

**‘We are the implementers of development’: Chiefs, Capital, and Politics in Zambia<sup>1</sup>**

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The bifurcated nature of African states has come into focus following Mahmood Mamdani’s brilliant analysis<sup>2</sup>. In very brief, Mamdani outlines the lasting impacts of colonial indirect rule that instituted a legal and administrative dualism related to governance and property relations. On the one hand, there were the areas ruled through civil law that operated through a racialized notion of individual rights; while on the other, rural Africans were viewed through the lens of the tribe, and placed under the custodianship of so-called ‘traditional rulers’. In many countries like Zambia, while Africanization and democratization has taken place in the former regime—though of course, with considerable unevenness—; chieftaincies remain entrenched. To Mamdani, this continuation of the chieftaincy’s rule is an instance of undemocratic despotism.

I take Mamdani’s thesis as a point of departure for an investigation of the chieftaincy in Zambia, focusing on Solwezi, and ask three questions: To what extent is Mamdani’s thesis applicable there? Second, going beyond Mamdani, how is the chieftaincy related to the various configurations of capital? And finally, what can we say about the present state of the chieftaincy, that is, in the post-privatization scenario? In the longer version of the paper I examine all three questions in depth. But due to constraints

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<sup>1</sup> Despite my best efforts, I would not be able to attend the conference to present this paper in person. However, and because this is a work in progress, I will be grateful for any and all comments on it. Please send these to: [negi.2@osu.edu](mailto:negi.2@osu.edu).

<sup>2</sup> Mamdani, M. (1996), *Citizen and Subject: Contemporary Africa and the Legacy of Late Colonialism*, Princeton: Princeton University Press.

of time, here I will skip #2, and instead, focus on the colonial legacy of certain contemporary aspects of the chieftaincy. Further, in this paper I focus primarily on the material basis of the chieftaincy's reproduction and not their moral authority over subjects, which is also important and needs further examination. But I explore the materiality of the chiefs because I believe it is what tethers their ideological hegemony in rural Zambia today.

## I

Out of the varied colonial and postcolonial contexts in sub-Saharan Africa, in his book 'Citizen and Subject', Mamdani abstracts out what he considers the defining feature of the state there: its bifurcated nature. For various historical reasons<sup>3</sup> the colonial state—whether French or British—converged on the policy of indirect rule to govern territories in Africa. This bifurcation, mostly but not exclusively, overlapped with urban and rural areas in the colonies. In very brief, while the colonial state ruled the cities and areas dominated by white settlement directly, imposed civil law and created a bureaucracy; in other—rural--areas it ruled through 'traditional' authorities. In studying this schizophrenic logic of colonial rule, Mamdani takes on two widespread conceptions about traditional authorities in Africa: i) the idea that since they predate colonialism, they represent timeless African tradition; ii) that the traditional authorities were outside of and excluded from colonial rule.

Mamdani argues forcefully that the chieftaincy cannot, as many tend to do, be conflated with history or tradition. While many places did have chiefs during precolonial

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<sup>3</sup> The need for enforcing its territorial sovereignty with a bare minimum of resources and manpower—the so-called 'hegemony on a shoestring'—has been seen widely as a major motivation here; but there were other rationales too, as Mamdani explains lucidly in Ch.2.

times, their relationship with the subjects had an organic and dialectical character that the colonial state tried to undermine. Precolonial chieftaincies had to negotiate both 'peer restraints'—between kings and chiefs—and 'popular constraints', which refers to the ability of subjects to depose chiefs in the event that they were widely unpopular<sup>4</sup>. The latter was reinforced by the fact that 'tribes' in precolonial Africa were not always territorial. Subjects unhappy with their chief could move and assimilate in the jurisdictions of another chief, or break away to form a new chieftaincy. The specifically colonial impetus in this context was related to the replacement of this fluidity by a prescribed fixity of administration. For precolonial chiefs, power was measured in terms of the numbers of subjects paying allegiance to a particular chief, which is why wars between chiefs were fought for the control of subjects. The colonial state, however, defined chieftaincies territorially, and each territorial tribe thus created was to have its own customary law. Therefore, as such chiefs qua colonialism have been viewed by critical scholars not as timeless remnants of precolonial Africa, but as part of colonial 'invention of tradition'<sup>5</sup> or 'neo-traditionalism'<sup>6</sup>.

Unlike conventional wisdom that saw chiefs as inhabiting physical and juridical spaces outside of colonialism, Mamdani shows that it was in fact a case of incorporation and not exclusion. Chiefs drew their authority, in addition to their ideological supremacy over subjects, by their legitimization by the colonial. They were the intermediaries between the administration and the rural populations. Thus, transformations in the colonial space economy, such as they were, were carried out through the mediation and active participation of chiefs. Euphemistically termed the 'enforcement of custom', the tasks

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<sup>4</sup> Mamdani 1996, 43.

<sup>5</sup> Geschiere, P. (1993). "Chiefs and colonial rule in Cameroon: Inventing chieftaincy, French and British style", *Journal of the International African Institute* 63(2): 151-175.

<sup>6</sup> van Binsbergen, W. M. J. (1987). "Chiefs and the state in Independent Zambia: Exploring the Zambian national press", *Journal of Legal Pluralism*, 25-26: 139-201, p. 141.

assigned to the chiefs included the collection of unpopular taxes, mobilization of the indigenous population for periodic wage work through the practice of migrant labor, and the variable conversion of agriculture from subsistence to market oriented cash crop farming<sup>7</sup>. Each of these came to symbolize the extreme violence of the African colonial experience because of their top-down nature, and because chiefs were given almost unbridled authority to enforce their orders. Mamdani therefore calls the colonial chiefs' rule 'decentralized despotism'.

There were two contrasting responses to decentralized despotism after independence in African countries. Many states continued the bifurcation and customary authorities were incorporated within the postcolonial state with certain modifications. On the other hand, there were the 'radical' states like Senegal, Ethiopia and Mozambique<sup>8</sup> that chose to alter the structure of the customary authorities. But the problem, as it emerged, was that the decentralized form of despotism soon turned into a centralized despotism where chiefs were replaced by party functionaries, and demands for labor or the reorganization of agriculture were imposed not for colonial appropriation but in the name of modernization or national development<sup>9</sup>. While there were similar tendencies in Zambia, particularly during the period of village resettlements, I believe Zambia is placed between these two stools. The traditional chiefs are still in place, but their authority was scaled back during UNIP rule. Chiefs were largely deprived of their judicial and coercive powers as the state attempted to extend its own

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<sup>7</sup> See Watts, M. (1983), *Silent Violence: Food, Famine, and Peasantry in Northern Nigeria*, Berkeley: University of California Press.

<sup>8</sup> In Mozambique, official recognition to 'traditional authorities' was given in 2002 for the first time after the country's independence in 1975 (Kyed, H.M. and L. Buur (2006), 'New sites of citizenship: Recognition of traditional authority and group-based citizenship in Mozambique', *Journal of Southern African Studies* 32 (3): 563-581, p. 563-564.)

<sup>9</sup> Mamdani 1996, 103; 135.

territoriality, but their role in the ritual life of rural areas was left untouched and control over access to customary land continued.

## II

In this section I take up the construction of chieftaincies by the colonial state, and the challenges that came its way as a means to evaluate the extent to which Mamdani's thesis on the bifurcated state fits the chiefs in and around Solwezi.

Now, the historical trajectory of the predominantly Kaonde chieftaincies of the area shows a continuing process of change<sup>10</sup>. Many chiefs were in conflict; others were forced by their subjects to move to areas with better geographical attributes, and in many instances dissatisfied groups—led sometimes by rebel headmen—formed their own chieftaincies. In other cases, chieftaincies were 'bought' from extent chiefs. Like many others, Chief Mukumbi too came from the north and approached Chief Kapiji Kasongo Chibanza for land. After paying '1 slave, 1 muzzle loading gun, some shells, and 1 zebra skin'<sup>11</sup>, Mukumbi and his followers were allowed to settle in the area that forms the chieftaincy today. To a colonial administrator cum anthropologist, the Kaonde's "tribal tendency to split up [was] visible at all...stages in their history"<sup>12</sup>. In general, the Kaonde chieftaincies are relatively smaller and less centralized than others like the Lozi and the Bemba, and do not owe allegiance to a paramount chief, hence "The weakness of Kaonde

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<sup>10</sup> Crehan, K. (1997), *The Fractured Community: Landscapes of Power and Gender in Rural Zambia*, Berkeley: University of California Press, p. 70.

<sup>11</sup> National Archives of Zambia (NAZ) SEC 2/969, *Letter from Simon Chibanza to District Commissioner, Solwezi*, May 7, 1955.

<sup>12</sup> Melland, F.H. (1919), 'The Kasempa District, Northern Rhodesia', *The Geographical Journal* 54(5): 277-288, p. 283.

headmen and chiefs is one of the refrains in the colonial reports right from the beginning of the colonial period”<sup>13</sup>.

But the onset of colonialism changed this fluid landscape of chieftaincy. Its seeds of colonialism were sowed when George Grey of Tanganyika Concessions Ltd, aided by the Kaonde chief Kapijimpanga, ‘discovered’ the Kansanshi mine in the late 1890s<sup>14</sup>. Thereafter, colonial offices were established in various sites in the area, including one at Kansanshi itself which was later moved to Solwezi. An important part of the new Bomas’ work was the survey of the local chiefs and their incorporation within the colonial state and political economy. In turn an early role of the chiefs was to help in the collection of ‘native taxes’, which totaled 10/- a year by 1910<sup>15</sup>. As the colonial presence intensified over the years and mining expanded, there arose increasing demand for native labour, and chiefs were again important in their enrolment, often dispatches were sent to the chiefs detailing the number of workers needed.

The extraction of taxes and workers from the district, however, was anything but straightforward and the chiefs, small and weak as they were, were not in a position to enforce the administration’s missives. As an official remarked, “the chiefs...have almost no control whatever over their people. This renders administration difficult for the official who is compelled to deal with the individual instead of the [tribe]”<sup>16</sup>. For the colonial state this defeated the very purpose of indirect rule, and made redundant the rationale for the incorporation of the chief, who was supposed to be the commander-in-

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<sup>13</sup> Crehan 1997, 109.

<sup>14</sup> Melland 1919, 278.

<sup>15</sup> NAZ BS3 A 2/1/4, *Letter from Administrator, Livingstone to High Commissioner, Pretoria*, December 20, 1910.

<sup>16</sup> NAZ BS3 A 2/1/4, *Memo from the Secretary of Native Affairs*, August 12, 1910.

chief of rural subjects within the state structure. In 1906, the District Commissioner, for instance, tried to recruit 300-500 men needed for work on a mine, but only 50 took up jobs. The situation was made worse because a large number of ‘able-bodied young men’ did not pay taxes: “some hid in the bush, but the majority had removed into the adjoining district where a [lower] tax rate had been imposed”<sup>17</sup>. In this way then, and though they were considered candidates fit for wage-labour, people resisted their incorporation within the colonial capitalist economy making the most of the geographically uneven tax regime in the colony and the state’s limited capacity to monitor movement. In the years that followed, the colonial state tried to strengthen the chiefs so that they could carry out their orders<sup>18</sup>. In doing so, and in keeping with Mamdani’s thesis, the restraints from below faced by the chiefs were weakened and replaced by accountability to the authority above.

The chiefs’ institutionalization was formalized between 1929 and 1936 with the promulgation of the ‘Native Administration and Courts Ordinances’. It created Native Authorities (N.A.s) across the colony comprising of the various chiefs and councilors under the District Commissioner. The NAs divided chiefs into two classes: chiefs and sub-chiefs; supported by paid and unpaid headmen. The state legislated that a chief rule territories of more than 3000 subjects; the sub-chief between 500 and 3000; and headmen less than 500 people. They were also provided with distinctive badges to indicate that they were “men of authority vested with powers not possessed by common people”<sup>19</sup>. These Native Authorities were responsible for various administrative and developmental

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<sup>17</sup> NAZ BS3 A 2/1/4, *Letter from District Commissioner, Kasempa to Secretary, Native Affairs*, May 15, 1910.

<sup>18</sup> See also Berry, S. (2004), ‘Reinventing the local? Privatization, decentralization and the politics of resource management: examples from Africa’, *African Study Monographs* 25(2): 79-101, p. 88-90.

<sup>19</sup> NAZ NW 1/10, *Memo by Provincial Commissioner, Ndola*, August 1926.

activities in rural areas, including education, health, agriculture, and public works and met periodically to debate matters. Additionally, the state had by now replaced tributes with a system of subsidies for the chiefs<sup>20</sup>. These, however, were generally not very substantial, and chiefs often bemoaned their supposed impoverishment during Native Authority meetings. A North Western chief put it poignantly, “Am I a chief? I have neither a gun nor clothes, nor a bicycle. My children gave me the blanket I am wearing”<sup>21</sup>. To the extent that the colonial state acted on the chiefs’ complaints, the following dilemma ensued: the more the state increased the chiefs’ subsidy, the more dependent they became on it for their material prosperity and ended up being perceived as servants of the state by their subjects *and* the colonial administration. Though it couched demands placed on chiefs in the language of tradition, the state was very clear that chiefs were its employees. Consider the Governor’s words in 1929:

“The chiefs should understand that the amount of subsidy paid depends upon the amount of work done. A chief’s duty is to see that his particular area is well governed, that his people are law abiding and generally to assist the District Officer in his administrative duties; the subsidy is a payment in recognition of the services rendered by the chief”<sup>22</sup>.

In conclusion, in the first two decades of colonial rule, the new administration was faced with a highly fluid landscape of chiefly authority and a general weakness of chiefs. But by the 1940s, a stable system comprising chiefs, sub-chiefs, and headmen had been constructed, each with authority over particular territorial communities. While the chiefs

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<sup>20</sup> This is not to say that the system of tributes was entirely eliminated. Gifts to chiefs continued to be given on various occasions, as were spoils of hunts and part of the harvest. But generally speaking tributes to chiefs were greatly reduced.

<sup>21</sup> NAZ KAS A/3, *Chief Kasonso at Indaba with Chiefs at Kasempa*, November 7, 1924.

<sup>22</sup> NAZ, SEC 2/39, *Indaba with Chiefs and Governor, Kasempa*, May 11, 1929.

never gained the rational bureaucratic control that the British expected of them, they enjoyed greater authority over subjects than before. The general process identified here corresponds with Mamdani's observations, but with some important differences. First, it seems that the Kaonde chiefs' material well being depended almost entirely on state subsidies, grants, and authorized use of *corvée*<sup>23</sup> on their personal farms, but this meant that they were *closely monitored* by the administration. This limited their ability to enjoy a free reign over the subjects, as is asserted by Mamdani. Second, chiefs in Solwezi were significantly less powerful than Mamdani's ideal type, and so, the possibilities for despotism were less. In a way, their very weakness with respect to the subjects—and the consequent absence of despotic rule—may explain why they still enjoy significant moral authority in rural areas, where people commonly view them as their communal leaders and their representatives in the messy and inscrutable world of the modern state.

In general, chiefs in and around Solwezi have been relatively weak, and the postcolonial state further clipped their wings. However, the recent transformation of the region due to a mining boom has opened new opportunities for the chiefs to renegotiate their position within rural society. In the longer paper I discuss this in detail through the 'tribal' recruitment process at the Lumwana Mining Company. But for the rest of this paper, I will point at the two factors that drive this renegotiation, produce contestations in the process, and force us to reconsider the chiefs' position in the society.

### III

The chiefs' place today is still conditioned by the deeply entrenched colonial legacy, of which two features are particularly important: 1) the continued role of the

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<sup>23</sup> NAZ NWP 1/10, *Assistant Magistrate to District Commissioner, Kasempa*, April 23, 1927.

chiefs as custodians of land in the particular territories under their administration; and 2) their institutionalized position as the sole representative of their rural subjects. Understanding these is the key to deciphering the chieftaincy's role in present-day Zambia.

Now, land during colonial rule was divided three ways: there was first, *Crown Land* under white settlers occupation, land in the cities, and land alienated for lines of transportation; second, *Native Reserves*, which were areas given to those Africans who were dispossessed to make way for Crown Land; and third, *Customary Land*, or land under the custodianship of the chiefs, and where the vast majority of Africans lived<sup>24</sup>. In customary areas, the chiefs were supposed to be the trustees who held land in order to ensure that their subjects had adequate access to means of subsistence, and that the land was being properly utilized<sup>25</sup>.

After independence in 1964, this land tenure regime was left virtually untouched—except that Crown Land was now called State Land. In postcolonial Zambia, “chiefs...grant occupancy and use rights to customary land and oversee the transfer of it between subjects”<sup>26</sup>. Because most land is not commodified, by and large the rural peasantry in Zambia and elsewhere enjoys access to land, and this is an important factor in the dominance and persistence of subsistence agriculture in the African ruralscape. On the other hand, the access to land is mediated by the chieftaincy, and provides a crucial

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<sup>24</sup> Loenen, B. v. (1999). *Land Tenure in Zambia*, University of Maine, available from [<http://www.spatial.maine.edu/~onsrud/Landtenure/CountryReport/Zambia.pdf>], accessed 4 August, 2007.

<sup>25</sup> Boone, C. (2003), *Political Topographies of the African State: Territorial Authority and Institutional Choice*, New York, Cambridge University Press, pp. 25-27.

<sup>26</sup> Brown, T. (2005) ‘Contestation, confusion and corruption: Market-based land reform in Zambia’, in Evers, S., M. Spierenburg and H. Wels, (Eds), *Competing Jurisdictions: Settling Land Claims in Africa*, Leiden: Brill Academic Publishers, pp.79-102, p.98.

material basis for their authority vis a vis their subjects making the land regime a crucial determinant of the reproduction of the chieftaincy in the country.

If we believe some observers, this postcolonial compact is in under threat, with the passage of the Land Act of 1995, which, among other things, is aimed at undermining the chiefs' hold on access to land<sup>27</sup>. With the passage of this act, customary tenure may be changed into leasehold to make the alienation of land easier. But, and importantly, the Act stopped short of radical change. To obtain leasehold in customary areas, permission of the customary authority—the chief of the area—is required<sup>28</sup>, except in cases where the land is needed for “the general benefit of the people of Zambia”<sup>29</sup>. Interested private parties negotiate with the chiefs, who in turn are supposed to consider the best interests of their subjects before alienating land. Once an agreement has been reached with the chiefs, the party may approach the Ministry of Land in Lusaka with the necessary papers and a surveyed map to get approval. Though many have decried these changes on account of the possibilities of permanent alienation of land from the chiefs' custodianship, the fact is that the Act also places the chiefs in an influential position because their approval is necessary for alienation.

It has been observed that many chiefs have been given substantial sums of money or brand-new SUVs as ‘facilitation payments’ in return for land. Even the Commissioner of Lands acknowledges that “there is no statutory control on how chiefs should administer customary land, and therefore, personal abuses and corrupt practices are not

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<sup>27</sup> This is the conclusion reached by the CCJP report on the Act, which also details the widespread confusion in rural areas related to its provisions. (Catholic Commission for Justice and Peace (2003), *Research on the Impact of the Land Act 1995 on the Livelihoods of the Poor and Peasants in Zambia*, Lusaka: CCJP National Office).

<sup>28</sup> Land Act 1995, Part II, Section 3.4

<sup>29</sup> Land Act 1995, Part II, Section 4.2

checked under this system.”<sup>30</sup> Chief Puta, for instance, got in trouble earlier this year when he explained that his brand new Toyota 4\*4 was a ‘gift’ from a Congolese mining company<sup>31</sup>. In Solwezi, the venerable Chief Kapijimpanga has been under fire for giving away hundreds of acres to an expatriate manager at the Kansanshi Mine, while refusing to contribute land for an expansion of Municipal boundaries of the growing town. Both supporters and detractors of the Act agree that chiefs are in a position of dilemma—the more land they alienate for payments couched as gifts; the more they weaken the material basis of their authority in rural Zambia. As one chief put it, ‘*chiefs are not chiefs without land*’<sup>32</sup> [emphasis in original]. It must be added though that in many instances the chiefs are unaware when certain interests posing as investors get approvals from Lusaka and gain hold of land in their areas. Partly this is because of certain provisions of the Mines and Minerals Act, which legislates that the authority for granting licenses to below-surface rights is not with the chiefs but the Ministry of Mines. Under the Act, written consent of chiefs is required only if mining is proposed on land occupied by a village<sup>33</sup>. Often investors start digging land without the knowledge of the chiefs, who clearly are unhappy at their loss of territoriality.

But perhaps even more problematic than the land issue—because it works in more subtle ways than overt corruption—is the colonial legacy of viewing rural Africans through tribal lens; that is, recognizing their rights and claims only as a collective tribal community and not as rights-bearing citizen of a liberal democracy. And the

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<sup>30</sup> Sichone, F. and K.Soko, *Land Allocation for Investment vs. the Rights of the Indigenous People*, Paper presented at ‘Decision Makers Conference on Land Administration for Poverty Reduction and Economic Development’, Windhoek, December 7-8, 2006, p. 12.

<sup>31</sup> Saluseki, B. ‘Putu explains his Congolese Toyota Hilux’, *The Post*, Lusaka, January 18, 2008.

<sup>32</sup> Quoted in Brown, 99.

<sup>33</sup> Mines and Minerals Act (1995), Part VI: 56 (c), ‘Mining rights and surface rights’.

responsibility of articulation of these collective claims is entrusted to the chiefs as the traditional head of the tribe. To be sure, one of the most common arguments in defense of the chieftaincy today is the chiefs' ability to raise matters of local concern at broader arena<sup>34</sup>. Indeed, chiefs regularly leverage their influence to seek social infrastructure and emergency help like flood relief from the state, and use the media effectively to this end. During my long interviews with Chief Mushili and Mukumbi, it was apparent that the two saw their role as leaders, as the voice of their subjects<sup>35</sup>. But the fact is that the chiefs' articulation of the subjects' concerns takes place precisely because the latter lack the means to make themselves heard directly. Think here about the virtual absence of civil society in rural areas in Zambia, compared to the increasingly vibrant scene in even provincial towns like Solwezi. But the marginalization of the rural population was ascribed to their sheepish nature by the two chiefs interviewed and not to the structural silencing of the rural population—initiated by the colonialists and continued by the postcolonial nation-state. According to Chief Mushili, “most people in the village do as they are told...the people are ignorant, leaders have to have moral obligation towards them”<sup>36</sup>.

Mamdani writes elsewhere, “Colonialism was not just about the identity of governors...it was even more so about the institutions they created to enable a minority to rule over a majority. During indirect rule, these institutions unified the minority as rights-

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<sup>34</sup> Interestingly, however, being too outspoken with their demands can invite the charge of ‘tribalism’ upon the chiefs; but it is merely the flip side to the tribal logic of the state itself that is being discussed here.

<sup>35</sup> Though the latter, having been a three-term UNIP Member of Parliament and a former Governor of Solwezi District, imbibed certain modern democratic values, it was clear that he still viewed himself as a leader by birth—“You must be committed leader to the people and then people will commit themselves to you... a leader must gauge the people he’s leading”. (Chief Mukumbi, Personal Interview, February 19, 2008).

<sup>36</sup> Senior Chief Mushili, Personal Interview, September 13, 2007.

bearing citizens and fragmented the majority as so many custom-driven ethnicities”<sup>37</sup>. The ongoing effects of this exercise can be seen clearly today. That chiefs are considered to not only represent but also stand for the interests of the tribe means that they enjoy certain material benefits that are really meant for the community as a whole. Consider the case of the new mines opened in Solwezi in the last few years. During the ZCCM era, workers had come to expect the provision of social services as part and parcel of employment on the mines, while residents of the mining areas were provided health and education infrastructure as mining surpluses—at least in theory—were channeled to infrastructure development.

In the privatized mining paradigm, however, this reinvestment has been replaced by the emaciated notion of ‘Corporate Social Responsibility’ (CSR). At best, CSR provides marginal contributions towards social development, and at worst, is little more than charitable window-dressing. In 2006, for instance, the Kansanshi mine generated \$276 million in profits for its Canadian owners First Quantum Minerals Ltd. (FQML). In turn, Kansanshi’s expenditure on community initiatives was \$730,000, only 0.26% of the profits. And from this amount, \$75,000 was Kansanshi’s contribution to Chief Mumena’s ‘home extensions’<sup>38</sup>. Lumwana Mining Company, on the other hand, is paying for the construction of a new palace for Chief Mukumbi, all in the name of rural development. In addition, there is a lot of justified pressure on these two mines to contribute to local economic development by contracting locally based firms for the supply of various goods and services to the mines. The mines too try to gain as much mileage possible when they

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<sup>37</sup> Mamdani, M. (2002), ‘Beyond settler and native as political entities: overcoming the political legacy of colonialism’, *Comparative Studies in Society and History* 43 (4): 651-664, p. 663.

<sup>38</sup> First Quantum Minerals Limited (2006). *Annual Report*. Vancouver: FQML, p. 70; Kansanshi Foundation (2007). *Status Report for Kansanshi Foundation Trust*. Solwezi: Kansanshi Mining PLC, p. 2.

award contracts locally; but if one gets behind the rhetoric of these mines about patronizing local contractors, it is easy to notice how relatives of chiefs get priority in getting contracts, again, in the name of the empowerment of locals.

But the most widely publicized, and interestingly, celebrated case has been the recent announcement that an American company Mayfair Mining and Minerals has entered into agreement with the Kaonde Chief Chizela to develop eight mining licenses in the next few years. These licenses are owned by the Chief, who also has a 40% share of the Joint Venture to be set-up by Mayfair. The company paid Chief Chizela \$50,000 as ‘signing amount’ and has promised \$500,000 in loans to be paid back from dividends on his share<sup>39</sup>. True, this initiative and the entrepreneurial spirit it shows is in line with the late President’s vision<sup>40</sup>, but that it would also directly benefit the population of the chiefs’ area, in whose name he keeps custodianship of the land, is not given. If the development goes through, it could very well bring unprecedented riches to Chief Chizela, including the obligatory new palace, an SUV or even a Mercedes<sup>41</sup>, but again, this is what rural development has come to mean in the structural paradigm discussed here.

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<sup>39</sup> Press Release, ‘Mayfair Mining and Minerals, Inc. Enters into a new Joint Venture Agreement to Develop Eight Mining Licenses in the Zambian Copper Belt’, *Prime Newswire*, February 26, 2008.

<sup>40</sup> The President repeatedly challenged the chiefs to transform themselves into rural entrepreneurs. In 2006 he said, “subsidies should not be the only source of income for our traditional rulers...Chiefs should take the lead in business in their chiefdoms”. Not all chiefs were happy with this view though. Chief Nzamane, for instance, rejected the President’s call, saying that the “Government has failed to look after chiefs...[w]here are we going to get the seed money or the initial capital? If they have failed, they should bring back the native authority”. Quotes from Lombe, S. ‘Levy counsels Chiefs’, *Times of Zambia*, May 20, 2006; and Miti, C. and Mpuchi, S. ‘Govt has failed to look after chiefs’, *Times of Zambia*, May 22, 2006 respectively.

<sup>41</sup> Chief Mushili of Ndola, another chief with interests in several mining joint ventures, owns a Mercedes.

Recently Chief Chiwala raised important existential questions regarding the status of the House of Chiefs. It is good to know that the chiefs themselves are undertaking introspection; but I believe it needs to go beyond their participation in national policy-making, and instead encompass their very position in contemporary Zambian society. They are in a unique position, through their structural location, to safeguard the concerns of the marginalized rural sections of the population by securing their access to land and to articulate them at higher state and non-governmental arena. By and large, chiefs in Zambia have proven themselves adept at both. But in many and increasing instances, the attractiveness of personal accumulation has weighed over the interests of the communities they are entrusted. Moreover, as I have shown, the chiefs' voice at broader arena can be traced to the silencing of the rural population at large, initiated by indirect rule during colonialism, and continued by the postcolonial state.

A major argument in defense of chiefs is that they represent timeless Zambian traditions and culture. Given the importance of autochthonous identities during this period of global capitalist hegemony, one must not reject this argument but engage with it. But at the same time, it must also be noted that it does not make sense to speak of chieftaincy as we know it without acknowledging the critical ways in which it was shaped during the colonial encounter. As Mamdani says, these institutions were created to enable the undemocratic rule of a minority over a vast majority: is this not the case across rural Zambia today? Is not the weakness of civil society there a function, among other things, of the chiefs' hegemony over leadership and the right to be heard? And don't we need different and more direct ways to ensure that the benefits of the mining boom—however limited they may be—reach those that need it the most?