



Local governance in Zambia

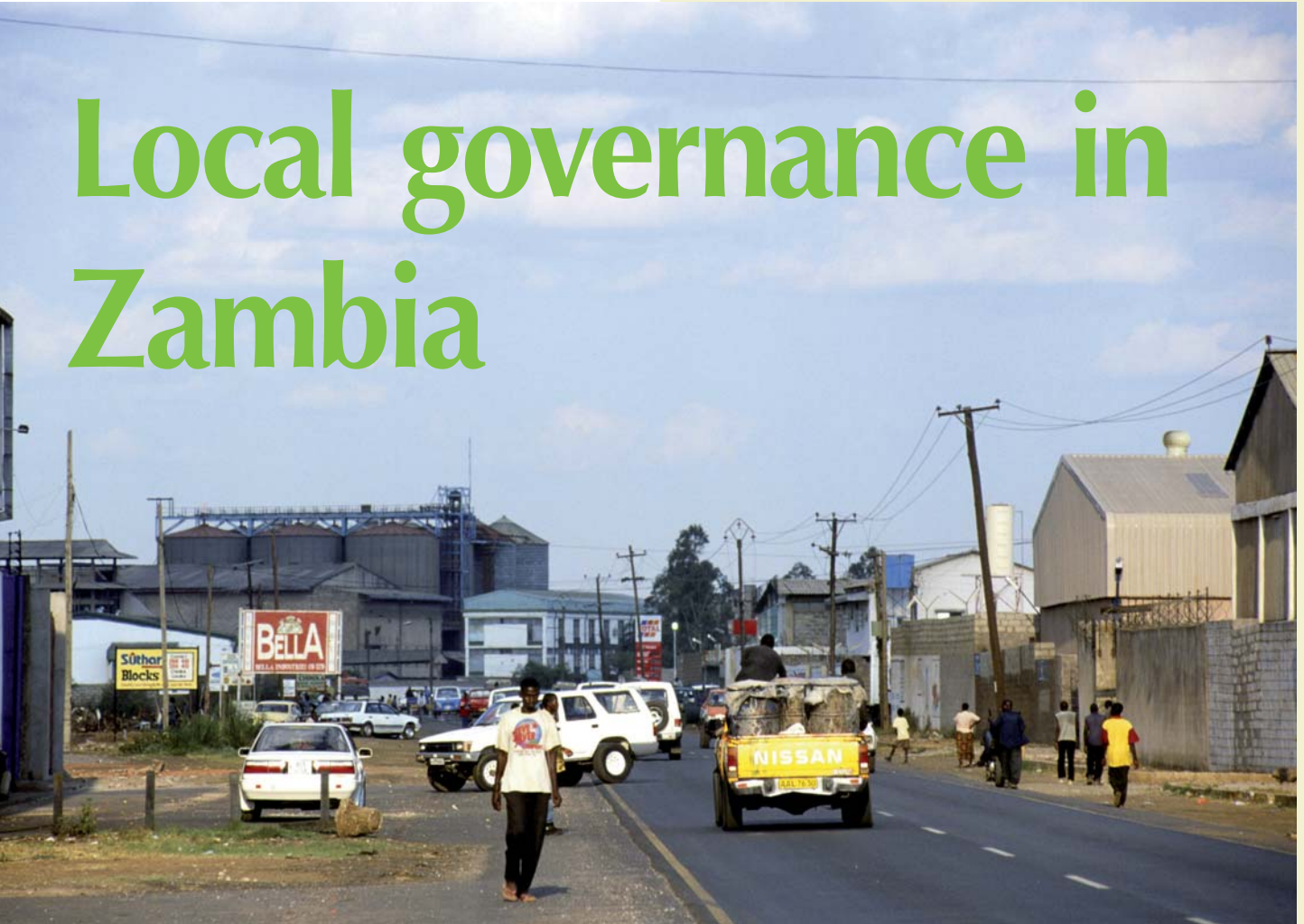


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In post-independence Zambia, governments have sought to design and implement decentralised democratic local governance to facilitate wider participation by the citizenry in development and service delivery.

Following independence in 1964 the Local Government Act of 1965 created councils with elected representatives controlling local government at district level. Since then the government has instituted a number of local governance reforms. The period 1971–1979 witnessed a number of political reforms aimed at

establishing a one-party system of government and multiparty politics was subsequently banned. The result was increased centralism, politicisation and the strengthening of the control of the ruling party (UNIP) over local government.

Local government was transformed into *local administration*. The composition of councils was strengthened in favour of political appointees. Local representatives on councils were not directly elected from local residents through open elections, but rather through the party machinery which excluded the majority of residents, who were not party members. Consequently, they had little say in the running of local councils.

After October 1991, as a result of the transition from a one-party state to a multiparty system of government, the process to “de-link” local administration from the central government

and the ruling party, and to convert it into a fully-fledged autonomous local government system, was set in motion by the Local Government Act 1991. The objective was to democratise local government by introducing representative local councils. Subsequently, in March 1993 the government re-committed itself publicly to decentralisation by adopting the Public Sector Reform Programme. This programme seeks to underpin the role of local government within the new pluralist framework by a programme of decentralisation, involving the deconcentration of administrative functions to the nine provinces and the devolution of selected responsibilities to popularly elected rural and urban local authorities.

Constitutional provisions

The Constitution of Zambia provides for the establishment of a democratically elected local government. Specifically, the Local Government Act, 1991 (hereafter the Act) provides for a single-tier system of local government, comprising three types of councils: city, municipal and district councils. There are 72 local authorities countrywide. The larger districts councils are designated as City Councils (namely Lusaka and Ndola) followed by Municipal Councils (urban-based), while smaller (rural-based) ones are simply called District Councils. City Councils and Municipality Councils are headed by a mayor and District Councils by a chairman.

Composition

The councils are composed of all elected councillors in the district, all members of parliament in the district and two representatives appointed by all chiefs in the district. The latter is a way of involving traditional rulers in local governance. Councillors are elected every three years, while mayors/ chairpersons and their deputies are elected by council from among the local councillors. These officials are elected annually at the first ordinary meeting of council for a period of one year. The mayor/ chairperson is the political head of the council and performs ceremonial functions, but has no executive powers. The town clerk or district secretary is the executive head of the council.

For electoral purposes districts are divided into wards. These wards are sub-structures of councils at sub-district level for purposes of local government elections.

Powers and functions

The Act (as amended several times) empowers all categories of local authorities to undertake wide-ranging responsibilities. The

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district councils are recognised as the primary bodies responsible for development at district level. These councils are the statutory deliberative and consultative bodies concerned with the determination of broad policy objectives and critical assessment of development programmes, as well as the efficient and effective management of their areas. The Act gives 63 scheduled functions to the councils, which include the provision of services such as water supply, sewerage, health, feeder and district roads, education and housing.

Finance

The Act gave councils powers to raise and use revenue from their own local sources at their own discretion. In addition, councils receive transfers of finance from central government. These grants are supposed to be the major source of the council's revenue. These transfers are: firstly, the means by which the central government shares taxes with councils; and secondly, a conduit through which various specified grants from sector ministries to councils are provided, to undertake delegated functions on their behalf. Grants from central government can be general, special or capital grants. Special grants are meant for financing projects which are prior-earmarked by central government. Capital grants are meant to be used for financing capital projects, while general grants are additional financial resources extended to district councils.

Challenges

Local authorities face a number of challenges as they struggle to implement their mandate. These relate to community participation, finance, and integrated development planning.

Community participation

At the sub-district level, the major weakness is the lack of legally constituted, local government institutions at the local, ward and area levels. There is no forum for community participation in decision-making on local development activities and affairs. Under the previous system of local government, a

network of development committees referred to as “grassroots participatory” structures was established to facilitate development and induce participation. They were established by the Registration and Development Villages Act, 1971. However, under the new political dispensation entailed by the Act wards are sub-structures of the councils for the purposes of local government elections only, while ward development committees and village productivity committees are not formally linked to local authorities and are thus no longer functional in most instances. The result has been the creation of an “institutional vacuum”, leading to the lack of an effective forum for community participation in decision-making on local development activities and issues at sub-district level.

Financial crisis

The financial crisis is manifested in the inability of the majority of councils to meet their statutory functions and obligations. Although the Act has given councils vast powers to raise and generate their own revenues, few councils are able to take advantage of this provision as their resource base is too small to sustain their operations. In addition, government action and policies have exacerbated the financial standing of councils. Consequently, councils face severe resource constraints due to:

- declining and erratic disbursements of grants from central government;
- erosion of asset bases through various actions and policies of the central government such as the 1992 directive to councils to disinvest in commercial ventures, and to sell rental sale housing stock at uneconomical prices;
- unfunded mandates, i.e., local authorities given increasing responsibilities without corresponding capacity in resource mobilisation; and
- redirection of funds intended for local bodies to the control of local politicians, Members of Parliament or other officials.

This lack of resources has left significant gaps in service delivery capacity and placed limitations on the extent to which stakeholders can participate in development management.

Lack of integrated district development planning

Effective integrated planning and management is undermined by the absence of an effective coordinating mechanism at district level. The District Development Coordinating Committees (DDCCs) were established in 1993 as forums for coordinating the planning and implementation of development activities, as well as community participation. They are

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technical committees mandated to coordinate development activities in the district and prepare development plans for submission to the district council. They are chaired by district administrators who are responsible for coordinating development activities at district level.

However, the DDCCs are ineffective because they have no legal authority to back up their operations, and the councils have no control over them. This is due to a number of factors:

1. The council has no legal administrative authority over line ministries. The deconcentrated sector ministries which provide services within the council’s area of jurisdiction report directly to their parent ministries in the capital city of Lusaka. Thus they remain primarily responsible to their ministerial chain of command.
2. The DDCCs are headed by District Administrators, political appointees who report directly to the President.
3. The establishment of parallel semi-autonomous institutions at local level, such as Health and Education Management Boards, which were established to provide specified functions on behalf of central government departments.

The council’s relationship with the above undermines its autonomy and authority. Furthermore, the DDCCs have little authority and their relationship to other community and local structures is not well defined. Consequently, democratic participation at this level is undermined.

Comment

Local governance reform is part and parcel of the decentralisation process initiated by the Zambian government. However, while the government is fully committed to the establishment of a strong, independent and democratic local government system, the institutionalisation of the new system of councils presents difficulties that cannot easily be surmounted.