

Decentralization Reforms in Zambia 1991-2010

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ABSTRACT On 17th December 1990, the Third Republic was born in the wake of elections that swept the United Independent party (UNIP) and President Kenneth David Kaunda from power after 27 years and replaced it with the Movement for Multi - party Democracy (MMD) led by Fredrick Chiluba, thereby ushering in the Third Republic and political pluralism based on decentralized governance. This paper explores the progress made in implementing Zambia's Decentralization programme during the Third Republic between 1991 and 2010. An important critical component of the decentralization reforms involved the transfer of responsibilities from the central to the local government with the objective of improving efficiency and accountability, as well as the responsiveness of state agencies to local. The paper argues that while the reforms have brought about significant changes in the policy framework and institutional structure of the provincial, district and local governance, challenges still persist. This state of affairs could be attributed to, for the most part, to the centralizing tendencies characteristic of the one-party state era. As a consequence, the Governments' commitment to transfer functions with matching resources to the district and local level in order to anchor effective democratic, participatory and responsive local governance has yet to be realized.

INTRODUCTION

This paper reviews the decentralization reforms initiated in the Third Republic in the period between 1991 and 2010. Since the attainment of independence on 24th October 1964, a number of decentralization reforms have been implemented to transform the structure of provincial, district and local governance in Zambia. An important critical component of all the decentralization reforms has been the stated goal to design and implement policies aimed at anchoring effective decentralized, democratic and accountable provincial and district governance. Zambia's efforts at decentralization reforms have gone through five main phases during the First, Second and Third Republics (Chikulo 1981, 1985; Chikulo and Sichone 1996; Zambia 2002a). The First Republic was established on 24th October, 1964, when the country gained political independence from Britain. The Second Republic, also referred to as the "One Party Participatory Democracy" was ushered in on 13th December 1973 and lasted until 1990 when political pressure for multi-party democracy forced President Kaunda to abolish one-party rule and re-introduce multi-party democracy, on 17th December 1990, thereby ushering in the Third Republic and political pluralism (Sichone and Chikulo 1996). Thus the main phases are as follows: the First Republic 1964– 1979;

the Second Republic 1980– 1990; and Third Republic 1991– the present.

This paper provides an overview of the efforts of the Zambian governments to decentralize, transform and institutionalise democratic provincial, district and local governance in the Third Republic. The first part of the paper provides a brief elaboration of decentralization in order to put the concept in to context. The second section provides an overview of the decentralization reforms that have been undertaken in the Third Republic. The third section explores the challenges faced by the government in the attempt to implement the decentralization reforms, and the fourth section provides the conclusion. The paper draws attention to achievements and challenges experienced in the implementation of the decentralization programme and highlights the prospects for the effective decentralization in Zambia. The paper was motivated by the inability of successful regimes to effectively decentralize, transform and institutionalise democratic provincial, district and local governance in Zambia.

Defining Decentralization

As a process decentralization entails central government transferring some of its political authority, fiscal resources and administrative responsibilities to sub-national entities. Decen-

tralization can therefore be defined as the assignment of fiscal, political, and administrative responsibilities and decision-making away from the central government to its field units, district administrative units, other levels of government, regional or functional authorities, semi-autonomous public authorities, parastatal organizations, private entities, and non-governmental private or voluntary (civil society) organizations (Rondinelli et al. 1983; Hope and Chikulo 2000; UNDP 1993). Decentralization is viewed as a critical element in facilitating not only the re-invigoration of the state capability in order to establish an effective foundation for an efficient public sector but also as a means of bringing the state closer to the populace (Chikulo 1989; Manor 1999). Thus the term ‘decentralization’ is used to describe a wide variety of power transfer arrangements and accountability systems. Decentralization can further be differentiated into four main types: deconcentration; delegation; devolution; and privatization (Litvack et al. 1998; UNDP 1993). Deconcentration entails the passing down of selected administrative functions to lower levels or sub national units within government agencies or departments. Delegation is the transfer of specific authority and decision-making powers to organizations that are outside the regular bureaucratic structure and are indirectly by government, such as parastatals, regional development corporations, and semi-autonomous agencies. Devolution, on the other hand, is the granting of decision-making powers to lower tiers of government and allowing them to take full responsibility without reference back to the authorizing government. The essence of devolution is discretionary authority. Deconcentration and delegation are referred to as administrative decentralization; while devolution is also sometimes referred to as political decentralization (Cohen and Peterson 1999). Finally, privatization refers to the transfer of operational control and responsibilities for government functions and services to the private sector—private voluntary organizations or private enterprises (Kasarda and Parnell 1993). It refers to the private provision of public services. Privatization is sometimes referred to as economic /market decentralization or “public - private partnership”. It is actually a sub-type of delegation. Decentralization is thus used to describe a wide variety of power transfer arrangements and accountability systems.

Thus the degree of political and legal power that is transferred from higher to lower hierarchical levels depends on the form of decentralization envisaged. As stated above, there are three main types: administrative, political, fiscal and privatization (Agrawal and Ribot 1999; World Bank 2000): Each of the above categories entails different specific strategies for transferring functions to sub-national bodies. Since the early 1980s the concept of decentralization has also developed its own dynamic and been changing in scope, meaning and vision. It has been moving away from the concern with decentralizing *government* to issues of decentralized *governance*. Cheema and Rondinelli (2007: 2) have noted the: “ evolution of the concept and practices of decentralization from transfer of authority within government to sharing of power, authority, and responsibilities among broader governance institutions.” Over the years, the concept of decentralization has thus undergone transformation and become more inclusive. The enlarged concept of decentralization is concerned with governance, the distribution of “resources and power sharing in policy making in society as a whole” (Campbell 2008: 310; Cheema and Rondinelli 2007: 2).

Decentralization Reforms in the Third Republic

The clamour for multi-party democracy led to the scrapping of the *de jure* one- party state on December 17th, 1990 and the introduction of political pluralism (Sichone and Chikulo 1996; Chikulo 1996). The official ending of the one- party state came on 4th September 1991 with the adoption of the new *Constitution of Zambia Act 1991* represented a legal break with the old political order. The proclamation of multi-party democracy ushered in Zambia’s Third Republic, and embodied the country’s return to political pluralism from a *de jure* one-party state. The first multi-party elections were held on 31st October 1991, heralding an end to 19 years of one-party rule and a crushing defeat for the former veteran President K.D. Kaunda and his United Independence Party (UNIP) at the hands of the opposition - the Movement for Multi-party Democracy (MMD) led by Frederick Chiluba a former trade unionist.

After defeating the incumbent UNIP, the new MMD government dedicated itself to ambitious democratic reforms, and promised to strengthen provincial and district governance by decentraliz-

ing power in line with its new vision of democracy, transparency, and accountable local governance. The first step the government took was to remove the ‘blurring the line’ between the governing party and the state. Secondly, the newly elected MMD government moved swiftly to introduce measures to strengthen democratic control and increase accountability of elected local authorities. This involved the promulgation of the *Constitution of Zambia Act (No.1)* of 1991 on 24 August 1991, which was followed by the *Local Government Act (No.22) of 1991* on 28th August 1991, reintroduced the distinction between the ruling party and all civil service and state apparatus, as well as the repealed the *Local Administration Act (No.15)* 1980. As a consequence, a dual administrative system was introduced at the district level: the field administration of Central Government line ministries represented at district level and the local authorities. Furthermore, the local government elections were re-introduced and the Mayor /Council Chairperson replaced the District Governor, while Town Clerk/Council Secretary replaced the District Executive Secretary. Thus whereas the *Local Government Act (No.22) of 1991* provides for the establishment of democratically elected councils, the *Local Government Elections Act (No.26) 1991* re-introduced universal adult suffrage at the local government level. The enactment of this Act s democratized local government by affording every citizen who is a registered voter an opportunity to stand for, or vote for the candidate of his choice, irrespective of political affiliation. Consequently, *The Local Government Elections Act (No.26) 1991* provides for the election of councillors, as well as the demarcation of the Council’s area of jurisdiction into ward which are used for local government elections. Councillors are elected for a five-year term to represent wards on the council. After these initial reforms it took the government another two years to announce additional reform initiatives.

Provincial and District Governance

On the 8th March 1993, the Government adopted the Public Sector Programme (PSRP). (British High Commission 1993; Tordoff and Young 1994). The primary objective of the PSRP was to improve the quality, delivery, efficiency and effectiveness of the public sector. The programme con-

sisted of three components: restructuring of the line ministries; management and human resource improvement; and decentralization and strengthening of local government. Decentralization therefore constituted the third component of the PSRP. The programme was thus an ambitious initiative that sought to underpin the local government sector within the new pluralist framework by introducing a programme of decentralization involving the deconcentration of administrative functions to the nine provinces and the devolution of selected responsibilities, to popularly elected local authorities. In the PSRP, the Government committed itself to a phased approach to decentralization reform: selected functions would be devolved to local authorities “as their management capacities improved”(Tordoff and Young 1994: 288).

In March 1993 Cabinet Office, also announced the re-introduction of the post of District Secretary. (DS) The latter was to ensure the effective co-ordination of government functions at the district level and the DS was accountable to the Provincial Permanent Secretary (PS). Although no appointments were made to this position until several years later, the move represented a return to the *status quo ante*; a return to the structure which had prevailed during the First Republic (1964-1972). The *Cabinet Circular No.1 of 1995* introduced the Provincial and District Development Coordinating Committees to coordinate development activities. The key function of these committees was to “provide a forum for dialogue and coordination on developmental issues between the local authority, line departments, donors and NGO in the district” (Cabinet Circular No.1 1995).

. At the Provincial level, each of the nine provinces was to be headed by a deputy minister who became the political head of the province and would report directly to the President. He was assisted by the Provincial Permanent Secretary who heads the secretariat. And coordinates government activities in the province. The PS reported directly to the Cabinet Office. The other new arrangement was the establishment of the Provincial Development Coordinating Committees (PDCCs). All the heads of the line ministries/ departments in the province and all district secretaries were to become members. The PDCC was chaired by the respective provincial permanent secretary with the Provincial Planning Unit (PPUs) providing secretarial support. Each PDCC was responsible for coordinating development activities and preparing a development plan for the province based on

the district plans. To this end, it performs an important function in development planning. Each PDCC is assisted by a Provincial Planning office established under the Town and Country Planning Act (cap 283) 1997.

At the district level, the DDCC consists of local government officials in the district, NGO representatives, private sector representatives, councillors and were chaired by the District Secretary, with the Directorate of Planning or Planning Office of the local authority providing the secretariat. DCCs are thus technical committees whose role is to co-ordinate development in the district and prepare development plans for submission to the district council. The plans are then scrutinized by politicians as a way of rendering government responsiveness to local needs. This network of new committees had similar structures and functions as the old Provincial Development Committees (PDCs) and District Development Committees (DDCs) which existed before the Local Administration Act 1980 was enacted (Chikulo 1981).

Area Development Committees (ADCs)

At the sub-district level ,Area Development Committees (ADCs) were established In addition to facilitating local- level discussion on development issues and increased participation of citizens in local socio-economic development, ADCs were established as " formal multi-functional developmental institutions that would be managed by citizens at the ward level"(DIP 2009: 10).. The ADCs were thus intended to facilitate:

- ♦ residents involvement in projection formulation and management;
- ♦ generation of timely, reliable and accurate data for service delivery planning; and
- ♦ monitoring of the performance of councils and making them accountable to local residents in the execution of agreed annual investment plans.

In general, therefore, the mandate of ADCs included the preparation and approval of ward integrated development plans and budgets which were supposed to form the critical inputs in the district planning and budget processes.

The establishment of the above committees was followed by the creation of a centrally appointed position of District Administrator (DA) in November 1999. This position was subsequently, renamed District Commissioner. This

office was vested with the administration of the district in general. It coordinated the functions of all the development agencies at the district, as well as harmonizing the functions of Central Government with those of the District Councils.

The creation of this office ultimately reinforced the capacity for central political control by the centre. This is due to the fact that the DC's position has normally been filled with cadres from the governing party with little or no administrative experience thereby undercutting the rationale that the position was created, as part of the decentralization process, to improve coordination of development activities at district level.

Following on the back of the "Anti-Third Term Campaign", in the wake of the 2001 tripartite general elections , there were significant political developments which facilitated further democratic reform (ARD 2003: V). After the 2001 elections the government changed albeit the same party retained power. Under the new leadership of President Levy Patrick Mwanawasa, who replaced Fredrick Chiluba, urgently needed to entrench his authority and the norms of his "New Deal Government". Consequently, there was a major policy shift over decentralization and the adoption of the programme was pushed back to the top of the political agenda.

As a result of the clamour for a more democratic dispensation there was a more robust push for more effective decentralization reforms consequently, a new *Decentralization Policy* was adopted in December 2002 and officially launched in August 2004 by President Levy Patrick Mwanawasa. The major objective of the policy was encapsulated in its title *The National Decentralization Policy: Towards Empowering the People*" The vision of decentralization was explicitly spelt out (Office of the President 2002: I):

"The long term vision of Government is to achieve a fully decentralized and democratically elected system of governance characterized by open, predictable and transparent policy making and implementation process, effective local community participation in decision-making development and administration while maintaining sufficient linkages between central government and the periphery".

This decentralization policy is one of the most ambitious reforms undertaken in Zambia since independence in 1994. It provided for the

strengthening of local governance by facilitating more effective citizen participation in the delivery of public services. The long term objective was to institutionalize fully democratic and elected system of local governance characterized “by open, predictable, and transparent policy making and implementation process and development administration while maintaining sufficient linkages between central and local government”(Office of the President 2002: ii).

The major aspect of this policy was the government’s stated commitment to transfer not only functions to the districts but also matching resources. The policy also highlighted the government’s commitment to increased participation of citizens through the creation of sub district structures. The policy framework, therefore, seemed to reflect a more determined effort on the part of the government to radically restructure central– local relations by making local authorities more autonomous. The main objective of the policy was thus to give more voice to citizens in the running of local affairs, in order to improve governance and accountability. In this regard, the policy document undertook to draw up comprehensive legislation to ensure that the Decentralization Policy was implemented.

The centrality of the Decentralization Policy was reaffirmed by the several official documents: the *National Capacity Building Programme for Good Governance (2000)*; *Poverty Reduction Strategy Paper (PRSP) (2002-2004)*, the *Transitional National Development Plan (2002-2005)*, and the *Fifth National Development Plan (2006-2010)*. These policy frameworks also recognized the need for effective decentralization that:

- ♦ allows for community participation in local decision-making and which ensures efficient and quality service delivery;
- ♦ empowers people in general, and poverty reduction, in particular; and
- ♦ Emphasizes decentralized governance in both the political and economic areas.

In December 2009, the government officially released the Decentralization *Policy Implementation Plan (DIP)* the DIP highlighted the Government reinvigorated decentralization vision and objectives as (DS 2009: 9):

“to achieve a fully decentralized and democratically elected system of governance characterized by open, predictable and transparent policy making and implementation process-

es, effective community participation in decision-making, development and administration of their local affairs while maintaining sufficient linkages between the centre and the periphery”.

In order to realize the above vision and objectives, the DIP redefined and restated the responsibilities for the various levels of government as follows (DS 2009: 31):

Provincial Level

At the provincial level, through the Office of the Permanent Secretary the PDCC would be responsible for the following functions:

- ♦ share information resources with districts and the national level on the state of policy implementation;
- ♦ oversee the implementation of the policy throughout the Province;
- ♦ prepare provincial progress reports on policy implementation programmes; and
- ♦ coordinate and oversee the implementation of capacity building programs in their respective provinces in collaboration with the Decentralization Secretariat.

The PDCCs have a critical role to play in the decentralized system, as they are expected to provide the crucial link between the DDCC and the National Development Coordinating Committee (NDCC) at the national level.

District Level

At the district level,) has been made the focal point for development and service delivery. This would be achieved through following institutions:

Councils

The Council as the legal body at the district level has been mandated to provide services and promote development in the district through DDCC. In addition the Council would:

- ♦ spearhead the implementation of the DIP at the district level; and
- ♦ be involved in undertaking developmental activities in such areas as health, water and sanitation, education, housing, roads, environment, agricultural extension work for food security, etc.

District Development Coordinating Committees

The DDCC would continue to provide a co-ordinating forum for the district. In addition, it would facilitate the practical implementation of decentralization and make recommendations to the District Council for necessary action.

Sub-District Level: Currently, in most districts at the sub-district level there is no legally recognized structure. This level is demarcated into wards, under the provisions of the Local Government Act, 1991. The wards are used for purposes of local government elections only. Under the previous system of local government in the Second Republic, a network of development committees, were established by the *Registration and Development Villages Act, 1971*. This Act created village productivity committees (VPC), ward councils (WC) and ward development. (WDC). The Ward Development Committee was chaired by the councillor making this level the primary focus of development. The new decentralization policy framework provides for the establishment of Area Development Coordination Committees (ADCC).

The functions of ADCC include the following:

- ♦ resource mobilization, revenue collection, community sensitization, and prioritization of projects for inclusion into the district strategic development plans.
- ♦ play a key role in the monitoring and evaluation of activities; and play a key role in the implementation of the Decentralization policy at the sub-district level.

Consequently, the DIP sought not only to strengthen decentralization at all levels, but also to implement structures to ensure a “bottom up” flow of integrated development planning and budgeting from the District to the Central Government(DS 2009: 16). It thus sought to develop the capacity of local authorities and communities in development planning, financing, coordinating and managing the delivery of services in their areas. The emphasis was placed on the need for:

- ♦ a bottom up planning process;
- ♦ linking planning and budgeting within the context of district strategic plans;
- ♦ community input in the planning process; and

- ♦ repositioning the district to a pivotal position in the service delivery and development process.

It is evident, therefore, that the. DIP is the most serious effort made in Zambia since independence at decentralization reforms. This is evidenced by: the following:

- ♦ the establishment of the Decentralization Secretariat (DS);
- ♦ the development of an Implementation Plan (DIP); and
- ♦ the commencement of the sensitization program for provinces, as well as line ministries.

The DIP covers the period from 2009 to 2013. It is therefore supposed to be one of the most serious and visible attempts at implementing decentralization in Zambia since 1964.

Impact of Decentralization Reforms and Key Challenges

During the Third Republic, efforts have been made to put in place .the policy and institutional framework, to establish and democratise district and local governance with the objective of deepening democracy, and improving service delivery. However, key challenges still remain which continue to affect the effectiveness of local governance performance (Chikulo 2000; Crook and Manor 2001; Zambia 2002 (a) and 2002 (b)). The key challenges are reviewed below.

Paucity of Financial Resources

There has been little fiscal decentralization. If districts and local authorities have to take on new functions and responsibilities as envisaged in the new decentralization policy, the transfer of functions has to be matched by sufficient financial resources. Yet there has been insignificant transfer of fiscal resources to the districts and local authorities (Crook and Manor 2001; World Bank 2004) .Central government transfers to district and local government are still very low .For instance, between 20002 and 2006 only about one present of the total central government expenditure was transferred to this level although a small all but significant increase has been recorded in recent years (GTZ 2010; JICA 2007: 26). As a consequence, the district and local authorities have no financial capacity to deliver their mandate and provide sustainable levels of service delivery.

The lack of financial resources have left significant gaps in service delivery capacity and placed limitations on the extent of to which communities can participate in the development management process. Without adequate financial sources, local authorities cannot effectively provide services to their communities, and their capacity for service delivery and socio-economic development, as well as autonomy is undermined. This means that no *meaningful services* are delivered by councils to their communities. None of the councils in Zambia are thus in a position to fulfil their mandate to provide meaningful services because they have been going through a very challenging period (DIP 2009: 6).

Lack of Integrated District Development Management and Planning

Although the *Town and Country Planning Act (cap 283)* of 1997 gives urban councils the status of planning authorities in their areas, ,this function is performed by the Provincial Planning Office through the District Development Co-coordinating Committee (DDCC) which reports to the Provincial Development Co-ordination Committee (PDCC) which in turn, is supposed to provide a critical link to the National Development Committee (NDCC).The NDCC is the body mandated with drawing up the national development plans.

The DCC are expected to produce annual District Situational Analysis (DSA) which are statements of the status of the district and covers all development related aspects of a physical, economic and social nature at district level. The Office of the District Commissioner has been vested with the responsibility of coordinating functions of all the developmental agencies in the district, as well as harmonizing the functions of Central Government and those of the district council. However, the bulk of budgeting is done outside this body by departments of the main line ministries, and the budget of the district council has yet to be integrated with those of line departments at the district level. The result is that there is no integrated system of managing development activities at this level. This fact has been acknowledged by the Zambian Government, (Zambia 2006: 242):

“PDCCs and DCCs, it has been observed, have remained ineffective. The fact that they control no budgets and budgeting is actually

being done and approved at levels much higher than these committees has continued to reduce their economic and political relevance”.

In addition, the district level which is supposed to be the coal-face of development and service delivery is characterized by a dual administrative structure due to a limited sectoral decentralization. The central government field administration represented by line departments and the local municipality headed by either by a Mayor or Chairperson: the result is two separate reporting lines of communication. Line ministries report to their ministerial headquarters through the DA/ DC, while local authorities report directly to their parent ministry - Local Government and Housing (MoLGH). This means that the sector ministries which provide the bulk of services within the local authorities' area of jurisdiction, report direct to their parent ministries in the capital city of Lusaka. The representatives on the DDCC thus remain primarily responsible to their ministerial chain of command, not the district in which they operate .As a result the DDCC is rendered ineffective because it has no legal sanction to enforce its decisions, and the local municipality has no control over the operations of the DDCC (MLH 2006: 123): JICA 2007: 17) As a consequence ,there is a lack of holistic, integrated planning and management at district level, which constitutes the main level for service delivery. The lack of effective integrated planning and management is undermined by the absence of an effective coordinating mechanism under the *direct* control of the local authority at the district level.

Voice and Accountability

The above state of affairs means that the aspirations and needs of residents are not taken into consideration at local governance level. This fact is acknowledged by the Government (DIP 2009: 7): “Government administrative units in the Districts remained poorly accountable and responsive to the needs of the local populations”. Furthermore, the lack of meaningful citizen participation is exacerbated by to the weak al linkage between the district administration, local authorities and communities. As a result, level is characterized by an “institutional gap”. There is thus no effective forum for community participation in decision-making on local development activities and affairs currently recog-

nized by law. Under the *Local Government Act, 1991* the local council's area of jurisdiction is demarcated into wards. However, as noted above, these wards at the sub-district level are recognized for purposes of local government elections only.

In most urban areas, Resident Development Committees (RDCs) have been established to incorporate community participation and although councillors sit on these committees as *ex-officio* members, the committees are not provided for in any legislative framework. The new decentralization policy framework provides for the establishment of Area Development Coordination Committees (ADCC). However, the specific functions and nature of linkage to the existing committee network has not been explicitly spelt out. As a result, these committees have little authority, lack resources and their relationship to the development committee network is not well-defined.

Furthermore, the accountability of councillors to residents is minimal as residents do not take much interest in the activities of local municipal councils. For the most part, local municipal councils are viewed to be largely irrelevant to their day-to-day survival. Thus, although local government elections are very competitive, with major parties fielding candidates in all ward, most people polled in Zambia felt that councillors did not reflect their views in the local council and were not accountable to residents (Moomba 2002: 29; Lolojih 2003: 16). This view is also reflected in the Afro barometer survey which showed that the public have low levels of trust in local authorities, the ability of their voice to change local government and make their life better (Afrobarometer Network 2002). Similarly, the degree of participation in local government elections has generally been very low (Erdmann and Simutanyi 2003). Thus local government remains at its lowest level of acceptance by the communities.

Thus despite the democratic dispensation entailed by the advent of the Third Republic the degree of meaningful degree of citizen participation at the local level is still limited.

Central- Local Relations

Similarly, local governance system is still characterized by central dominance which undermines its autonomy, legitimacy and makes it

incapable of being responsive to the citizens at the local level. *The Local Government Act, 1991* vests excessive powers in the minister of Local Government and Housing (MoLGH) and Central Government at the expense of democratically elected local leaders. *Under the Local Government Act 1991* the Central Government possesses excessive supervisory powers over local authorities. The Act gives the Minister of (MoLGH) wide ranging powers such as suspension or dissolution of councils and appointment of Local Government Administrators. Indeed, the frequent use of Administrators since 1995, for long periods, in practice means that citizens are dis-enfranchised. Furthermore, in spite of the mandate councilors get from the residents who elect them, the Minister has the power to suspend them. This means that the Minister of MoLGH, with the approval of the President can dissolve all councils and administer them with appointed Administrators.

The Minister of MoLGH is also empowered by law to approve the budgets of local councils. The budgets are supposed to be submitted for approval in December before the end of each financial year. Yet, in practice, this has rarely been done as most local councils do not manage to produce their budgets before December. The law also empowers the minister to appoint auditors for local authorities. However, since most local councils are unable to even prepare accounts, the auditing process rarely takes place. In addition, although the law allows citizens to go and inspect local council financial records this does not happen due to the citizens' apathy. The result is lack of financial accountability to the residents. Furthermore, the ruling party exercises a lot of control over most local Councils. Consequently, most local government candidates are usually sponsored by the ruling political party and the law dictates that if a councilor loses membership of a party that sponsored him or her that seat has to be declared vacant. Most councilors are therefore reluctant to risk their seats. This has the effect of reinforcing central government control over local authorities because it breeds fear rather than encouraging councilors to make independent decisions, respect correct procedures and protect the interests of local residents. In short, the autonomy and discretion of local authorities have been undermined by the control and interference by the centrally-appointed officials.

Politicization of District and Local Governance

Under the Third Republic the politicization of the district and local administration has continued unabated. The decade has witnessed the introduction of a new stratum of centrally-appointed officials at the district level - from the District Administrator (DA) to District Commissioner (DC). These officials have tended to alienate and undermine much of the authority of local authorities. Since 1964 successive governments have used district and local governance as source of patronage, – as the level for the deployment and appeasement of their loyal party cadres. This was reinforced by the creation of a centrally appointed position of District Administrator (DA) in November 1999, which ultimately reinvigorated the capacity for central political control. In 2000, this position was converted to District Commissioner (DC) under Cabinet Circular minute CO 101/20/1 of 2000. The DA's/ DC's position has normally been filled with ruling party cadres with little or no administrative experience. These officials are appointed by the President and serves at his pleasure. They are the President's *at* district level, and are used by the ruling party for political mobilization during the election periods. Since these appointees are answerable to the centre, they are incapable of protecting the interests of local residents or objectively engaging with local issues as their allegiance is owed to the President and ruling party. In some districts, there is conflict between these political appointees and the Town Clerks who are appointed by councillors and who are elected by the local residents and have legal mandate from the Local Government Act 1991.

Lack of Commitment and Political Will

After the 2001 general elections, the positive rhetorical commitments to establish decentralized democratic local governance were followed by concerted effort in drawing up appropriate policy framework and implementation plans. However, as far as implementation of the decentralization policy is concerned the Government seemed to be dragging its feet. As a result, there have been no significant efforts made to implement neither the decentralization policy nor enactment of legislation to anchor and re-invigorate local democratic governance. In particular, little progress has been, in the wake

of December 2001 elections which brought in a significant number of opposition members as local councilors in the country. Given the fact that the opposition parties controlled an increased number of local authorities in urban areas, the Government began to drag its feet over the implementation of the Decentralization Implementation Plan (DIP) which was adopted in 2005, for fear that “the opposition could outshine it in service delivery”. Indeed, as the Government’s own report admits: “During the FNDP the DIP had not yet been approved. This made it difficult to assess its progress” (DS 2010: 10). The lack of the enactment of appropriate legal provisions to safeguard the autonomy of local governance, as the Local Government Association of Zambia’s (LGAZ) submission to the Constitution Review Commission in 2005, argued puts local councils at risk to “political hijack and abuse”.

It is therefore, evident that the primary motive for the lack of effective decentralization could be attributed to the central government’s inaction which has had the effect of undermining local council’s autonomy. In the face of a vibrant political opposition, the ruling party leadership have sought increasingly to adopt strategies that manipulate the levers of state power reminiscent to the one-party state era in the First Republic, which was characterized by the personalization and consolidation of presidential rule. In the same vein, the ruling party has been using DA/DCs to advance the interest of the executive and ruling party, at the expense of democratic and accountable local governance. As some political observers have correctly observed (ARD/USAID 2003: V):

“The dilemma of Zambian politics is how to break the Gordian knot that confronts efforts to reduce, channel and redistribute the power of the executive, since such efforts are ultimately subject to executive approach”.

The current lack of political accountability in district and local governance, as some political observers have correctly pointed out “has deep historical roots in Zambia political history and is embedded in the structure of institutions and informal norms that govern political behavior” (ARD 2003: V). The current institutional, legal and regulatory challenges therefore continue to undermine the effectiveness of district and local governance in the country

CONCLUSION

A decade of reforms during the Third Republic has brought about significant changes in the policy framework and institutional structure of district and local governance. However, district and local governance is still faced with difficult constraints and challenges. This state of affairs can be attributed, for the most part, to the failure to alter the culture and institutional structures designed to entrench executive dominance of both the state and ruling party which are a legacy of the one-party era. The result has been a persistent culture of executive dominance, centralization and an absence of political accountability. To sum up, after a decade of decentralization reforms at the district and local level Zambia remains at best a “virtual democracy”.

RECOMMENDATIONS

For democratic decentralised district and local governance to be effective, not only should local governance be downwardly accountable, but central government agencies and bodies at district level should also work through local councils. Furthermore, the central government should effectively implement the Decentralization Policy and DIP in order to enable district and local authorities to benefit not only from the Governments’ commitment to transfer functions with matching resources to the district level, but also the increased commitment to anchor participation of citizens through the establishment of participatory sub district structures. To achieve this goal decentralization reforms need to be anchored in far reaching constitutional and legislative reform.

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