benefitted a few urban elites.

Outstanding challenges in Zambia which include poor housing, inadequate water and sanitation, general lack of opportunities have exacerbated the poverty situation and are generating feelings of despair, dispossession, marginalization and discontent among the populace. This trend can easily be instrumentalized by opportunistic elites to disrupt peace. The risk of poverty and inequality fomenting identity-based violence are exacerbated by the country's over-dependence on raw materials such as copper. This is risky given that the global economic slowdown that has witnessed the prices of most natural resources dropping, and copper has not been spared of such a conundrum.

In the past 5 years, poverty has worsened the erosion of livelihoods of ordinary people due to the increase in food prices, especially maize, and the lay-off of mine workers. Income distribution remains skewed, with the majority earning very little while a minority makes a comfortable living. Poverty is still widespread and is reflective of the low growth rates in agriculture and the limited employment in other sectors such as manufacturing and mining. According to data released by the Central Statistical Office (2018), the level of poverty at the national level was estimated at 54.4 percent. According to this report, the poverty levels have predominantly remained high in the rural areas with statistical figures estimated at 76.6 percent as compared to 23.3 percent in urban areas (Central Statistical Office, 2018:32). In terms of geographical distribution, poverty levels are reported to be high in Western province at 82.2 percent, followed by Luapula at 81.1 percent, Northern at 79.7 percent and Eastern at 70 percent (Central Statistical Office, 2018:31).

It must be noted that poverty alone, is not a sufficient driver of identity-based violence. Indeed, there are examples of several poor nations in Africa that have not suffered any identity-based violence (such

as Malawi). The prospects of poverty contributing to identity-based violence are higher when there are perceived or real inequalities between and within identities, which creates a sense of “relative deprivation”. These inequalities as well as patterns of identity-based deprivation tend to create fertile ground for poverty to become a driver of conflict. In the case of Zambia, the high levels of poverty have created inequalities among regions. This has tended to create a feeling of marginalization therefore building and sustaining tensions among different ethnic groups.

The inequalities have further led to resentment of immigrant groups. The resentment against the Chinese for instance, can be attributed to the dissatisfaction by the population, especially with economic model that is currently being witnessed in the country, which is characterized by over-dependence on Chinese economic investment.¹ China’s growing demand of African raw commodities coincided with rising commodity prices in the late 1990s and early 2000s. This saw unprecedented increase in both trade and investment between China and Africa. In this context, Sino-Zambia bilateral relations have deepened, especially after 2000. This was witnessed by the establishment of the Zambia-China Economic and Trade Cooperation Zone (ZCCZ) in 2007, the first overseas Economic and Trade Cooperation Zone established by the Chinese Government in Africa.

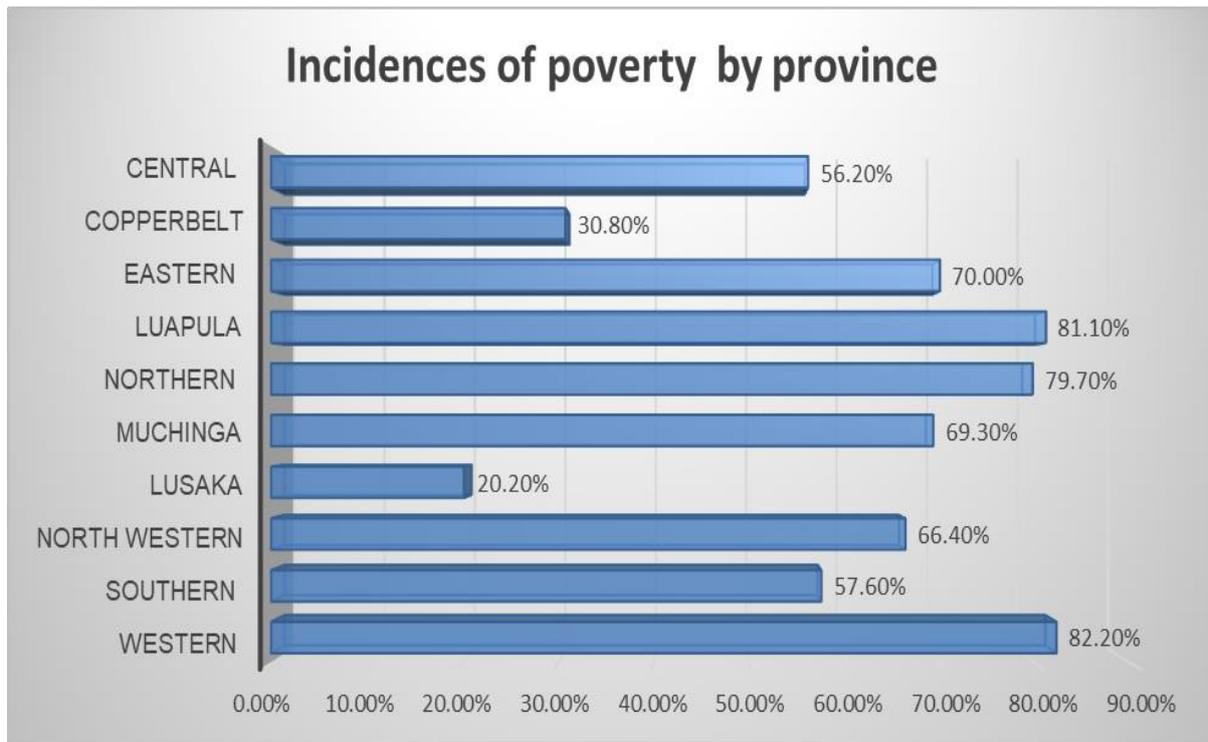
Massive development projects by China, in this case investments in copper mining, occurring against the backdrop of existing social and fissures can increase the propensity for identity-based violence in Zambia. While China has made huge investment in Zambia’s mining industry, especially copper, the dominance of China in the Zambia economy has however become an issue of growing concern. Zambia economic model of dependence on China has had several effects, including creating an enclave economy, worsening the environmental degradation, and observable erosion of labour rights. An often-cited problematic issue from critiques of Sino-Zambia relations are concerns over the disregard for local labour rights and neglect of safety standards, which has led to calls by locals about the need to stop the mistreatment of Zambian workers by the Chinese. This issue has been constantly flagged by organizations such as the Human Rights Watch, Amnesty International and International Crisis Group.²

The targeting of Chinese nationals in Zambia with violence by locals, is partly due to the growing perception that political leaders are colluding with the Chinese nationals at the neglect of the local people. This is evidence of emerging grievances in the wake of economic exclusion and vulnerability. The anger and marginalization that Zambians feel about these economic conditions has the likelihood of being channeled along identity lines such as ethnicity, and political affiliation. When people mobilize along identity lines, the risks of mass atrocities are high. The emerging resentment towards the Chinese has for example led to the killing of 3 Chinese in a warehouse Lusaka in May 2020 (Observer Research Foundation, 2020). Chinese business premises have also been vandalised in targeted attacks; this was the cases in Kitwe District in November 2018.

It is therefore not surprising that Zambia is witnessing growing resistance to Chinese investments by locals, who feel that they are not benefiting from this economic model. These resentments have so far manifested in densely populated and poor urban areas, especially in Lusaka and some parts of the Copperbelt. Some of the reasons for this targeted resentment are poor service delivery and increased levels of poverty arising from weak economy, and difficulties by citizens to access wealth and other social amenities, fear that Chinese are taking over jobs at the bottom of the pyramid such as rearing chicken, selling second cloths among others.

¹ While Zambia’s bilateral relations with China dates to the pre-independence period when present-day Zambia was a protectorate of Great Britain, it is important to point out that the economic relations between the two nations were limited until more recently.

² See: Human Rights Watch Report (2011) “You’ll be Fired if You Refuse: Labour Abuses in Zambia’s Chinese State-Owned Copper Mines.”



Source: Central Statistical Office, 2018

3.7 Skewed distribution of national development

Successive governments in Zambia have perpetuated a culture of political and economic supremacy of a few privileged individuals and ethnic communities as a result subjugating most of the population to poverty. The distribution of state resources has been based on political support and political allegiance. This has created a discrepancy in terms of development. Some regions (where the political class come from) are more developed as compared to others.

This scenario has created a resentment among some communities creating ethnic animosity. There is a perception in some regions (North-Western, South Western) that political leaders have channelled development projects especially road infrastructure in North-Eastern region at the expense of the South-Western and North-Western regions. Whilst North-Western region contributes significantly (approximately 65 percent) of the national wealth, very little is ploughed back to develop the region (Republic of Zambia, 2019). The inequality in the distribution of resources has triggered spurts of ethnic violence in some of the regions in the country. The violence is more manifest during elections as ethnic elites jostle for power.

3.9 Governance and corruption

Governance is a key factor that has the biggest potential to contribute to identity-based violence and mass atrocities. Indeed, poor governance has often been identified as one of the root causes or drivers of mass atrocities in most African countries. Scholars such as Rosenau (1990:388-415), argue that the narrowing competence of governments contributes to revived sense of identity and the proliferation of subgroups in the form of ethnic groups. In many parts of the continent, poor governance characterized by endemic corruption has tended to widen the mistrust among citizens for their leaders, and in some instance, this has led to state legitimacy being questioned.

The linkages between corruption and insecurity are well noted. The UN Convention Against Corruption cites corruption as a threat to the stability of societies and highlights corruption as a transnational

problem which requires to be tackled through international cooperation. The World Development Report (2011), notes that corruption can trigger violence, by fueling grievances, delegitimizing the state and undermining the effectiveness of national institutions and social norms. This was corroborated by a study undertaken by Transparency International (2014), which concludes that corruption can fuel social and political grievances, a sense of inequality and injustice, as corruption distorts government decisions, while undermining the provision of public services such as education and healthcare.³

One of the key indicators of the challenges of governance in Zambia is the pervasiveness and endemic nature of corruption. Corruption seems to have penetrated all spheres of public life, including those institutions intended to combat it. Despite the existence of measures to curb corruption such as the National Anti-Corruption Policy, the Integrity Programme, the National Programme on Governance, the Anti-Corruption Commission, and anti-corruption committees in all government institutions, unfortunately corruption in Zambia remains a major issue.

The pervasiveness of corruption in Zambia is coupled with the existence of weak state institutions. According to Transparency International (2014), if corruption has transformed the state from a set of institutions providing public goods into a set of institutions to be exploited for private gain, the state becomes a prize to be fought over. The more the incidences and rates of corruption, the more illegitimate the political regime, the more ineffective the public institutions, the greater the propensity of conflict.

Zambia's stability will depend on how the country navigates its current development challenges, and corruption will likely stand in the way of an inclusive, cohesive and well-developed society. The drivers and triggers of vulnerability in Zambia stemming from corruption can include a huge corruption scandal which can lead to protests and contentious politics. Contentious politics can emerge from the dissatisfaction with the socio-economic and political affairs. For example, in September 2018, a consortium of non-governmental organizations protested over the way that public money is being utilized. Protestors were expressing disapproval over the endless corruption scandals that have been unearthed in Zambia, and how corruption is linked to Zambia's unsustainable debt.

The lack of confidence in public institutions such as the security forces and the judiciary might contribute to further social distance between the public and the state. For example, a corrupt judicial system violates the fundamental right of equality before the law. In December 2018, Zambia's Supreme Court jailed a journalist for 18 months for contempt of court after he accused the judiciary of corruption.⁴

The correlation between corruption and identity-based conflict is related is especially observable when corrupt practices such as bribery are used to subvert human rights and respect of the rule of law. One of the public institutions that is labelled as corrupt is the Zambia Police Force. There appears to have been an erosion of public confidence in and respect for the authority of the police, a development that could contribute to future insecurity. On several occasions, the Zambian public has ignored police commands or publicly challenged their pronouncements. However, the police force has also gained the reputation of using intimidation, coercion and brutality against suspects or protestors.⁵ This employment of brute force by Zambia's security sector to deal with dissent may escalate or trigger violent conflict.

Furthermore, corruption tends to deprive state of resources through misallocation, which subsequently weakens the ability of the state to provide key public services, including security. It is safe to observe that continued bad governance, especially corruption, and police brutality, could potentially trigger protests, especially if there is a subsequent heavy-handed response from security actors. It must be

³ Transparency International, (2014). "Corruption as a Threat to Stability and Peace," http://ti-defence.org/wp-content/uploads/2016/03/2014-01_CorruptionThreatStabilityPeace.pdf

⁴ "Zambian Court jails journalist for calling judiciary to account," *News 24*, 20 December 2018, <https://www.news24.com/Africa/News/zambian-court-jails-journalist-for-calling-judiciary-to-account-20181220>

⁵ There have been reports to the effect that the Zambia Police Force sometimes used AK-47s, resulting in casualties that have caused an uproar among civil society and human rights bodies.

recalled that the Arab Spring (in North Africa and the Middle East) was triggered by a heavy-handed response to street vendors.⁶

4.0 Legal frameworks to deal with identity violence

The Zambian government has been slow to develop legal and policy frameworks to manage identity conflicts, neither has the government developed robust conflict management and violence mitigating tools. In terms of the societal cleavages, there has not been a clear move to improve the economic conditions of marginalized groups and incorporate them into mainstream politics; inequalities persist, tensions have risen during elections time over grievances that are never adequately addressed. This notwithstanding, the following legal and policy frameworks are discussed.

4.1 The Zambian Constitution

Even though the constitution of Zambia has undergone several amendments, several articles seeks to promote ethnic harmony between the different ethnic groups. The preamble underscores the centrality of ethnic cohesion in Zambia. The constitution in the preamble “*recognize and uphold the multi-ethnic, multi-racial, multi-religious and multi-cultural character of our Nation and our right to manage our affairs and resources sustainably in a devolved system of governance.*”

The preamble is premised on the multicultural approach that seeks to cultivate ethnic harmony among diverse ethnic groups, while at the same time upholding and maintaining the social structures and cultural norms that make the groups distinct. The Constitution lays the foundation for propagating and consolidating ethnic harmony. Article 4 (3) of the Constitution underscore the fact that Zambia is a unitary, indivisible, multi-ethnic, multi-racial, multi-religious, multi-cultural and multi-party democratic State. This is an important clause that seeks to build confidence and essence of belonging among the citizen.

Article 8 outlines national values and principles that are important in promoting ethnic cohesion. Specifically, under Article 8 (b) it highlights patriotism and national unity as important values for propagating ethnic harmony. In many divided societies, values form the basis for nation building, national unity and community solidarity. Indeed, values trigger a sense of common identity; they provide a common understanding within a social milieu and lay a stable foundation for ethnic harmony. Values are the central petal-force that galvanizes the society together. Article 23 prohibits discrimination of any citizen based on race, tribe, sex, place of origin or political opinion.

While the constitution prohibits identity-based discrimination, anecdotal evidence indicate that governments have been discriminatory especially when it comes to government appointments and distribution of development projects. The Commission of Inquiry into Voting Patterns and Electoral Violence reported that:

There is discontentment about the presidency being dominated by one region. As a consequence of this, there is a perception that most appointments to Government positions have favoured one region. People from north-western, Western and Southern provinces are not equitably represented in Government at the levels of Cabinet Minister and Permanent Secretary. The names of Cabinet Ministers and Permanent Secretaries made available to the Commission seem to confirm the perception of regional bias.

Related to this Article, is Article 259 (2) that underlines the need to ensure that all appointments to public office reflects regional diversity of the people of Zambia. However, this Article does not make

⁶ On 17 December 2010, the Tunisian street vendor Mohamed Bouazizi burned himself to death in protest of the police’s enduring, humiliating treatment of street vendors. After the authorities confiscated his wares, beat him and refused to return his property, Mohamed Bouazizi doused himself with fire in front of the local governor’s office. The despair and death of the young man caused anti-government protests. Within a month, Tunisia’s leader fled, ending 23 years of authoritarian rule.

the implementation of the constitutional provision mandatory. The Article uses the word “*where possible*”. The Article, therefore, does not make it mandatory for the appointing authorities to ensure regional balance in public appointments.

To strengthen representation of various ethnic segments in government and ensure gender equity, the constitution under Article 45(1c and d) provides that the electoral system should ensure fair representation of various interest groups in society and gender equity in National Assembly and council. This clause seeks to promote inclusivity. However, a cursory look at the number of Members of Parliament (MPs) by gender indicate that there are 137 (83 percent) Male MPs as compared to 28 (17 percent) female MPs. On the other hand, there are a paltry 9 percent women representation in the local government. The low number of representation of women in the local councils can be attributed to the amended Constitution Act of 2016 that made it mandatory for any aspirant contesting for a council position to have a grade 12 School Certificate. This clause significantly disadvantaged many women political aspirants. The low representation of one gender in political position may in the long run normalize discrimination, thereby creating and fueling cleavages that can be exploited and instrumentalized.

Article 60(2b and c) confers responsibility to political party to promote and uphold national unity and have a national character. Article 60(3b) prohibits the formation of political parties on a religious, linguistic, racial, ethnic, tribal, gender, sectoral or provincial basis or engage in propaganda based on any of these factors. This clause has not been adhered as discussed above. Political parties continued to be formed on ethnic and regional basis. Political parties have failed to promote national unity. There is no dedicate institution to regulate and manage political parties. This responsibility has been left to the Electoral Commission which lacks the capacity to regulate and monitor the activities of political parties. Article 169 recognizes the role of chiefs/elders in promoting national unity. In divided societies chiefs/elders play an important role in conflict prevention and conflict management. Despite their cardinal role in conflict prevention and management, some chiefs have been accused of fueling ethnic conflicts for example in Kaoma as alluded to in the paper.

4.2 Electoral Process Act 2016

This is another piece of legislation that seeks to prevent conflicts through the creation of Conflict Management Committees. The Conflict Management Committees in Zambia are governed by the Electoral Process Act No. 35 of 2016. Article 113 (1) gives the Electoral Commission of Zambia (ECZ) the mandate to constitute Conflict Management Committees for the purposes of dealing with elections related conflicts. The Act under article 113 explicates the functions and the membership of the committees. The Act appreciates the need for a collaborative approach to conflict management.

The Commission has recognized the important role that other key actors (political parties, civil society organizations, and faith-based organizations) play in mitigating conflict by incorporating them in the committees. Deriving its power from Article 110 (2), ECZ has cascaded the responsibility to disqualify political party or candidates who breach the code of conduct to the committees. In this sense, the committees are only allowed to recommend to ECZ for disqualification of any party or candidate who breaches the code of conduct. Anchoring the committees in law is important in enhancing the ability of ECZ to address elections related conflicts. Further, it has strengthened and institutionalized the district-based structures which play an important role in local communities. Despite its utility, conflict management committees face challenges. The challenges include:

- I. The committees are *ad hoc* in nature. They only function during election period.
- II. Lack of awareness of the role of the committees especially among community members.
- III. Inadequate training of committee members on conflict management, conflict resolution and mediation skills.
- IV. Limited financing of committee activities.

The Electoral Commission has also put in place a Code of Conduct governing elections and electoral practices. Regulation 4(2) of the Code of Conduct prohibits a member or supporter of a political party or a candidate to use language which incites hatred or violence in any form against any person. Despite the legal frameworks, the intensity of electoral violence with ethnic undertones have increased as was the cases in 2016. The situation may escalate during the 2021 elections if the existing mechanism are not strengthened.

4.3 The Constituency Development Fund Act 2018

The Constituency Development Fund is a funding framework that seeks to channel financial resources from the central government to constituency to support local projects. The administration of the fund is expected to be done within a socially inclusive participatory framework. The funds are meant to mainstream development at local levels and finance micro-community projects. Through this fund, it is expected that all ethnic, linguistic and regional groups would benefit from community development projects. The Act also provide parameters for the city and district councils to ensure that there is transparency and accountability in accordance with the law. Over the years, the government has been consistent with CDF allocation and disbursements.

However, this development fund has been characterized by misappropriation and misapplication. In some instances, the funds have been used for political patronage by some MPs. In some cases, the constituency development funds are diverted and often used to support individual political campaigns. Other challenges impacting on the implementation of the CDF fund include lack of capacity and tools to monitor and evaluate projects, limited knowledge of the CDF guidelines, limited information on national and local budget allocations and disbursements to the constituencies, lack of participation of stakeholders in the identification and implementation of projects at grassroot levels.

4.4 The Public Order Act

The Public Order Act is another piece of legislation that has been enacted by parliament to prevent violence of any form. Public order is construed as the state of peaceful co-existence among members of the public. The power to maintain public order is vested in the police. The Act prohibits acts that breach peace such as fighting, rioting and disturbance. Despite its utility, Civil Society Organizations, and Opposition parties have for a long time accused the police of selective application of the Act. The Act has been used to prevent communities and leaders from holding meetings, protesting perceived injustices and assembling. Zambia police has further been accused of constraining the campaign space for the opposition political parties through misapplication of the POA. The selective application of POA continues to contribute to violence between party cadres and the police during election period.

5.0 Policy frameworks and programmes to deal with identity violence

The government has also developed policy frameworks to deal some of the conflict-inducing social cleavages discussed above. They include:

5.1 Vision 2030 policy document

The Zambian government has moved away from short-term policy plans and embraced a long-term policy planning. As a result, government policy planning is informed by Visions 2030 policy paper. Its overarching goal is poverty reduction through sustained economic growth, enhancing competitiveness, and employment creation by reducing vulnerability to drought and fortification against terms of trade shocks. The Vision 2030 was launched in 2006 as the government's strategy to focus on achieving high rates of pro-poor economic growth through the maintenance of sustainable macroeconomic policies and acceleration of the pace of structural reforms to support private sector growth.

Vision 2030 aims to improve the public financial management system to boost the delivery of public services. It is founded on seven key basic principles. These principles are: (i) sustainable development; (ii) upholding democratic principles; (iii) respect for human rights; (iv) fostering family values; (v) a positive attitude to work; (vi) peaceful coexistence; and (vii) upholding good traditional values. While the policy plan recognizes peaceful coexistence, it does not explicitly discuss how this is to be achieved in the long-term. The policy plan does not for example outline the structures and mechanisms required to guarantee peaceful coexistence among the different ethnic groups. In addition, the framework lacks a proper monitoring and evaluation framework that can be used to measure key milestones achieved, more specifically in the promotion of peace.

The Vision 2030 is augmented by the Seventh National Plan 2017- 2021. The plan aims at “accelerating development efforts towards the Vision 2030 without leaving anyone behind”. The Plan seeks to establish a diversified and resilient economy for sustainable developed and socio-economic transformation. The implementation of the Plan is geared towards addressing some of the structural triggers to violence discussed above.

5.2 Public Welfare Assistance Scheme (PWAS)

This is a programme being implemented by government. It is a social assistance programme aimed at mitigating social economic shocks and other negative effects such as poverty and other vagaries brought about by the spread of HIV and AIDS. Its objectives include, promoting community capacity to develop local and externally supported capacity to overcome the problems of extreme poverty and vulnerability and to assist vulnerable groups in society to fulfill basic needs, particularly health, education, food and shelter. PWAS has huge potential to assuage the economic drivers of violence, and to curtail the feelings of relative deprivation among many sectors of the population in Zambia. However, the implementation of the programme has faced many challenges including limited funding, limited geographical scope, and many households, especially in marginalized rural areas have not been enrolled into the programme.

5.3 Peace Pledges

Albeit *ad hoc*, another strategy that has been advanced to deal with identity-based violence is the use of peace pledges. In 2019, the Patriotic Front (PF) party and the United Party for National Development (UPND), pledged to maintain peace through a joint communique. Signed by party representatives, the police and the district electoral officer, the 10-point plan was a commitment to end violence during future elections across the country. The peace pledge was supervised by the Electoral Commission of Zambia (ECZ). It is envisaged that the institutionalization of peace pledges could become of the strategies that can prevent electoral-based and political violence.

6.0 Conclusion

This case study provides the basis against which a Training Seminar on Prevention of Identity-Based Violence is organised by the AIPG. It will be complemented by a policy paper to generate discussion amongst policy makers and implementers on the above factors and policy recommendations to respond to ethnically mobilised hostilities, and a toolkit to guide community-level programming on Prevention of Identity-Based Violence in Zambia. Although prevention is fraught with practical concerns, two perspectives stand out as key in addressing the violent and hostile inter-ethnic relations in Zambia. 1) Establishment of *security*, not as military and policing structures and systems, but as conditions, structures and systems of governments under which opportunities for citizens to meet their needs and interests are regularly stable and enduringly predictable. 2) Achievement of prosperity merited through reward for hard work and equal access to social, political and economic opportunities regardless if ethnic origins and/or alliances.

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