

Local Government Reforms and the Challenge of Local Development in Zambia

Phineas Bbaala

The University of Zambia

6.1 Abstract

At independence in 1964, Zambia inherited a governmental system whose structure existed mainly for the purposes of serving the political, social and economic interests of the minority colonial rulers and other white settlers. This is notwithstanding the rhetoric of “indirect rule” through which the colonialists outwitted the African traditional leadership with the fake promise of increased African participation in governance and development matters over their territories. Instead, what Africans got was increased presence of colonial administrative officials in rural areas, and increased colonial control of African chiefs and headmen. At that time, as was the case with many other new countries, one of Zambia’s daunting tasks was that of nation-building through accelerated national development. This could not be achieved in the void of clear political, social and economic policies and laws. Consequently, national development was to be pursued through various structural reforms on the political, social and economic frontiers. One of the most important of these was the decentralization reforms which were first birthed by the promulgation of the Local Government Act, 1965. Since then, the Zambian government has made several other attempts at decentralizing various aspects of governance. The most important of these have been the Local Administration Act (1980) and the Local Government Act (1991), and the various policy reforms promulgated over the years. This article argues that notwithstanding these various legal and policy initiatives, Zambia remains a highly centralized country with *façades* of local government institutions which, in reality, serve the interests of central government at the local level. The evidence in this article clearly suggests that decentralization policies and pronouncements by the successive Zambian government officials since independence have been a mere populist rhetoric for political expediency without any real intention to enhance local governance and development. Some historical and political reasons, highlighted in the article, account for this.

Keywords: Governance, centralization, decentralization, Local government, local development.

6.2 Introduction

In Zambia, despite several experiments to improve government delivery of social goods to the citizenry across territorial divisions, little has been achieved. Partly, this is due to the country’s failure to turn its district and provincial structures into effective local government structures that can make decisions and manage their own resources to foster development at the local level. This article sees effective local government as an important factor in fostering local development. The article argues that to reduce local poverty, Zambia should devolve most of the development functions to provincial, district and sub-district levels and accord local people the opportunity to participate in local development processes.

However, Zambia's decentralization efforts have not been tailored towards enhancement of local government at district and provincial levels due to continued cleavage to tenets of delegation and anti-concentration. As a result, decentralization has merely increased the presence of central government at local level rather than devolve decision-making and power to local administrative units that are closer to the people. This has culminated in a situation where increased decentralization is not necessarily leading to increased autonomy of territorial authorities. There has also been a hare-tortoise pace of decentralization between the district and the province. Whereas there have been numerous experiments to decentralize districts, the same cannot be said of the provinces. The changes seen at provincial level have mainly been those relating to change of names of official posts. Unlike districts that have dual structures (councils and field administration), provinces are purely field administrative structures devoid of councils. This article is born of an attempt by the author to draw a relationship between decentralization and local development. What distinguishes this article from other pieces of academic literature on the subject is its foremost concern with the problem of poor social and economic conditions among the majority of Zambians, especially the rural dwellers, in spite of many development administration experiments at the local level over the years. The author, therefore, examines the impact of decentralization on local administration and development. In the final analysis, the article evaluates the development efficacy of Zambia's past and current decentralization efforts and gives recommendations on how the local political and administrative system can be restructured to incite local development.

In attempting to address the subject, this article proceeds by defining some key concepts. One of such concepts is that of 'local government'. Despite its daily use, this term remains problematic due to lack of consent on what ought to be its practical elements. This is partially due to the existence of many different types of governmental systems. However, an ideal local government system must support local democracy, participation, autonomy and localness. One can therefore define local government as an autonomous sub-national unit of government that has devolved political and administrative power over its jurisdictions. The Zambian Government in its *Decentralization Policy (2002)* provides a working definition of local government as "a system of Government at local level through which local people manage their affairs, for example Councils, and may include traditional establishments recognized by the Government" (Zambia, 2002:iv). The key element that comes out of this working definition is that of localness. Although the definition does not plainly bring out the other elements of local government, the document from which it is derived is unequivocal on the matter as it details out the various processes of devolution on which decentralization was to be anchored. This article views local government as a function of decentralization. However, it also recognizes that the type of decentralization determines whether or not local government is achieved. For this reason, the article briefly endeavours to discuss decentralization.

Notwithstanding the elusive nature of the term, decentralization is defined as the 'transfer of authority to perform some services from an individual or an agency in central government to some other individual or agency which is "closer" to the public to be served' (Turner and Hulme, 1997:152). This definition associates decentralization with the transfer of decision-making power to the local people to make development choices within their own jurisdictions. A more comprehensive definition is given by Rondinelli (1981) when he asserts that decentralization is the "transfer of responsibility for planning, management and resource raising and allocation from the central government and its agencies to: (a) field units of central government ministries or agencies, (a) subordinate units or levels of government, (c) semiautonomous public authorities or

corporations, (d) area wide, regional or functional authorities, or (e) nongovernmental private or voluntary organizations (Rondinelli 1981a, cited in World Bank, 1983:17). This highly scholarly definition should not really be found contentious suffice to suggest the removal of the word “planning” since “management”, which is also in the definition, covers it. *Inter alia*, the strength of the definition by a globally cited scholar is on its coverage of much of the scope of the subject. For the purpose of this article, decentralization is redefined as the ceding of responsibility and appropriate authority for planning, organizing, directing, coordinating and controlling of resources from central government or its agents to sub-national political and administrative units in order to bestow local government. Throughout the article, the terms ‘local administration’ and ‘local government’ are used interchangeably.

6.3 Local Administration in Zambia: A Systematic Analysis

To effectively review Zambia’s quest for localized administration, one is expected to examine the evolution of the country’s decentralization experiments from the period before Company rule to date.

6.4.1 Local Government before White Occupation

Before the British South Africa (BSA) Company extended its mining interests to the south of the Zambezi River in 1889, the territory now called Zambia was nameless without clear internal boundaries. As a result, there was not any form of central government. Traditional rulers and their subjects inhabited different parts of the territory with each tribal group having its own form of traditional administrative apparatus. The major groups were the Lozi in the west, the Ngoni in the east, the Bemba in the north and the Tonga in the South. Each of the tribal groups was responsible for its political, social and economic affairs. An examination of the traditional administrative structures hitherto the arrival of European settlers reveals that Zambia already had a decentralized system of territorial administration with the village as the smallest unit of local government. Village administration was a responsibility of the village headman with the assistance of elders and able-bodied men. The village took decisions on matters that affected its own welfare. In many instances, the headman took decisions with consultation of village adults. Above the villages were chiefdoms, which represented some kind of central government. Matters that could not be resolved by the village headman and elders were referred to the chief. The chief and his *indunas* had a final say on all matters of political, social and economic nature in the chiefdom. However, the fact that traditional leaders were not elected representatives meant that traditional authorities were undemocratic.

6.4.2 Local Government during Company Rule

In pursuit of commercial interests, and in a quest to fulfil the promise made by its proprietor, Cecil John Rhodes to the Queen of Great Britain, to paint the heart of Africa British red, the BSA Company annexed the territories north of the Zambezi River. It achieved this through a number of treaties dubiously secured with African chiefs in the territory at the end of the 19th Century. As early as 1890, the Company had already embarked on experiments to establish its own political and administrative structures. The first form of local government was the division of the territory into two geo-administrative units namely North-eastern Rhodesia and North-western Rhodesia. An Administrator appointed by the Company and ratified by Her Majesty’s High Commissioner administered each of the units. Her Majesty’s High Commissioner based in Blantyre, British

Central Africa Republic (later called Nyasaland and now called Malawi) ratified the appointment of the Administrator of North-eastern Rhodesia. In North-western Rhodesia, Her Majesty's High Commissioner based in Pretoria, South Africa ratified the appointment of the Administrator. The administrators subdivided their territorial units into districts each administered by a District Commissioner (or Resident Commissioner). District Commissioners were given delegated jurisdiction over a number of local matters including revenue collection, urban planning, administration of justice, hiring and firing of labour at the district level and the general administration of matters of public nature within the district. They were also regarded as super chiefs of the Administrator at the local level with their words constituting law for the native chiefs.

The Company tightened its control of local administration after the amalgamation of North-eastern and North-western Rhodesia in 1911 by introducing "Direct Rule". During this time, European officials with the aid of African functionaries, educated in missionary schools, administered the provinces and districts. Native Commissioners and Administrative Officers appointed by the Company were responsible for all aspects of local government administration in districts, chiefdoms and villages. Chiefs and headmen were stripped of the political power they had enjoyed from time immemorial. "Their privileges and powers as chiefs (and headmen) were only upheld so far as they were not incompatible with the rule of the Company." (Pelekamoyo, 1975:11) The passing of the Administration of Native Proclamation of 1916 made the situation even worse due to the introduction of a provision by which the Company would have power to hire and fire chiefs, and to define their functions. Failure by a chief or headman to adhere to Company orders resulted in punishment. Native Commissioners as heads of districts were also responsible for the administration of chiefs' affairs. They fulfilled this function with the help of a huge cadre of Administrative Officers that was employed by the Company. As Pelekamoyo correctly points out, direct rule was a form of centralized administration at the district level, which depended on a heavy concentration of Administrative Officers at local level. Native Commissioners and Administrative Officers were not in any way accountable to the local people, and the local people were not expected to exert their demands on them. The result was the birth of an administrative system devoid of any meaningful participation by the local people; a system established and maintained to purely safeguard the interests of the centre at the local level. The establishment of direct rule was premised on a pacification agenda that the Company had considered as a prerequisite to its political and economic interests in the native territories. This was the beginning of a centrally controlled system of territorial administration in Zambia, whose legacy was for a long time destined to characterize the country's decentralization and local government efforts.

6.4.3 Local Government during Colonial Rule

The British Colonial Office, which took over the territory in 1924 introduced "indirect rule" through the Native Authority Ordinance of 1929. "Theoretically, indirect rule, as outlined by LORD Lugard, meant administering the indigenous people through their own political system." (Pelekamoyo, 1975:12) For administrative convenience, "Zambia was divided into eight provinces consisting of 44 districts (as at 1962). At the sub-district level there were Native Authorities in the rural areas" (Chikulo, 2009:99). Through these, the traditional institution of local people was recognized and established as an important aspect of local government. Consequently, each senior chief's traditional authority became a native authority and was thus classified as a sub-district. Native authorities formed the structures of local government at the sub-district level.

The introduction of indirect rule seemed more popular than direct rule among the local people as it was seen as a means for the promotion of “national determination on a tribal level and ... (for) the emergence of local authorities in contact with the people” (Gann, 1953:227). The introduction of indirect rule became the first discernible step towards local government. It also birthed Zambia’s dual system of administration in which local, and field administrative structures exist side by side at the local level. Field Administration comprised officials representing central government at district and provincial levels. “The Provincial Commissioner was head of provincial ... administration and answerable to the Resident Commissioner” (Zambia, 2002:1) at the centre in Lusaka. At the district level, the District Commissioner was the top representative of central government but the Provincial Commissioner checked his powers. The native authorities, at the sub-district level, each headed by a Native Commissioner represented the interests of the local communities. Notwithstanding the fact that the native authorities were indubitably a gambit for the smooth pacification of rural masses and furtherance of the colonial crusade, they, nevertheless, provided a mechanism for the local people to have a say in matters affecting their own welfare. In fact, much of the rural development that occurred during the colonial rule could be attributed to the native authorities. They contributed to local development through construction of gravel roads, creation of Bomas (rural administrative posts), health centres, schools and promotion of agriculture.

However, an evaluation of the period of indirect rule shows that in as much as the native authorities increased the participation of native chiefs in matters of governance, and contributed, in their own ways, to local development, the masses of the local people were not allowed to participate in making decisions relating to local development. This practice was inconsistent with the demands of participation, an important element of local government. Firstly, native authorities favoured members of their tribal inner-circles. Secondly, native chiefs ascended to the throne through succession. It was, therefore, irrational to assume that a chief was representative of his subjects. However unpopular a traditional ruler may be to the masses, he retained power for as long as he remained liked by the kinship. Native authorities, therefore, lacked wide representation and denied most of the local people their right to choose their own leaders and to influence local development. The result was the concentration of development in sub-district centres, leaving the majority of the rural dwellers to endure on nature.

The appointment of District Commissioners and Provincial Commissioners to head districts and provinces, respectively as representatives of central government was an act against decentralization, local government and development. These officials were to be intermediaries between the Administrator of Northern Rhodesia and the local chiefs. The authority of government ran down from the administrator of Northern Rhodesia through the Provincial Commissioner down to the District Commissioners, the chiefs, the village headmen and the finally the villagers. This structure of government was in actual sense highly centralized. The oversight role of the District and Provincial Commissioners, and some Administrative Officers helped keep the chiefs in check. Since local participation was limited, native authorities existed mainly to transact central government business at the local level. One can, therefore argue that rather than promoting local government and development, indirect rule was actually a *coup de tat* on traditional authority. It was a form of what this author would like to call ‘decentralized colonialism’.

Arguably, the introduction of indirect rule did not have as its principal objective, the need to confer local government on the people. Realistically speaking, it was a way of cutting down on administrative costs. The BSA Company had run an overstaffed administrative system characterized by deployment of government officials to all districts and sub-districts. Cecil Rhodes

himself was wary of direct rule's lack of economy. He spent a great deal of his personal resources to finance the company administration, especially in the early days. With this information readily available, the Colonial Office was looking to avoid falling into the same ditch by introducing indirect rule. Note also that the overture of indirect rule coincided with the great economic depression of the 1930s when colonial governments were facing austerity and searching for ways of cutting down costs. In short, there is enough justification to assert that indirect rule was an exercise of 'decentralization' without local government.

6.4.4 Local Government after Independence

At independence in 1964, "Zambia inherited a dual system of administration. The system comprised the Field and Local Government Administration designed for colonial convenience" (Zambia, 2002:1). Local Government constituted elected officials in municipalities and township councils. In the post-independence era, Zambia has made three major reforms patterning to local government. These have come through Acts of Parliament, namely the Local Government Act, 1965, the Local Administration Act, 1980 and the Local Government Act, 1991.

6.4.5 Local Government from 1964 to 1980

In the months leading to independence, the new leadership issued many policy pronouncements that provided direction to the country's quest for local government. For example, during his address to the House of Chiefs on 2 July 1964, in Lusaka, Prime Minister, Kenneth David Kaunda announced that:

District Commissioners' responsibility in helping what we have in the past called 'Native Authorities', but which now are to be called 'District Councils, will pass to the Ministry of Local Government. The new situation is that the principal advisors to Local Councils will be officials of the Ministry of Local Government. They will also be responsible for necessary financial control (Kaunda, 1988: 211)

From the above statement, it is implied that the local councils were not capable of functioning independently of central government hence the need for officials from the Ministry to advise them. The first post-independence effort towards local government came with the enactment of the Local Government Act, 1965. In line with this Act, native authorities were abolished in 1965, accusing them of being instruments of the colonial past. This Act put in place a new system of local government at district and sub-district levels. In the new system, "three classes of councils were established; Municipal Councils, Township Councils and Rural Councils" (Pelekamoyo, 1975:25). This was made possible by amendments to the Native Authority Ordinance, 1929, leading to the abolition of Native Authorities. The differences between and among these classes of council include the fact that whereas municipalities have a mayor and a town clerk, the other two do not. In the places of mayor and town clerk, Township Councils and Rural Councils have a chairperson and council secretary, respectively. Whereas mayors and chairpersons were elected political heads of municipal, and township and rural councils, respectively, town clerks and council secretaries were administrative heads employed by respective councils. Municipal councils were, therefore, senior in administrative order to the other two counterparts. In anticipation of rapid development of municipalities, the Act had a provision for transforming any municipality into a city council. "Under this Act, 67 local authorities were established: 24 were urban authorities, and 43 were rural councils" (Chikulo, 2009:99). These local authorities were given a number of anti-concentrated functions that they were expected to perform under the watchful eye of the centre. Therefore, the

author of this article does not agree with the assertion by Chikulo that “the Act gave local authorities wide-ranging powers ... in their areas of jurisdiction”. What seems true is that the Act gave local authorities some additional functions but without corresponding resources and power to decide local development.

In the following year, crafting of Zambia’s First National Development Plan (FNDP) (1966-1971), the year 1966 saw the formation of a Provincial Development Committees (PDC) and District Development Committees (DDC) in each province and district, respectively. The committees were given the task of coordinating the implementation of the FNDP in their respective jurisdictions. In order to fill the void left by the abolished native authorities at the sub-district level, Ward Development Committee (WDCs) and Village Productivity Committees (VPCs) were formed in 1971 (Bwalya, 1984:73-87).

Village productivity committees, ward councils and ward development committees were established under the Village Registration and Development Act (No. 30) of 1971. This made the village the primary focus at district level. Under the provisions of the Act, a Village Productivity Committee (VPC) was established in each village, sitting under the chairmanship of the village headman (Ibid, 100).

The traditional structures of chiefs and senior chiefs reverted to what they were before the introduction of indirect rule. This meant that there was now a clear separation between traditional establishments and government establishment, although the two structures were expected to co-exist to ensure speedy local development. Apart from the local development agenda that was often preached by the UNIP government leaders as the motivation for the enactment of the 1965 Act, there was the covert agenda by President Kaunda and UNIP to weaken local traditional authorities, particularly the institution of the Barotse Royal Establishment (BRE). A brief account of this is that prior to Zambia’s independence, Barotseland (now Zambia’s Western Province) existed as a separate British Protectorate within Northern Rhodesia (now called Zambia). However, in 1964, Barotseland was persuaded by the leaders of Northern Rhodesia to seek joint independence with Zambia and form the independent unitary state of Zambia through an agreement popularly known as the Barotseland Agreement (1964). At the signing of the Barotseland Agreement at the London Conference held on 16 April 1964, it was agreed that the Litunga (King of the Lozi-speaking people) and his *Kuta*, the BRE, would retain his power to promulgate laws relating to local government, native treasury, local taxation, native authorities and other matters relating to adjudication, tradition and national resources, within Barotseland (Mubita and Chisala, 2013: 34). However, the provisions of the 1965 Act striped the Litunga and the BRE of their political and administrative authority within the unitary state of Zambia, thereby out rightly abrogating the provisions of the Agreement on which the country’s foundation lay. From that moment, it was clear that President Kaunda’s government was on a mission to strengthen the central control of local political and administrative units with the objective of consolidating Kaunda’s and UNIP’s hold on power.

In terms of contribution to enhanced local government, the Act provided for “democratically elected Councils on the basis of universal adult suffrage” (Lolojih, 2008:3). The Act was also successful in establishing elected rural local councils out of the undemocratic tribal native authorities. In urban areas, the Act brought to an end the colonial rule of tying voting rights in municipalities to a resident’s possession of valuable property, which had effectively prevented Africans from participation in local elections as voters and/or candidates.

Despite bringing about some progressive changes captured above, the Act was inadequate in that mayors, chairpersons, and their deputies were to be elected by councillors instead of the universal adult suffrage in their city or municipality areas. To make matters even worse, within

five years of implementing the Act, the UNIP government shocked many when it made “an amendment to Section 20 of the Local Government Act, 1965 by Act No. 42 passed by parliament on 30th September, 1970. This Act ... (required) that the Mayor and the Deputy Mayor should be appointed by the Minister of Local Government and Housing from the councillors, to hold office for as long as the Minister decided” (Pelekamoyo, 33). Both the Local Government Act, 1965 and the 1970 Amendment Act were lacking insofar as the promotion of local government is concerned. The latter is particularly a striking example of how central government intended to decentralization without promoting local government; how it sought to decentralize by increasing the local presence of the centre. Given that the mayor is the political head of his municipality or city, and is the most instrumental official in local policy-making, his imposition by central government denies the local people not only their democratic right to choose their local leadership, but also to have a local leadership that best articulates their development needs.

The decision, in December 1973, to amend Article 4 of the Zambian constitution and create a one party state had its own implications on decentralization and local government. Firstly, although elected, councils became mere machinery for processing orders from the Party and Its Government (PIG) in Lusaka. Naturally, the one party state centralized council business. The composition of the local councils did not represent the diversity of political thought at the local level, thereby leaving the discontented locals apathetic to council business. This could have impacted negatively on social and economic development.

Another contradiction to Zambia’s decentralization journey came with the enactment of the Local Government Service Act, 1974 that “repealed the 1963 Ordinance and created a new Local Government Service Commission which was eventually empowered to recruit, appoint, transfer, promote and dismiss all local authority staff” (Cited in Tordoff, 1980:170). Although this reform succeeded in establishing a career local government service with largely uniform and centrally controlled conditions for all council workers, and in its attempt to even-out staffing in urban and rural councils, it also successfully led to imposition of inappropriate workers on councils. Looking at its pattern of operation, one should easily conclude that the Commission was a disguise of the Ministry of Local Government and Housing. For example, most decisions of the Commission were subject to prior approval, through a statutory instrument, by the Minister of Local Government and Housing. Effective local government demands a model of decentralization that devolves decisions patterning to human and other resources to the local level. In the end, many types of council were unable to fulfil their social and economic development mandate due to shortage of staff as they had to apply to the Commission to have their establishments filled.

The general supervisory role of the Ministry of Local Government and Housing over local authorities has not been helpful to Zambia’s decentralization effort since independence. A very thin line exists between the functions of the Ministry and of the local authorities. For instance, the Local Government Act, 1965 did not stop central control of financial functions in the local authorities. There has been “a degree of central financial control through the system of grants and the statutory powers of the Minister to approve estimates of expenditure on scheduled functions” (Tordoff, 1980:171) of local authorities. Since the Ministry also controlled the local authorities’ estimates on capital expenditure, the local leaders were unable to prioritize development projects, thereby making development planning centralized.

The cleavage by Zambia, after independence to the dual system of administration was in itself an obstacle to decentralization. Even with the Local Government Act, 1965 in place, the province remained without any structure of local government. All administrative posts at the provincial level were of field administrative nature. “The Provincial Administration was headed

by a Cabinet Minister appointed by the President and was assisted by the Resident Secretary” (Zambia, 2002:2). While the former was the political head of the province, the latter was in charge of administration. The Office of the President at Cabinet Office in Lusaka directly supervised both.

The policy of nationalization after independence, although justified on the premise of locals’ participation in the administration of their newly founded country and the fear of kicks from a dying horse, came with a price to be paid at a later stage. Rapid nationalization, which was not always, appeared based on clear merit criteria, had resulted in a fall in the average educational level of provincial and district government staff as well as a marked drop in the levels of experience” (Zambia, 1979, p.21 cited in Mukwena, 2001). The low calibre of the territorial cadre resulted in ineffective public administration in provinces and districts. However, the political leadership of the time could be unfairly blamed if one does not mention the fact that at independence, the country lacked skilled human resource due to the colonial educational system that did not encourage Africans to excel. What is true, however, is that initially, the nationalization of the public service proceeded without competent men and women. This did not support the speedy development, especially at the local level, that Zambia had envisaged at independence. “At the district level from 1967, the District Secretary replaced the (colonial) District Commissioner as head of district administration” (Ibid). Given these and other shortfalls, one can argue that the Local Government Act, 1965, though a good experiment in the direction of decentralizing government, failed to confer local government on people at the local level, mainly due to the dilution of the decentralization effort with significant acts of centralization. This “led to inefficiency in service delivery. For example, at district level, district heads of Field Administration were controlled from the province” (Ibid) causing delays in implementation of development projects due to the requirement for prior approval. The dual system of administration led to competition between councils and field administration. Given the latter’s proximity to the centre, the former usually felt spied upon. To avoid ‘trouble’, council heads had difficulties resisting the influence of field staff. A good example was the announcement by President Kaunda ...in November 1968 (of) ‘decentralization’ measures which involved the posting of a Cabinet Minister and a Permanent Secretary to each province and the politicization of district administration through the appointment of a District Governor to each district (Tordoff, 1980:187).

The District Governor became the political head and representative of the central government at the district level as well as chairperson (after the merger of township and rural councils) of the councils in the district. Unlike the District Secretary who was an appointee of the Public Service Commission, the Governor was a direct presidential appointee. The former was the senior most civil servant at the district level responsible for field administration. By appointing district governors, Zambia had, in a way re-established the position of District Commissioner that had existed before 1965. This changed the whole direction of the decentralization effort, and killed the national spirit to move towards effective local government. This increase in non-elected officials at the local level had yet another detrimental effect; it led to duplication of functions among local officials and the swelling of the emoluments bill at the local level. “For example, in any given district, the Department of Water Affairs sunk boreholes and Roads Department worked on feeder roads while councils also sunk boreholes and worked on feeder roads” (Zambia, 2002:3). This led to disjointed efforts and poorly planned development activities at the local level. These reforms were, *inter alia*, expected to expedite decision-making and consequent project implementation. Furthermore, it was anticipated that such reorganization would enable greater involvement of the local people (hence participatory democracy) and better and relevant decisions, since these would be made with direct understanding of the situational problems... [However], major policy decisions and project priorities were still made at the national level with only little or no local-

level contributions or consultation. The allocation of the number of schools, hospitals, industrial plants, etc. to each province or district is decided at the national level and announced to the people strategically just prior to elections and often abandoned altogether after the elections. This seems to have been the case with the Mercedes Benz Truck Assembly plant in Kasama (Bwalya, 1984:73-87).

Realizing that the road to decentralization had become rather too bumpy to lead to any significant development results, the government made a decision “that the system of ‘decentralized’ administration should be critically reviewed” (Tordoff, 1980:188). This culminated in the appointment of a Working Party headed by a Mr. A.J.F. Simmance, a Staff Development Advisor at Cabinet Office to investigate the obstacles to smooth decentralization and recommend ways of improving the decentralization reforms. Although the report of the Working Party presented in May 1972 held that the general process of decentralization was sound, it *inter alia*, recommended that:

“the post of District Governor should be retained, though a new impetus should be given to his role by making him chairperson of the district council, a predominantly elected body to be formed out of the merger of the rural and township councils in every district where they co-existed” (Ibid).

This finding was shocking because many would have thought that the general process of decentralization was rather progressing poorly due to an increase in the number of appointed officials representing central government at the district level. The expected recommendation was for the position of District Governor to be either abolished or completely separated from the council. However, for an enquiry led by a Cabinet Office based civil servant, perhaps, that was as far as it could go.

6.4.6 Local Government from 1980 to 1991

To replace the Local Government Act, 1965, Zambia enacted the Local Administration Act, 1980. “Officially, the enactment of the 1980 Local Administration Act had three principal objectives. The first embodied the publicly expressed desire of the government and the ruling UNIP to decentralize power to the people” (Lolojih, 2008:4). Lolojih’s use of the word ‘officially’ in the citation above is an attempt, as will be seen later, to show that there was a discrepancy between the provisions of the Act and what was finally achieved as the UNIP government abused the Act to achieve its own selfish partisan objectives. Following the country’s new political outlook as a mono-party system, the government had as its second objective the need to:

“...ensure an effective integration of the primary organs of local administration in the district. As a result, district party and council structures were fused. The third objective was to enable district councils to play a more direct and substantial role in the development process than they had been expected to undertake in the past” (Zambia, 1980:127 and Mukwena, 1992, cited in Ibid).

These reforms fused all structures of the party and of the local government system at the sub-district level (i.e. from the constituency down to the section). Effectively, the village productivity committees, ward councils and ward development committees were fused with structures of UNIP at those levels to form district council structures. The district councils were, therefore, to perform two sets of functions: those assigned to it by the party and those assigned to it by the Village Registration and Development Act, 1971 (Chikulo, 2009). To announce its further commitment to ‘decentralization’, the UNIP Government through the 1980 Act created a Ministry of Decentralization by renaming the existing Ministry of Local Government. This Ministry fell under the Office of the Prime Minister. Recall that the Ministry of Local Government as created by the Local government Act, 1965 fell under a Cabinet Minister. With this in mind, one sees that the

placement of the new Ministry in the Office of the Prime Minister meant that the Ministry of Decentralization, despite its gleaming name, was more centralized than its predecessor (The Ministry of Local Government) was.

In theory, the Local Administration Act, 1980 brought many changes to the processes of decentralization in Zambia. The third objective was particularly sparkly as it sought to convert councils into effective local government structures that could be used as an engine of local development. However, in operation, the Act served to kill political pluralism in districts and councils, making the entire decentralization exercise devoid of participation by those with divergent views. Through this Act, Central, Local Government Administration, and Party Administration were fused. In this trinity, UNIP was supreme. The Governor, a political appointee of President Kenneth Kaunda, headed the integrated local government, performing political, administrative, and party functions. Following the recommendations of the Simmance Working Party of 1972, he was also the chairperson of the district council following the integration of the rural and township councils. The Act maintained the post of District Secretary as field head of central government at the district level. "The District Council was supported by party ... Ward, Branch and Section Committees. Local Government elections were [abolished and] replaced by party elections" (Zambia, 2002:4). The result of all these actions was an eventual establishment of a system of local administration strongly supportive of party interests but weakly supportive of effective local government and local development. The district council became something equivalent to a rural office of UNIP. Evidently, the Party succeeded in deploying its cadres in all districts but failed to manage local development due to, *inter alia*, the fact that most of its party functionaries who had been 'dumped' in local authorities were illiterate and devoid of both administrative expertise and local government service experience. There was also the challenge of resources as the integrated district councils were now to discharge multifarious party and government functions. The increased wage bills in districts councils, due to boated staffing resulting from integration, led to increased administrative costs in local authorities. In the end, local authorities hardly had any resources to finance development. All these factors, coupled with fiscal centralization by the UNIP government, culminated in poor service delivery and increased poverty levels in districts.

A decade of implementation of the Act revealed that it had failed to achieve its objectives. Apart from those already discussed above, Lolojih (2008) identifies other factors leading to the failure of the Act, as the domination of local authorities by one-party politics, and the subordination of the administrative, technical and professional matters of the local authorities to political considerations. He also identifies the centralization of decision-making and finances, and patronage in appointment of staff in local authorities as detriments to effective decentralization. He further notes that chief officers in the councils operated as mere political tools. The fusion of council and party structures was, particularly a big blow to the decentralization effort as it deprived the local people of an opportunity to establish their own territorial administrative machinery that would be sensitive to the local needs and answerable to the local people.

Despite the fact that the Act was aimed at bringing about decentralization, it was failed an experiment in futility as regards local government and development. In the final analysis, the implementation of the Local Administration Act, 1980, led to the establishment of a system of administration operating at the local level yet shoved by and serving the interests of the centre, thereby strengthening both the vertical and horizontal dispersal of the PIG. The appointment of officials to the council by UNIP meant that the local people had no power to elect their local leaders. There was, therefore, a replacement of local democracy with central dictatorship. The

consequence has been the failure by the local agents of the central government to effectively plan and implement local development. Due to centralized decision-making, there was also a destruction of the local leadership capacity during the period under review.

6.4.7 Local Government from 1991 to date

In 1991, following a strong wind of change that blew against most socialist states of the world, Kenneth David Kaunda's government could not survive. His party and government lost power to the Movement for Multi-party Democracy (MMD) that had been registered the previous year following a return to multi-party politics through an amendment to Article 4 of the Zambian constitution. Blaming the failure of the previous decentralization efforts on 'UNIP's dictatorship', the MMD claimed that decentralization was synonymous with democracy, and that the government would transfer power to the people through decentralization of the functions of government to the local level. To achieve this, the government enacted the Local Government Act, 1991. However, a close examination of the Local Government Act, 1991, as will be seen later, shows that it significantly represents a U-turn to the structure of local government as provided under the Local Government Act, 1965.

In the words of Mafuleka, this Act "abolished all structures of local governance considered to be counter to modern democratic practice" (2005:68). However, the validity of this assertion requires discussion at a later stage. For now, suffice to mention that the Act sought to promote local democracy by reintroducing the practice of electing councils by universal adult suffrage (just as previously provided for under the Local Government Act, 1965). This is also clearly stipulated in Part III of the Constitution of the Republic of Zambia as amended by Act No. 18 of 1996, Article 109 with a provision that "The system of local government shall be based on democratically elected councils on the basis of universal adult suffrage" (Zambia, 2006:65). Another notable change brought about by the Act was "the clear institutional divorce of party structures from the council[s]" (Lolojih, 2008:5). Since the country had returned to multiparty democracy, there was need to respect the plural nature of the new councils. The trinity that had been created by the integration of local government, central government and party structures was dismantled by the new Act. Without doubt, the government made significant savings on wage bill because party functionaries were now to be looked after (if possible at all) by the political parties themselves.

In order to do away with the old system in which the human resource function of the councils had been taken over by the Ministry of Local Government and Housing, an "Amendment Act No. 19 of 1992 ... empowers councils to appoint and discipline personnel without reference to the Minister in charge of local government" (Mafuleka, 2005:68). This led to the abolition of the Local Government Service Commission and the creation in its place the Provincial Local Government Appeals Boards. Whereas the former was responsible for recruiting, promoting and separating workers on local authorities, the latter was only to handle appeals of disciplinary nature from councils. This improved competence levels in district and council establishments, an important condition for efficient service delivery.

Other changes that came with the 1991 Act included the renaming of the Ministry of Decentralization as Ministry of Local Government and Housing. Local government (i.e. local authorities) now fell under the new Ministry as opposed to the Office of the Prime Minister while Field Administration remained under the direct control of Cabinet Office. "At provincial level, the Deputy Minister was appointed as head of provincial administration and assisted by the Permanent Secretary" (Zambia, 2002:4).

This Act was, however, not without contractions. For example, it gave the minister of Local Government and Housing power to establish councils and to prescribe functions for them. The Act also gives the Minister power to dissolve an entire council if he thinks it has failed to perform. He also has power to appoint an administrator to perform the functions of the dissolved council until the election of a new council. This ministerial power makes local authorities susceptible to abuse by central government. In local political battles, government can use this power to defend its political interests at the local level at the expense of local democracy and service delivery. This “headmaster-pupil relationship” between the Minister and the council tends to suggest that the latter must either submit or face punishment.

Another contraction occurred when President Frederick J.T. Chiluba announced the appointment of District Administrators at a rally in 2000. This move surprised many for it went against the pronouncements his government had made in relation to decentralization and local democracy. The manner of appointment also suggested that the DAs, as they popularly came to be known as, were no different from the cadres UNIP had appointed into district and council administration. In any case, the Local Government Act, 1991 has no provision for the appointment of DAs and as such, when they were posted to districts, they had serious difficulties adapting. Firstly, the appointing authority had not clearly stated whether they were to join the council structure or the field administration structure or whether they were politicians or civil servants. The hasty manner of their appointment, and their *modus operandi*, made many a political spectator to allege that they were purely to serve Chiluba’s Third-term bid. Even when it was later on clarified that they were civil servants and heads of field administration at the district level, most of them continued to intimidate council officers and to interfere with local development projects.

The decision by the Zambian Government to reintroduce the Local Government Service Commission that had been abolished in 1992 was another setback to the quest for localized administration. With the object of improved recruitment and retention of qualified personnel in councils, all human resource practices, including recruitment, promotion, remuneration and separation, were now to be centrally done by the Commission. What has not been explained is how the new Commission would resolve the problems that led to the abolition of its earlier counterpart. What is clear, however, is that this move works against the concept of local government that demands that promotes localized decision-making.

In addition to the Local Government Act, 1991, Zambia came up with a National Decentralization Policy in 2002, with a theme, ‘Towards Empowering the People’. The government identifies the District as the focal point of development planning and service delivery. Pursuing eight objects, the policy is guided by vision:

“to achieve a fully decentralized and democratically elected system of local governance characterized by open, predictable and transparent policy making and implementation processes, effective community participation in decision-making, development and administration of their local affairs while maintaining sufficient linkages between the centre and the periphery” (Ibid:18).

The policy seeks to significantly devolve government to the districts through a new legal framework because, the Local Government Act, 1991, envisaged a decentralization model based on anti-concentration. According to the initial plan, the policy objectives were to be achieved by the end of 2012. However, it was not until December 2009 that the country came up with a ‘Decentralization Implementation Plan’. This pushed the implementation deadline of the policy to 2013. Notwithstanding the fact that its implementation was still under way, preliminary observations showed that its objectives were not going to be realized. There were two major challenges to the implementation of the National Decentralization Policy. Firstly, as at 2012, the Government had not yet made any significant amendments to the Local Government Act, 1991,

meaning that the implementation of the policy was proceeding without any strong legal backing. Note that the provisions of the Local Government Act, 1991, which was the existing legal framework for the National Decentralization Policy, 2002, were inconsistent with the objectives of the Policy. Secondly, the policy was behind schedule by nine years and yet only one year had been added to compensate for the time lost. This is without ignoring the Policy's own internal weaknesses such as its silence on the organizational structure of the country's future local government system. The most explicit objective on this matter merely reads; to "provide a legal and institutional framework to promote autonomy in decision making at the local level" (Ibid, 18). Since functions are performed by structures, it was hard to guess how Zambia would attain devolution without the necessary organizational reforms at provincial, district and sub-district levels.

Following the general elections of September 2011 which saw the Movement for Multiparty Democracy (MMD) lose power to the Patriotic Front (PF), a Revised National Decentralization Policy was announced by the Minister of Local Government, in April 2013. The revised policy reemphasizes the government's resolve to empower provinces and districts [to] manage their own affairs for effective social economic development ... [and to] promote participation of chiefs and other traditional leaders in governance and preservation of cultural and heritage, whilst respecting cultural diversity (<https://www.lusakatimes.com/2013/04/10/>). However, three years after the revision of the policy, no significant follow-up actions have been taken to implement it save for the creation of new districts, by President Michael Sata (now late), an exercise which has seen PF cadres being appointed to various positions in the districts. At the time of writing this article, political appointees at the district level, headed by the District Commissioner were actively interfering with the decision-making and implementation of development projects within the jurisdictions of city, municipal and district councils. Against the objectives of the revised policy, at provincial level, the positions of Provincial Minister and Permanent Secretary have remained under the Office of the President at Cabinet Office in Lusaka. Recently, the governing PF, using its arrogance of numbers in the 150-member National Assembly, rejected a clause in the draft constitution that sought to enhance democratic decision-making at the provincial level through the creation of provincial assemblies.

6.5 Conclusion

The upholding of the colonial dual system of administration comprising field, and local government shows the survival instinct of a stubborn feature of centralism that has defiled all decentralization undertakings from colonial era to date. Given the country's long history of decentralization effort, it is unbelievable yet true that Zambia continues to operate a so-called local government system that is in fact a central government system at the local level. This claim is supported by the fact, that to date, Zambia's provinces and districts continue to be pure structures of central government serviced by field district and provincial agents. Meanwhile, the so-called local government is restricted to city, municipal and district councils, which are in any case at the mercy of the Ministry of Local Government and Housing, another central structure of government. The territorial relegation of local government to the tiny administrative units called councils and the resolve by central government to hold on to district and provincial structures depicts a situation where Zambia is 'decentralizing' with one hand while recentralizing with the other. The dysfunction of this political and administrative system lies in its incapability to correctly understand the local needs and later on to aggregate them into political, social and development

needs. The result is continued local poverty and underdevelopment due to poor government delivery of social goods such as schools, health posts, roads, water and sanitation

6.6 Way Forward

In order that Zambia uses decentralization as a political and administrative arsenal against poverty and general underdevelopment, there is arguent need to rethink its entire course of decentralization. One of the most agent reforms should be the abolition of field administration at the provincial and district levels. Field offices at provincial and district levels need to be converted into local government structures, and provincial, district, ward and village councils should be created to make local decisions and discharge local development functions. To promote participation and responsiveness, all decision-makers in these councils should be subjected to regular elections by universal suffrage. This entails a need for the revision of the National Decentralization Policy, 2002 to remove all elements that provide for a dual administrative system and to include an objective to reorganize structures at provincial, district and sub-district levels.

Notwithstanding its ecological individuality, Zambia should learn from other African countries such as Uganda that have relatively succeeded in creating effective local government systems through their decentralization drives. Uganda is regarded as one of the most successful cases of decentralization in the whole of the developing world. After attaining independence in 1962, Uganda has muddled-through brutal dictatorships (under Idi Amin from 1971 to 1979 and Milton Obote II from 1979 to 1981) and civil war. However, from 1986 when the National Resistance Movement (NRM) under Yoweri Kaguta Museveni took over leadership to date, the country has managed to establish a local government system cited for its successes. In order to kill the sectarianism caused by party politics, Museveni introduced a unique type of democracy called 'No-party Democracy' in which local representatives contest open elections based on merit rather than party affiliation. "Uganda promoted decentralization with the objective of empowering its nationals to participate in the process of development and improve their livelihood. This objective is fundamentally geared towards reducing poverty and enhancing inclusiveness" (Bitarabehe, 2008 cited in Saxena, Paul and Goel 2010). This should be central to Zambia's national decentralization drive.

Zambia could benefit by learning from the Ugandan system that has five devolved tiers of local government with elected representatives from the Chairperson of the City of Kampala to the village chairperson. In Uganda, local governments (LGs) are corporate bodies with perpetual succession and a common seal. The chairpersons of all LGs are elected through universal adult suffrage. The LGs have power to approve general administrative plans and financial plans. They extend their services by integrating plans at the lower level of the local council" (Steffensen et al. 2004 cited in *ibid*).

In exception of functions of common interest to all LGs such as national security, economic planning, immigration, foreign affairs and national projects, all the other functions have been devolved to LGs. In addition, the government of Uganda is implementing what it calls the 'principle of non-subordination', which implies the power of lower councils to make decisions on matters affecting them without resorting to higher levels of local government. Fiscal decentralization has also remarkably succeeded in Uganda with local governments responsible for collecting and appropriating various taxes and grants. The supreme law of Uganda, the constitution, and other legislations give LGs power to generate and expend finances without central reference in exception of certain conditional grants from central government (*Ibid*). For

Zambia to achieve meaningful devolution, it also needs to promulgate a new local government Act in the place of the Local Government Act, 1991, which emphasizes anti-concentration.

References

- Bitarabeho, J. (2008). The Experience of Uganda – Local Government’s Role as a Partner in the Decentralization Process to Strengthen Local Development, Conference on *Access to Development Funding for Local Governments in Africa*, Johannesburg.
- Bwalya, M., (1984), 73-87, Participation or Powerlessness? The Place of Peasants in Zambia’s Rural Development in Woldring, K. (ed.), *Beyond Political Independence: Zambia’s Development Predicament in the 1980s*, Mouton Publishers, Berlin, New York and Amsterdam.
- Chikulo, B (2009). Local Governance Reforms in Zambia: A Review, in *Commonwealth Journal of Local Governance*, Issue 2.
- Gann, L.H. (1953). *A History of Northern Rhodesia: Early Days to 1953*, Chatto and Windus, London.
- Kaunda, K.D. (1988). Address to the House of Chiefs on 2 July 1964 in Politics and Government: State of the Nation Volume 1, Kenneth Kaunda Foundation, Lusaka.
- Loljih, P.K. (2008). Local Administration and Service Delivery in the Third Republic: A Case Study of Lusaka City Council, Choma Municipal Council and Luwingu District Council, unpublished PhD Thesis, University of Zambia, Lusaka.
- Mafuleka, W. (2005). Public Policy Making, Implementation and Development in Zambia, unpublished PhD Dissertation, the University of Zambia, Lusaka.
- Mawhood, P. (1987). Decentralization and the Third World in the 1980s, *Planning and Administration*, vol. 14(1).
- Mubita, M. and Chisala, B.S. (2013), *Zambia and the Barotseland Agreement 1964*, Diverse Media Company, Lusaka.
- Mukwena, R.M. (2001). Situating Decentralization in Zambia in the Political Context, African Training and Research Centre in Administration for Development.
- Pelekamoyo, G.M. (1975). Administrative and Political Relationships in Zambian Urban and local Authorities, unpublished MA Dissertation, the University of Zambia, Lusaka.
- Saxena, K, Paul,S and Goel, P.R. (2010). Decentralization in Uganda.
- Steffensen, J. Tidemand, P., Naitore, H., Ssewankambo, E., and Mwaipopo, E. (2004). A Comparative Analysis of Decentralization in Kenya, Tanzania and Uganda; Country Study – Uganda, Final Report, Vol. 1, DEGE Consulting Group and Nordic Consulting Group.
- Tordoff, W (ed), (1980). *Administration in Zambia*, Manchester University Press, Manchester.
- Turner, M and Hulme, D. (1997). *Governance, Administration and Development*, Kumarian Press, Connecticut.
- United Nations (2000), Decentralization for Good Governance and Development: the Unending Debate, United Nations Centre for Regional Development.
- World Bank (1983). Decentralization in Developing Countries: A Review of Recent Experience, World Bank Staff Working Papers Number 581, Management and Development Series Number 8, Washington D.C.
- www.lusakatimes.com/2013/04/10/
- Zambia (2002). The National Decentralization Policy, Office of the President, Lusaka.
- Zambia (2006). Constitution of the Republic of Zambia