



Royal Barotseland
Archives, Civic Education and Information Centre

ANALYSIS OF BAROTSE ISSUE

(Shading light into the Zambian Minds and Educating the Barotse Nation)

1. Annex is to incorporate into a Country, State, a Territory of another Country or State, to join
2. To merge means to course to become one.
3. Unify means to form into one[unite
- 4 A union means being united or being joined [U S S R, U S A]
- 5 To Federate mean combine, unite into a federation
- 6 Enclave means a territory wholly within the boundaries of another, or annexed to any country
- 7 To separate means to put apart things previously united or joined or combine
- 8 Secession means to withdrawal formally from political federation
- 9 The phrase, integral part in the Agreement proves that in the first place, Barotseland was not part of Northern Rhodesia. Integral is an adjective implying necessary for completion
- 10 The court shall be required to give the definition of secession and self determination
- 11 The Constitution of 1964 did not state that Zambia is a unitary State.
- 12 At establishment of Zambia as a Republic there was no Union Act or confederacy.
- 13 Where there is no union Act or confederation there can be no secession.
- 14 How can one withdrawal from a union where there is no union Ac
- 15 Zambia has to establish a fact that there has been a Federation that was stated in the Constitution of 1964 and is still therein
- 16 How could Barotseland be united to Zambia without union of Parliament
- 17 Barotseland cannot be said to separate from any Count
- 18 In default of the union Act no secession



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- 19 Since no annexation did take place Barotseland and Northern Rhodesia [Zambia] are technically two foreign Countries
- 20 By law, Barotseland is not recognized part of Zambia no body knows whether Barotseland is bound to Zambia legally, verbally by imagination by Constitution or by Agreement
- 21 The Zambian Government's Prender with regard to Barotseland is questionable

NB Zambian Government rely on limitation Acts to colonise Barotseland However these limitation Acts do not inhibit people from exercising the rights enshrined in international conventions. Limitation statutes vz the statutes which prescribe the periods within which proceedings to enforce a right must be taken or the right of action will be barred limitation act 1923, 1939 and 1963.

CONCLUSION

Considering that the Barotseland is no issue that requires a Constitution review no pretentious claims of Barotseland by Zambia can be justifiable. Thus neither incored possession on nor conetrective possession can be claimed by Zambia over or in respect of Barotseland. From legal point of view what is illegal is Zambia' s occupation of Barotseland

NB **Omnia praesumuntur legitime fact a donee probetur in contrarium** All things are presumed to have been legitimately done until the contrary is proved.

Now that Barotseland and Zambia are two separate Nations not united any dispute between them as a general rule shall be referred to international arbitration or mediation for pacific settlement or by regional arrangements.

Signed-Mbuyoti Kanungo
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