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DRAFT

MODULE

PAM 2020: LOCAL GOVERNMENT ADMINISTRATION

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INTRODUCTION

This module broadly contains two main sections which are principles and theories of local governments and comparative local government which make up local government administration as a year course. The main sections have subsections that discuss specific units within the sphere of local government administration. The first section therefore explains the principles and theories of local government administration and management whilst the second section analyses local government administration at a comparative level using case studies of Zambia, United States of America, United Kingdom, France and Uganda.

It should be noted that the module is not exhaustive of all aspects of the course but simply an abstracted version of what is required. Hence an appended course outline should be utilized for further readings and annotations. Notwithstanding, the module is formulated to serve as a broad guide towards the comprehension of the major tenets and systems of local government administration which may effectively be referred to accordingly.

SECTION ONE: PRINCIPLES OF LOCAL GOVERNMENT ADMINISTRATION

Introduction, Nature and Scope of Local Government Administration

Definitions:

Local government is a system of Government at a local level. Local government administration therefore refers to any government administration below the state or national level and is responsible for the daily running of a local municipality or community. It is the operation of government closest to where people live. Such a system would normally be a lower representative institution with general and specific powers conferred to it by a higher level of Government within a geographically defined area (Ishmail 1997).

The terms Local Government and Local Authority are in many instance interchangeably used to refer to a political subdivision of a nation or state that is constituted by law and has substantial control of local affairs including the power to impose taxes. It is important to note however that the term local authority specifically refers to the unit of Local Government itself e.g. a district council.

Ola. F. (1984) defines Local Government as a subdivision of a nation or state which is constituted by law and has several powers including those to impose taxes or exact labour for prescribed purposes.

The governing body of such an entity is elected or otherwise locally selected. A local authority in effect is an organization comprising elected and appointed officials which operates within a specific geographical area to provide services for local community.

According to Ismail etal (1997), such an authority has the right to govern on its own initiative but is subject to constitutional provisions as well as central and provincial legislation. In other words, Local Governments have specific local powers and functions not covered by other levels of Government and local administrators are elected by the local populations.

Generally, local authorities are there to promote the social and economic well being of citizens. However, one would argue that Local Government exists for utilitarian and democratic reasons. The former entails the efficient and effective rendering of services to the citizens within a given

locality while recognizing that the recipients of such services have an obligation to pay for the services. The latter on the other hand is more of a civic issue dealing with values of participation, representation, local autonomy, responsiveness and fairness. The emphasis here is placed on democratic processes such as elections.

RATIONALE FOR LOCAL GOVERNMENT

Specific reasons advanced for the creation of Local Government structures are many and varied. The following only constitute some of the many reasons:

1. Central Government does not possess either the organization or the personnel to control the activities of people in all local areas and to provide them the necessary services.
2. Decongestion of Government in the capital city by freeing key officials from routine and detailed tasks many of which deal with purely local issues. This has a positive impact on the speed and effectiveness of administration at all levels.
3. By decentralizing functions and re-assigning central Government officials to local levels, their knowledge and sensitivity to local problems and needs will be increased.
4. The local people themselves are in a much better position to make decisions regarding the type of development that they want. The central Government cannot possibly know what people in rural areas want.
5. Closer contact between Government officials and the local people will allow both sides to better information with which to formulate more realistic and effective plans for Government projects and programs.
6. By being closer to the people, it is claimed that local authorities can move easily and identify people's needs and therefore supply the appropriate form and level of public services.
7. Decentralisation of development plans and management functions allows local leaders to locate services and facilities more effectively within their communities. It allows them to

integrate lagging areas into rational economies as well as to monitor and evaluate projects more effectively.

SPECIAL PURPOSE BODIES

In some countries besides having multi-purpose bodies, there are other types of local administrative structures which exist side by side with Local Government and local authorities. These are referred to as special purpose bodies.

Special purpose bodies have a separate legal status. This type of authority is usually a result of initiative taken locally to solve a special problem affecting either a segment of the population or a multi-purpose local authority area of two or more local authority areas. The existence of special purpose bodies is justified in cases where local representation in the administration of a service is desirable and when conditions such as the following exist:-

- (1) When the local council does not possess the technical ability to administer a certain project. For example, a special purpose body known as an irrigation district may become desirable where the local authority does not possess the technical ability to run an irrigation district.
- (2) When a programme or project requires such an intensity of effect that the local councils are not expected to be able to devote sufficient time and energy to it.
- (3) In a situation where the service affects a small segment of the community and it is in the public interest to have a form of representation that differs from that of the council or local authority.

CENTRALIZATION/DECENTRALISATION

Centralization

- (1) Refers to the distribution of power at the capital level
- (2) It also refers to the existence of growth of power of the executive or bureaucracy at the expense of the legislative or judicial wings of Government.

- (3) Refers to the possession, gaining or non-sharing of power by upper levels of an administrative hierarchy within the capital.
- (4) An expanded or expanding role for the central specialized agencies for personnel, purchasing and budgeting at the expense of the programme administering departments or agencies.

Decentralisation

Refers to the transfer of responsibilities and functions as well as appropriate resources to provincial, district and community levels.

It can be based on territorial, functional, horizontal and vertical considerations.

Territorial: It signifies the desire to place authority of a lower level in a territorial hierarchy. This is to ensure geographical closeness of both service providers and recipients.

Functional: This refers to the transfer of authority to an agency that is functionally specialized to perform specific tasks. Such agencies can operate nationally or across local jurisdictions.

Horizontal: Refers to the dispersing of power among institutions at the same level. e.g. Government spending decisions instead of being concentrated in an all powerful Ministry of Finance might be spread across different Government ministries.

Vertical: For purposes of this course, this form of decentralization is the most important. It allows some powers of central Government to be delegated downwards to lower levels of authority such as states, regional or Local Governments or village associations. It takes different forms.

Vertical Forms of Decentralization

There are four major forms of vertical decentralization as follows;

- (1) Delegation:** This involves the transfer of responsibility for maintaining or implementing sector duties to regional or functional development authorities, parastatals and other

semi-autonomous Government agencies. In short, it involves passing some authority and decision making powers to local authorities.

(2) Deconcentration:

According to Rondinelli (1983), deconcentration involves the transfer of selected functions within the central Government hierarchy through the shifting of workload from central ministries to field officers through creation of field agencies or the shifting of responsibility to local administrative units that are part of the central get structure.

In a deconcentrated system, there is little or no horizontal integration or coordination of work between the different sector ministries and agencies at the local level.

(3) Devolution: Involves the transfer of discretionary authority to legally constituted Local Governments such as most states, provinces, districts or municipalities. In devolved systems responsibility, a wide range of operations embracing more than one sector are assigned to Local Governments. In such a system, the overseer role of central Government is limited to ensuring that local government operate within broadly defined national policies.

Local Government in a devolved system can do what they want bound only by the broad national policy guidelines, their financial, human and material resources. In such a system, local level staff is responsible to locally elected councils and not to sector ministries.

Other Characteristics of Devolution are as follows:

1. Local Government is perceived as a separate level over which central authority exercises little or no direct control.
2. Local units must have a clear and legally recognized geographical boundaries over which they exercise authority and within which they perform public functions.

3. Local units must be given corporate status i.e they can sue or be sued, be involved in business ventures and raise funds from their own resources and they should be free to revise rent charges.

Generally therefore, local units should be perceived by the citizens as institutions which provide services that satisfy their needs and over which they have some influence.

(4) Privatization

Privatization is the removal of state interests in public enterprises and the subsequent sale of such enterprises to the private sectors. Generally, it involves the deregulation of what may be considered as Government constraints with a view to enhancing efficiency in the context of business as well as contracting out of service provision.

DEMOCRATIC THEORIES OF LOCAL GOVERNMENT

In examining the democratic theories of Local Government we shall make reference to the schools of thought.

(1) The first are looks of local administration as an integral part of the Government of a country namely “centralized themes.”

(2) The other looks at local self Government as an autonomy body namely decentralized theories. These theories give insight as regards the legal and political relationship between the central Government and the local bodies.

Centralist Theories

There are several theories that have been developed within this category. For the purpose of this course, however, only two theories will be considered namely:

- (1) Intermediate theory
- (2) utilitarian theory

The Intermediate Theory

The debate characterizing this theory centres around issues relating to the relationship between the state (central Government) and its subordinate authorities (Local Government).

Some theorists argued that cities within a constitutional framework were considered through which the powers of the monarchy could flow. Such cities enjoyed privileges granted to them and were also provided with some limited sovereignty powers. It was however, the responsibility of central authority to supervise such bodies given that they were actually part of the state.

A municipality was for example permitted by the state to exercise authority over subjects within its jurisdiction. But if it acted beyond its powers, the privileges could be withdrawn.

Utilitarian Theory

Some theorists such as Furgot (1757) advocated that particular bodies do not exist for/by themselves. The emphasis here is that authorities, cooperation exist to benefit society and should not be allowed to exist once they cease to play or comply with this objective. It is this kind of thinking that gave rise to the utilitarian theory which stresses that municipal corporations can be dissolved or reorganized from top to bottom and their privileges withdrawn. This theory assumes that the state will be subdivided into smaller territories such as districts with an elected headman and a legislature. The legislature would exercise delegated authority to effect Government programmes and perform a range of tasks such as crime prevention, education, levying taxes etc. The local headman would be in charge of administration services under the supervision of a minister. In other words, Local Government will be subject to the authority of central Government. It is argued in this case that the guidance and control of central Government is in the interest of such administration and also in the interest of progress through educating local citizens.

Decentralist Theories

The decentralist theories generally emphasize the need for Local Government structures to have continuous status with regard to constitutional arrangements of the country. There are several theories within this category but only two will be considered in this course (localist and dual state theories.)

Localist Theory

This theory advocates for independent autonomous and elected local authorities. It argues that for Government to effectively respond to diverse local needs and interests, It must itself evoke diverse responses. The theory argues for the extension of the influx of local decision makers and the deconcentration of political power. Proponents of this theory argue that the local level is closest to the citizen and because of this strategic placement, they can be more responsive and accountable to the communities. This theory therefore is generally oriented towards maximum decentralization of functions and powers.

Critique of the localist theory

The arguments against the localist theory are as outlined below:

- (1) The theory does not enter adequate account of the tensions between the regional and the national levels, the need for policy making and planning of these levels, and the need for citizen control of the local level.
- (2) The theory does not acknowledge that a bias towards local democracy may result in the neglect of issues such as territorial, social and economic justice.
- (3) The theory fails to appreciate the limited resources of the local level. If local authorities were not centrally coordinated, it would result in serious developmental imbalances given the uneven resources of various localities.

Dual State Theory

This theory draws a distinction between social investment in production and social expenditure in consumer needs. The theory sees the local authorities as being based on struggles around consumption needs rather than in class struggle. It argues that local authorities are organized around an ideology of need and that local and national priorities are essentially different and their very nature gives rise to tensions.

Proponents of this theory argue that national priorities tend to dominate the local ones and consequently reject the notion of a local state noting that the state should be viewed as a holistic expression of conflicting inter-governmental relations.

PATTERNS OF FIELD ADMINISTRATION AND LOCAL GOVERNMENT

This is the representation of Central Government at the local level (e.g. Government ministries at Provincial and District level). Field administration represents the nature as well as the scope of Government administrative operations at the provincial or local levels. It consists of administrators who are representative of Central Government. The creation of a system of field administration enhances the transfer of decision-making discretion to field staff allowing them some latitude to plan, make routine decisions and adjust the implementation of central directions to local conditions set by Central Ministries. Depending on how you decentralize, you have a certain pattern of field administration and Local Government proper. There are various patterns that will arise but these are usually classified into the following:

(i) Comprehensive Local Government System

- In this system, most Government services of the local level are administered through multipurpose local authorities
- A concept of substantial unit of purpose among the representative body at all levels underlies this system
- Local authorities under this system perform some functions pursuant to general statutory authority and others on behalf of central Ministries. The distinctive feature of this system is that local authorities render all or almost all direct agricultural, education, health and welfare services that reach the individuals.

ii) Partnership System

In this system, some direct services are rendered by field ministries of central agents/ministry and others by local authorities. The local authority performs some functions more or less autonomously in accordance with general statutory authority and perform others under the technical supervision of Central Ministries. This system permits the use of either field administration or local authorities according to needs of particular functions or projects.

iii) Dual System

In the Dual System, Central Ministries administer technical services directly with local authorities which have the autonomy legally to perform local services and to do what they can do to foster local development but actually performing few of any technical services either directly or on behalf of central agencies. Under this system, separateness and conflict rather than unity and cooperation characterize relationship between central and local authorities.

Local Government under this system is more an instrument of political decentralization than of social and economic development.

iv) **The Integrated System**

In this system, central Government agencies directly administer all technical services with central Government coordinators (district or provincial) responsible for field coordination. The local authorities usually have little or no control over matters that are highly technical.

POTENTIAL BENEFITS OF DECENTRALISATION

One general presumed benefit of decentralization is that local Governments being closer to the people are more responsible to local needs and make better use of resources by way of directing them at human priority areas such as basic education and primary health care. Specifically, however, potential benefits of decentralization include efficiency, equity, economic participation and political participation.

Efficiency – In theory, decentralization should improve efficiency. Projects would be tailored to match local needs. Since projects are monitored locally, lines of communication would be shorter with fewer delays associated with conflicts between project staff and the beneficiaries.

Equity – Most countries especially in the development world have very uneven levels of development. There are marked disparities between different regions, between urban and rural areas, or between different income and economic groups. Centralization certainly alters some of these imbalances.

It must be noted however that in some instances decentralization

can reduce equity. Passing more responsibility for tax and expenditure to Local Governments, for example, can benefit richer areas. Richer areas usually have more political influence and can lobby more effectively for resources. Secondly, decentralization can also increase inequalities if more of the services are to be funded locally. In this case, local authorities located in poor areas are not likely to provide adequate services to the local communities.

Economic Participation – Decentralization can increase economic

participation by facilitating the establishment of business activity

and therefore help to increase employment opportunities in many

ways such as the following;

- i) increased public expenditure in for example construction and maintenance of infrastructure such as roads, water supply and electricity will directly employ local contractors and works;
- ii) local facilities are likely to be more appropriate and better maintained if the local communities influence their construction. They will therefore be of more use to the local entrepreneurs and help increase their profitability;
- iii) Local Governments might be able to offer better support to local businesses. They can for example offer Management assistance and marketing information tailored to local needs.

Political Participation – If decentralization takes the form of deconcentration or delegation, the center will retain effective control and political participation may not be enhanced. Decentralization through devolution by contrast should lead to more effective political participation provided power is not merely devolved to non-democratic and non participatory institution.

REASONS FOR INEFFECTIVE DECENTRALISATION

There are a number of reasons as to why decentralization may be ineffective. Some of the outstanding ones are outlined below;

- i) **Centralization for national building** – Many countries especially in the developing world lack domain institutions and traditions which is partly a legacy from the colonial times, hence concentration of national power is in the hands of central Governments characterized by a massive accumulation of rules and regulations.
- ii) **Weak Democracy** – During the colonial period and in some cases beyond, many countries have been in a non democratic way through the use of authoritarian structures. This has had the tendency to perpetuate centralizing tendencies as central Governments seek to maintain complete control.
- iii) **Loin Social Spending** – A high proportion of most central Government budgets is devoted to items that are centrally controlled such as mutually expenditures and debt servicing. Consequently, social spending which has a greater potential for decentralization tends to take up a smaller proportion of public funds.
- iv) **Urban Bias** – For most countries, there is a bias in social spending towards urban areas and more prestigious forms of service delivery. Preference is given to the construction of big hospitals located in cities and towns rather than to rural health clinics and centres. Attention is paid to development of elite universities and colleges rather than to the provision of basic services.
- v) **Foreign Aid** – Negotiation of international assistance be it financial or technical is the responsibility of central Government. In some instances, foreign donors may insist on the involvement of local authorities and Non Governmental Organisations (NGOs). In the implementation of donor funded projects in practice, however, the expenditure of donor funds is highly centralized in most countries.

MEASURES OF DECENTRALIZATION

It is difficult to measure or compare the extent of decentralization because there are no statistical measures for many aspects of decentralization. One Government for example, may appear to decentralize expenditure more than another but if it retains control over standards and priorities, then such financial delegation may be meaningless. In spite of the above observation, it is still possible to measure the extent of decentralization by using the following ratios which relate to Government expenditure:

- i) **The Expenditure Decentralization Ratio (EDR):** This is the percentage of total Government expenditure spent by Local Governments (e.g. in Parliament Budget, how much has been allocated to Local Government) e.g. suppose total Government expenditure = 100 Trillion Kwacha and allocation to Local Government = 15 trillion kwacha

$$\text{e.g. } 15/100 \times 100 = \underline{15\%}$$

- ii) **Modified Expenditure Decentralization Ratio:** This ratio takes into account the fact that some Government expenditure cannot be decentralized e.g. of such services are defence expenditure and debt servicing subtracting such expenditures gives a modified expenditure decentralization ratio that expresses the degree of decentralization of financial responsibilities that can in practice be decentralized e.g. $15/100 - 10 \times 100 = 15/10 \times 100 = 50/3 = \underline{16.7\%}$

- iii) **The Revenue Decentralization Ratio (RDR):** This ratio assesses the significance of local taxation. It is the percentage of Local Government revenue in total Government revenue. e.g. If Local Government Revenue is Six (6) Trillion, what is our Revenue Decentralization Ratio?

$$\text{RDR} = 6/100 \times 100 = \underline{6\%}$$

iv) **Financial Autonomy Ratio (FAR):** This ratio gives an indication of Local Government's independence from central funding. It is the percentage of Locally Raised Revenue (LRR) in total Local Government expenditure

e.g. If Locally Raised Revenue is 40 Billion and Total Local Government Expenditure is 100 Billion

$$\text{LRR} = 40/100 \times 100 = 40\%$$

Thus, the Local Government runs 60% dependent of Central funding.

THE REALITY OF DECENTRALIZATION

Most politicians are generally preoccupied with maintaining and enhancing their own power and influence. Consequently, very few of them appreciate the fact that although decentralization deprives them of some powers, it in fact reinforces their influence in many important ways.

Decentralization can for example greatly enhance the flows of information from Central Government to the society and vice versa. Decentralization also and most importantly enhances the responsiveness of Government to local problems. However, Hyden (1983) for example has argued that in Africa, the 1960s and 1970s actually witnessed the claiming back of power by the centre with attempts to exert even greater central control over local decisions, for example, through state controlled cooperative movements.

Although some people have claimed that Africa experienced a second and somewhat progressive round of decentralization in the late 1970s and 1980s, there is little evidence that recent policies have significantly reversed the post-independence trend (Kashr etal, 1982). Zambia's 1980 decentralization initiative for example, gave local authorities more power but had restructured their membership so that appointed members dominated the councils. According to Turner and Hulme (1997), there has been a tendency in Asia for independent Government to prefer delegating power within the public service rather than to locally elected authorities. Central Governments in Asia have generally paid lip service to issues of participation and local autonomy and have instead continued to jealously guard their power.

In Latin America, devolution to local authorities has been rare and typically there is a predominance of Central Government agencies operating at the local level.

Hans (1983) observed that the concentration of decision-making within Central Government ministries often referred to as over centralization is a fundamental characteristic of Latin American Governments.

SOURCES AND PROBLEMS OF LOCAL GOVERNMENT FINANCE

Decentralization affects not only the way resources are spent but also how they are mobilized. Local taxes for example have the potential to constitute a lucrative source of local finance if local people are confident that their money will be used for the benefit of their community. The many resources of local government revenue include taxes, cost recovery or user fees, e.g. grants, voluntary contributions and borrowing from various financial institutions.

1. Taxation

Local taxes on land and buildings account for an important share of local revenues in most developing countries although full utilization is not often achieved. Such taxes may be based upon capital value or rental value as determined by assessing authorities.

2. Personal Levy

These are taxes levied on persons (adults) on classes of persons according to occupations or some other bases. The idea behind this tax is to obtain revenue from even those who do not pay the property or rental taxes but who should also bear the tax burden of local services.

The major limitations towards effective collection of both taxes and levies especially in most developing countries is that local authorities cannot review/revise local taxes. It is the responsibility of central government and can only be undertaken when deemed necessary. The other problem relates to the levels of unemployment where you have a lot of people in informal employment which creates difficulties in paying the taxes especially to rural based councils.

3. Cost Recovery User Fees

Local authorities can raise revenue by changing user services. Such charges of fees can be placed on all forms of economic activities such as restaurant, motels, stores, places of entertainment etc. Some of these sources are just to maintain control since they are not really lucrative but are just meant to maintain standard services.

4. Earning from Public Utilities

In some countries, public utilities such as water supply, electricity, public transport are provided by local authorities and earn returns from the same. In other, however, these utilities are run by boards or corporation e.g. ZESCO in Zambia. In this case, the local authority does not receive any revenue from these utilities although it may incur certain expenses in the provision of such a service.

5. Central Government Grants

These are the most important sources of local revenue in most developing countries.

The reasons for this are many:

- a) The national government has absorbed the best sources of public revenue and is therefore obliged to assist local authorities.
- b) The national government often gives local authorities addition responsibilities for which no addition revenues are forthcoming.
- c) The national government also attempts to equalize government services between the richer and power areas. It therefore makes national funds available on the basis of some formular in order to decrease imbalances (equalizing grants are not yet in offered in Zambia).

6. Voluntary Contributions

Local government compared to central government has the advantage of being able to benefit from local voluntary contributions in cash or kind. To benefits from such contributions, however, it is very necessary to establish effective forms of coordination

between voluntary groups and local authorities. This is one area where local authorities are usually found wanting namely the inability to organize for such coordination. Sometimes local people may not be enthusiastic to contribute towards e.g. building a school or healthy centre simply because the question of who is to finance the subsequent cost is not resolved.

7. **Borrowing**

Most national governments allow their local authorities to borrow in order to finance improvements in infrastructure and their activities. It is however, very common for central government to exert some kind of control over local government borrowing or to adjust its fiscal and monetary policies in order to maintain a stable national economy.

PERSONNEL SYSTEMS

Generally, the staff of the local authority can be divided into three categories namely:

1. The office staff i.e. heads of departments and their staff
2. Employees in special categories such as teachers, managers of municipal enterprises and other executive positions.
3. Manual workers engaged in the various services such as the maintenance of roads, water supplies etc that are run by the council.

The general position is that a local council is required to appoint its officers and is responsible to give the various salary scales. For certain officers, however, legislation may provide that the central government has a measure of control. In this respect, the consent of Central Government may be required for their appointment or regarding the amount of their salary or their dismissal. This is however an exception rather than the rule.

What is important to note is that regardless of the mode of appointment, local authorities need to pay special attention to the quality of personnel as this is very fundamental to the achievement of their objectives.

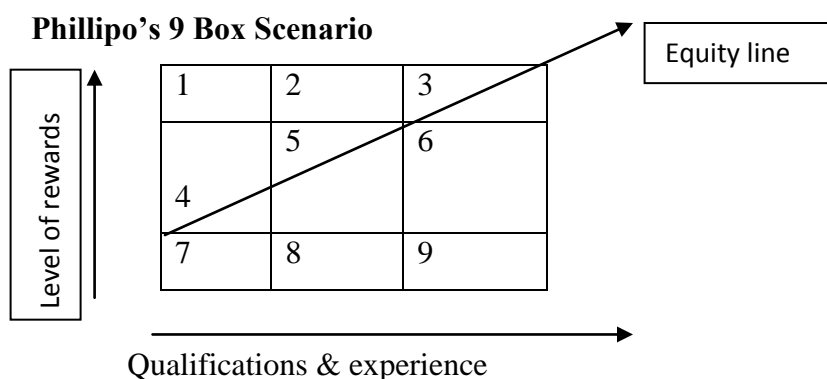
There are generally three broad categories of personnel systems which can be adopted in the running of local authorities.

- 1) **The integrated personnel system.** In this system, both the central government and local authorities fall under a single civil service. Issues pertaining to recruitment, promotion, compensation, transfers, retirement and dismissals are dealt with by the same civil service commission or an equivalent arrangement. There are hence opportunities for transfers of personnel from one local authority to another.

- 2) **Unified personnel system:**
 In this system, local staff is separate from the central government staff but falls under the control of the ministry responsible for local government. Major issues relating to personnel administration are dealt with by a separate body such as a local government service commission or some other body with an appropriate designation.

- 3) **Separate personnel system:** In this system each local authority has its own personnel system although certain aspects are regulated by central government. Under this arrangement, conditions of service may be uniform between local units but the opportunity for transfer is very unlikely. Local authorities using this system are free to enhance their operation through secondment of staff from central government.

To enhance objectivity and quality of staff in local authorities for any of the above personnel systems, Filippo's 9 box scenario would be utilized. Its details are as below:



1. Grossly over rewarded
2. Moderately over rewarded
3. Equity

4. Moderately over rewarded
5. Equity
6. Moderately over rewarded
7. Equity
8. Moderately under rewarded
9. Grossly under rewarded

To Fillipo most people should fall under 7, 5, and 3 to ensure people are satisfied and on rightful jobs.

Box 1

These may be political appointees. They hold lower qualifications and experience and they are grossly over-rewarded.

Box 2

They have medium experience and are moderately rewarded.

Box 3

There is equity. Their qualifications are commensurate with rewards.

Box 4

They are moderately over rewarded.

Box 5

There is equity

Box 6

There are moderately under rewarded

Box 7

There is equity

Box 8

They are moderately under rewarded.

Box 9

Grossly under rewarded

MANAGING LOCAL GOVERNMENT (COUNCIL ADMINISTRATION)

The models of organization and management of local authority are as explained below:

1) Councilor – Committee model

The local authorities operating under this model are controlled by elected councils and they use a committee system in the course of their operations. The head of the council is a Honorary mayor and functional departments are run by appointed officials under the leadership of a CEO who is normally a professional. There is no political execution in such a model.

Council authority is delegated to committees and not to individuals. In this model, the membership of committees normally reflects a balance of all political parties.

Appointed officials are excluded from the committees. The council represents the legislature and the political executive. Its responsibilities include making policy, making the budget and ensuring that council decisions are implemented.

Advantages of the councilor-committee model

- a) It ensures that the elected officials are directly in charge of the administration through the various committees.
- b) It ensures democracy in the process of decision making since council authority can only be delegated to committees and not individuals.
- c) Differences of opinion are well accommodated given that ‘all’ political parties are represented on the various committees.

Disadvantages of the model

- a) There is no real direct supervision of council administration by elected national politicians since there is no political executive. Political oversight is limited to committees.
- b) There is a clear distinction between councilors and appointed officials since the latter are excluded from membership of committees. This distinction however denies the necessary councilor – official interfacing (interaction) which is required for effective council administration.

2) Prefectorial Model

In this model, there is an elected council served by a political executive appointed by central government. He is normally expected to have professional experience and has substantial authority. The responsibility of this executive is to supervise the various departments and the appointed officials

The local authorities utilizing this model stand to benefit from the presence of the prefect especially in terms of attracting central government funding. However, generally, the prefectorial model tends to reduce local government to field administration with central government operating at the local level under the disguise of the council. He has substantial authority in spite of the fact that he is ultimately accountable to the elected Council.

The Committee System

Local authorities world over make extensive use of committees in their day to day operations. According to Anstey (1962), a committee may be defined as a group of people appointed by some other generally larger body to discuss matters within some field of reference with a view to making group discussion and/or recommendations to the larger body. The committee system for local authorities is an instrument of administration. It is through committees that the council exercises its various responsibilities.

There are however some standing features of committees that are characteristic of all properly organized local authorities (i) Standing and Adhoc committees. A standing committee is one which is expected to continue so long as that kind of work is entrusted to the local authority or until there is some general re-organization. Adhoc committee on the other hand, is appointed for a definite purpose which is not expected to continue indefinitely.

Vertical and Horizontal Committees

The vertical Committee deal with particular services that are run by the local authorities. Horizontal committees on the other hand are those that run across different activities of the local authority, meaning that they deal with the matters that affect all the services that are provided by the local authority.

	Education	Health	Roads	Water	Markets
Finance					
Staff					
Works					

The formation of committees is normally based on the important series of the municipality or on its central functions.

Committees meet regularly to deal with the routine matters as well as policy issues and have the formal sitting for authoritative decision making.

The ultimate purpose of committees is to take group decisions which may either be final or take the form of recommendations.

Composition of Committees

The committee will normally have a prescribed number of members of the council and also a number of co-opted members.

It is normally a sound rule of local government practice that everything that can arise must be referred to a specific committee. It is for this reason that it is usually provided that one committee called the general purposes committee, charged with the responsibility of taking all matters not assigned elsewhere.

Types of Committees

Generally, there are 3 basic types of committee systems, which can co-exist with any of the local authority governance model (city).

1) **The portfolio System:** Under this system, local authority organize committees in such a way as to correspond with functional departments e.g. finance committee will deal with matters from the finance department. Such committees also allow specialization and help members to provide accurate information on departments for which they are responsible. Portfolio committees facilitate the demarcation of clear boundaries of responsibility among various committees.

2) **The Geographical system**

Under this system, local authorities arrange their committees according to geographical areas. The system takes into consideration the uniqueness of the areas under the local authority's jurisdiction such as size. Committee members are expected to be familiar and deal with all the problems concerning areas for which they are responsible.

3) **Issues Committee System:** Under this system, local authorities organize their committees according to related issues, problems or tasks that cut across programmes or departmental activities. Examples of such committee include those dealing with the issue of social welfare and crime. The arrangement of committees in this manner takes into consideration the inter-connectedness of issues or problems across geographical boundaries.

Role of Councillors

The role of elected councilors, as part of the governing body of a council, include the following:

- They take active part in reviewing matters before their council and debating issues and participate in councils' decision making processes;
- They review councils' objectives and policies to ensure that they are appropriate for their local area
- Councilors review councils' resource allocation, expenditure and activities, and the efficiency and effectiveness of its service delivery.

Considering the above, councilors play a very important policy-making role, requiring the identification of community needs, setting objectives to meet those needs, establishing priorities between competing demands and allocating resources. The policy framework and the strategic management plans endorsed by councils provide the direction for the ongoing management and operation of council activities.

The implementation of the plans and ongoing management and administration of council affairs is the responsibility of the Chief Executive Officer and staff. A councilor has no direct authority over an employee of the council and no role in employing staff, except for employment of the Chief Executive Officer.

Councilors can make decisions and act only through a majority vote decision of the council or committee. An individual councilor does not have the authority to act or make any decision on behalf of the council, unless the council has delegated such authority to the councilor. For example, a council may delegate to the Mayor the authority to sign a particular contract on behalf of the council.

The role of a councilor as an individual elected member is to represent the interests of residents and rate-payers. This role requires a councilor to provide community leadership and guidance, and to facilitate communication between the community and the council. It is therefore expected that each councilor will:

- Attend council meetings (If a councilor is absent without leave for more than three consecutive meetings over more than 3 months, council is able to declare that seat vacant); and

- Read and consider the agenda and reports before council meetings to be ready to constructively take part in council debate.

All councilors present at a council meeting must vote on every motion and amendment for decisions, unless the conflict of interest provisions apply. A councilor may not abstain from voting. Councilors are also critical in the making of by-laws and these are important as they represent true legislation. They are binding upon members of the public whether local inhabitants or strangers to local jurisdiction. By-laws may constitute what may be referred to as delegated or subordinate legislation.

Validity of By-Laws

A citizen aggrieved may challenge the validity of a by-law through a superior court. It is for this reason that a number of rules governing the validity of by-laws are made.

- 1) A local authority has no inherent power to lay down any rule affecting outside persons. It can only do that if it has been given such powers and it is expected to operate within the powers given to it.
- 2) A local authority is normally required to submit any proposed by-law to the appropriate minister of central government for his/her conformation. The purpose of this is to give central government an opportunity to consider whether there is anything in the by-law that contravenes the general law or that is contrary to existing government policy on a given subject matter.
- 3) A By-law must be sufficiently clear in its terms, so that people understand what it is that is allowed or prohibited.
- 4) A By-law must be reasonable. This is because the last resort in case of the by-law being challenged lies in the hands of the Supreme Court.

FINANCIAL ADMINISTRATION, ACCOUNTABILITY AND THE BUDGET PROCESS

Local government financial administration may be regarded as a sound planning and application of all the financial resources of a local authority with the view to ensuring that all possible income is collected and all the expenditure is aimed at securing value for the money. Local government finances should be geared towards promoting the economic development of the local community. Every local authority therefore must conduct its affairs in an effective, efficient and economic manner with a view to optimizing resources in meeting its objectives.

Effective financial administration should be a must in any local government administration. The ways in which elected and appointed officials ensure that financial respect is maintained has a direct bearing on the local authority's ability and capacity to achieve services.

Effective financial administration should be about to provide financial advice to councilors so that they may be able to make sound judgment of long term profits, provide financial information to management in the most suitable form; and enhance routine centred to promote financial transparency and accountability. In a local authority, adequate structure must be put in place to ensure that expenditure is properly sanctioned and that collection of monies is carried out diligently and honestly. Financial administration must ensure regularity and enforce accountability. A sense of financial responsibility should be inculcated to every employee and not only restricted to finance staff.

Central government being the creator of local authorities has an interest in their financial activities. Consequently, local authorities are normally required to present their annual budgets for ministerial approval. This is normally in addition to regular reporting. Some specific financial activities to central government through the minister in charge of local government and to various financial committees of central government are undertaken.

The Local Government Expenditure

Local government expenditure can be classified into two different categories namely: capital and operating expenditure.

Capital Expenditure: May be defined as expenditure that is incurred in the acquisition of durable assets such as building of a house or office block, the purchase of motor vehicles and other machinery or the construction of a bridge. Generally, for an asset to be included in the capital budget, it should have a life span of three years or more.

Operating Expenditure: Refers to the day to day expenditure of a local authority which includes salaries and wages, general expenses, advertising etc.

The Budgetary Process

Local authorities like other organizations need to guide their revenue and expenditure through budgets. A budget is a plan which shows how much money a local authority hopes to raise from its own resources and from central government and how it will be spent. According to Wildasky (1992), a budget is characterized by a series of goals with price tags attached. Since funds are limited and have to be divided in one way or another, a budget becomes a mechanism for making choices and alternative expenditures.

The local budget is also an instrument for short as well as long term policy planning. It fixes the rate of taxes and enables councils to keep policy under constant review. In short, a budget is a plan of action. In terms of the process itself, a budget starts from various sources.

- 1) Departments – makes their own estimates.
- 2) Spending committees
- 3) Finance committee
- 4) Council

In this process, the finance committee is very powerful and important committee. When the finance committee is scrutinizing the budget, all chairpersons of spending committee should be present. Alternatively, each chairperson can be called when their proposals are under consideration.

Internal/External Financial Controls

Internal control is exercised by a council through the Finance committee and its officers, whereas external control is through an independent audit.

There are two principles that run through all forms of internal financial controls which are as outlined below:

- i) All expenditure requires council authorization for any money spent on the affairs of the council, it must be possible to point out the resolution which authorized that expenditure either directly or by delegating its power to a committee.
- ii) The payment of all sums to the council must be made to the treasurer and all payments out must be made by the treasurer.

Supplementary Expenditure

It is incumbent upon the finance committee to ensure that it has all the necessary details relating to the financial position of the council in order to resolve issues which centre around supplementary expenditure requests. The principle limitation upon agreeing to a supplementary estimate is that there may not be enough money. The detailed scrutiny of whether or not to allow a supplementary expenditure doesn't, however, affect the use in expenditure due to matters that were unforeseen when the actual estimates were made.

PARTICIPATION

The UNRISD define participation as the organized effort to increase control over resources and regulation. It is a concept which represents the vehicle through which desired objectives such as democratization, equity, human rights and sustainable development can be realized.

Dimensions of Participation

In this case, it is possible to distinguish different levels/dimensions or limits of participation. The can refer to (dimensions) to:

1. *Where in the project cycle participation occur:* For Example implementation, monitoring or evaluating levels.
2. *The type of participation:* participants can be passive, they can be informants or they can be stakeholders with a voice in management decision making.
3. *Social levels:* In this case, we mean participation can occur at the national level, provincial level, district level, sub district and even community.

Regardless of the level or type of participation, there is significant evidence that participation can in many circumstances improve the quality, effectiveness and sustainability of projects and also strengthen ownership and commitment of government and stakeholders.

Reasons for Participation

Benefits associated with participation are many and varied. They can however, be divided into three basic categories.

1. **Instrumental:** Most people normally ask themselves what is it that they will gain by participating in a given project or cause. In other words, individuals see participation as a means to achieve other goals. Unless they are convinced that the goal can only be achieved through participation rather than through individual efforts, most people are not likely to participate.
2. **Developing effects:** Participation has developmental or educative effects in that participants may be developed in attitude, knowledge, skills and beliefs. By interacting with different participants, individuals can develop democratic attitudes which enable them to tolerate different views from their own.
3. **Intrinsic value:** Only people who participate are in a position to realize the rewards that are associated with participation. People who participate in community activities for example stand to gain from an enhanced feeling of ones own individual worthy and an increased sense of being part of the community.

Costs for Participation

Costs to participation may be at an individual, group or national levels depending on the circumstances.

Among other things, costs to participate may be in terms of time, economic losses, diseducative effects or system strained.

Time: Most forms of participatory activities require participants to dedicate part of their time towards the activity. Unless participants are able to receive some benefits of participating in the activity, they are not likely to dedicate their time.

Economic losses: Time spent on participatory activities is an opportunity foregone with regard to the use of such time for other economic gains.

Diseducative effects: Active participation in party politics for example can result in high levels of intolerance instead of learning to be tolerant of different views. Partisan politics can easily degenerate into intolerance and hostility. Participation in politics is under normal circumstances supposed to legitimize a political system but highly politicized individuals can sometimes resort to violence instead of legal options.

System strained: Active citizen participation in governance issues tends to weaken a political system besides creating conflict between those who govern and the governed. Active participants not only tend to demand more and more from the political system to also consider themselves as a source of legislation. This situation usually results in the scarce national resources being stretched too thinly and efforts being diverted from tasks which really matter to the welfare of the country.

Obstacles to Participation

The following are the likely obstacles to participation:

1. *Poor/inadequate infrastructure:* participatory activities which require people to move from one place to another would benefit from the existence of an adequate and well maintained road/rail work. Travel difficulties in getting to places for purposes of participation tend to discourage would-be participants. Break down in or lack of effective communication systems also have a negative impact on levels of participation.

2. *Sophistication of project technology:* Community projects which utilize relatively high levels of technology are not likely to attract significant levels of participation from local people whose skills may be quite limited.
3. *Beneficiary organisation and project size:* Well organized beneficiaries are more likely to make a significant contribution to community projects than disorganized and ill-informed one. Smaller projects also tend to encourage accessibility to beneficiaries and hence benefit from their active participation.
4. *Participation may be costly to the Donor Agency:* Serious efforts to involve beneficiaries in project planning and implementation requires willingness to invest in training, supportive research, evaluation and also to provide staff skilled in developing patterns of social organisation and patience in working to organise beneficiaries. These could be quite costly.
5. *Irrelevance of Proposed Participation:* There is need to check out proposal for various kinds of participation to ascertain the extent of relevance with regard to the would be participants.

ELECTIONS

Elections are avenues for political participation. It also offers opportunities to make decisions, especially where decision are backed by the majority.

Why are elections important?

Elections are important due to the following:

- Elections are simple
- Quick
- Secret

These are characteristic of election:

If elections are well conducted, it is opted that many people will come and participate. Elections give people opportunity to elect their councilors and MPs. Elections legitimize political power because those that come to office are chosen. They are legitimate political office bearers. In some cases, elections do not attract many people to participate. Elections in such cases may be characterized with voter apathy. Other feel that by electing others they will enrich them and their families. Others are constrained by economic barriers.

On the other hand, we cannot be 100% sure that the result of the elections is a reflection of the local/national mood. This is because elections can be manipulated. Elections can be used by incumbent to win an election maybe by coming up with a large/visible project that in the short run shows large benefits and less benefits in the future. They may attract huge costs in terms of maintenance etc.

LOCAL GOVERNMENT AND THE NATIONAL SYSTEMS

Central Local Relations

It is not possible in reality that local authority can be free from the control from central government. This is because local authorities are a creation of the central government. Councils can be dissolved for failing to perform.

The decisions of local authority are subject to the control of central government without which they would become null and void. Considering the above, legislation therefore sets up local authorities and gives them authority of central government.

Those being the case, certain legal principles have to apply:

1. All legislation can be repeated or amended
2. Local authorities are subject to the jurisdiction of the courts of law. In other words, legal proceedings may be instituted to prevent them from acting illegally or going beyond their powers.

Judicial Control of Local Authority

Local authorities are corporate bodies set up by statutes meaning that they can be sued or sue.

A prosecution for an offence under a by-law or for some other alleged infringement of the law maybe turned down by a superior court on grounds for example that the by-law is unreasonable. The key fact that a superior court of the state makes a final decision in such a prosecution constitutes a measure of control over local authorities.

The legality of action or proposed action of a local authority may be decided by asking for example the industrial relations court to grant an injunction or to make a declaration. Through an injunction for example, a local authority can be prevented from doing something which has a negative impact on the plaintiff. Alternatively, the court may command a local authority to take a certain course of action, which is a declaration.

Administrative Control

The Central government is in position to apply pressure on a local authority through its power to reduce or even stop the payments of grants. Ordinarily, a local authority can organize its work as it deems fit. It may, however, be required to comply with a direction from an appropriate minister.

It may also be a legal requirement that the minister should have some control over the appointment, remuneration or dismissal of some local government officers. Central control may also be exercised through requiring local authorities to submit to central authorities their plans for carrying out certain developmental activities.

Lastly, the minister responsible for local government may have default powers. These are legislative powers given to the minister to take action in the event of the local authority failing to perform its powers. In this case, the minister may order the local authority to do what it is supposed to do or may take away the local authorities' powers and have them exercised on its behalf.

ETHICS IN LOCAL GOVERNMENT ADMINISTRATION

This topic generally dwells on the importance of a culture of upholding of morality standards in the management of local authorities.

Meaning of Ethics

Ethics are a set of principles of right conduct. Simply put, they are a theory or system of moral values. Therefore, ethics in local government administration are a set of principles on the right conduct in the management of administration of local operations

Importance of Ethics

Promoting an ethical culture is a key leadership responsibility. It is important to promote the highest standards of ethical conduct in the local government management profession in order to enhance the following objectives:

- Promoting morality and ethical culture in the management of local authority
- To create, sustain or uphold peaceful and progressive work environments
- Enhancing team work and coordination in local authorities
- To enhance objective, progressive and embracing leadership which promotes equity or fairness.
- To enhance the timely provision of advice, education and training to local government fraternity

SECTION TWO: COMPARATIVE LOCAL GOVERNMENT

As earlier stated, this section will analyse local government system of Zambia, USA, UK, France and Uganda. The models will be considered on a case by case basis in terms of their evolution, functions, personnel systems, sources of finance, central local relations and decentralisation reforms;

LOCAL GOVERNMENT MODEL OF THE UNITED STATES OF AMERICA

The United States of America consists of 50 states and is a system of federal government with a multiparty system.

The Chief Executives at the federal State and local levels are:

Federal – President
State – Governor
Local Level – Mayor

Major forms of local Government include the municipalities, councils, school districts and special districts (towns/cities)

Field Administration

Officials representing executive departments and independent agencies located in the various States are responsible for field administration. Executive departments among others include the Treasury, Agriculture, Commerce, Health, Education and Welfare and Transportation. Independent Agencies include the Civil Service Commission, the Interstate Commerce Commission, the Federal Trade Commission and the National Science Commission. The Executive departments are the major operating units of the federal Government. The independent agencies with varying responsibilities are usually created by congress to deal with matters which are too complex for the scope of ordinary legislation e.g. NASA.

1. State Government

Generally, matters which lie entirely within State borders are the exclusive concern of State Governments. These include internal communications, regulations relating to property, industry, business and public utilities and working conditions within a State. States are however, devised to refrain from adopting roles which contradict or violate the federal constitution in particular or the Laws and treaties of the United States in general.

Organisation of State Government

Some States within the federation are highly urbanised and industrialised e.g. State of Michigan while others are rural and agrarian based. It is for this reason that the forms of State Governments vary in many significant ways. Constitutions of various States differ in some detail but generally follow a pattern similar to that of a federal constitution.

Features that are common to all States include the following:

- i. All State Governments have three branches Legislative, Executive and Judicial except for the State of Nebraska which has a single legislative body. All States have a

bicamel legislature with the upper house usually known as the senate and the lower house variously known as the house of representation, house of delegates or house of commoners. In most States, senators serve a four year term and members of the lower house for two years.

- ii. The Legislative branch is considered here; each State is divided into electoral districts in which the voters choose the representatives for the legislature. A legislator generally must have resided in the district which elects him or her for at least a year before elections.
- iii. The Chief Executive of the State is the Governor elected by popular vote typically for a four year term although in other States the term is for two years. The Governor advises the legislature on various roles and may call the legislature into special sessions when required. He appoints high ranking public officials and in some states, his appointments are subject to legislative confirmation.

2. County Government

Countries are geographical divisions of the State which in turn are subdivided into towns, townships or estates. They serve as units of local Government for such purpose as selection of members of the State legislature, collection of taxes, punishment of crime, maintainance of rural roads and schools and administration of welfare services. Are run by a Board of commissioners usually consisting of between three to nine membes elected by popular vote either from the city at large or by the township. In some cases, Boards can be larger while in others, county affairs may be entrusted to a single county Manager.

Duties for the county Board include the distribution of relief to the poor, supervision of elections for county officials and the establishment of the county election districts. Some county Boards have infact the power to pass ordinancies. Officials elected independently of the county Board include the sheriff, the prosecutor, attorney, the treasurer, the welfare commissioner and members of school Boards. Although these officials receive money from the county Boards to run their affairs, they are only accountable to the brokers. The

county Board has little or no control over them except the power to reduce or increase the budgets.

In many counties, one town or city is designated as the county seat where Government offices are located and serves as the meeting place for the Board of Commissioners.

3. **The City Government**

A city is a municipal cooperative created by the State vested with authority to own and dispose property, make contracts, to sue and to be sued and to enact and enforce Laws for Local Government. The structure of Government in a city is similar to that of a State and national Government with a mayor elected by popular vote as chief of the executive branch. The councillors forming the legislative branch are elected from the geographical districts or branches/wards within the city, from the city at large or by the combination of these two plans/methods.

The legal basis for the existence of the city Government is a charter. It states the procedures, boundaries, describes the basic features of its Government and defines its powers. Services provided by the city include water supply, health and sanitation, maintenance of highways, police, fire prevention, education (public school systems) welfare, recreation and public utilities.

Although the types of city Governments vary across the country , there are three general types which are regarded as the pure types;

- i Mayor – Council plan
- ii The Commissioner plan
- iii City – Manager plan

In practice, some city Governments adopt a combination of features from two or all of these three.

i. **The Mayor – council plan**

The structure of city Government is similar to that of the State and National Government with the Mayor elected by popular vote as chief of executive branch and the councillors elected from geographical districts or wards from within the

city or from the city at large or by a combination of the two plans forming a legislative branch.

The Mayors' position is similar to that of the State Governor and that of the council to that of the legislator. The Mayor appoints heads of departments and other officials sometimes with council approval. He has the power of veto over city ordinances and is usually in charge of preparing the city budget. Ordinances are passed by the council which also sets tax rates on property and allocates money to the various departments. A city may have a weak or strong mayor plan.

A related Mayor is considered weak in a situation where the other administrators of the city are popularly elected or appointed by the councils and when the council has administrative representatives. In this case the Mayor has no removal powers or no appointing powers, little budgetary powers and often cannot veto measures of the city council.

The Mayor is considered strong as in the case when he is the only elected administrative official or when he has appointing or removal powers and exerts policy leadership.

ii. **The Commission Plan**

In essence, this plan replaces the mayor council plan and does away with separation of powers principle for legislation and administration. The Commission normally consists three to five Commissioners elected by city wards. As a Board, the Commission passes city ordinances and the individual Commissioners serve as heads of various executives and departments on full salary.

In other words, Commissioners are the legislators and administrators. One Commissioner either elected to the position or selected by his colleagues serves as a Mayor but only for ceremonial purposes.

iii. **City Manager plan**

City Councils using this plan hire a professional to carry out its decision. The City-Manager appoints his subordinates, assigns them duties and supervises their activities and also draws out the city budget. In this plan, legislative power remains in the hands of the council whose members are elected under the Mayor-Council plan.

The Mayor is just a ceremonial with no control over administration. Some cities using this plan in fact have abolished the position of the Mayor.

Town and Village Government

Several municipal jurisdictions are too small to qualify as city Governments. They are instead chartered as towns and villages. These are responsible for purely local needs such as providing water supply, providing and lighting streets, establishing local health regulations and sewerage and other waste disposal systems. An elected board or council is responsible for running this kind of Government. The board or council may be known as a town or village council, board of selected men or board of supervisors or simply board of commissioners. The board may have a president, chairman or any elected mayor as a chief executive. The township is a district for conducting local affairs as well as a subordinate agency for the counties and state business. The township may assess and collect taxes and act as an election district for national, state and county officials. The existence of this type of Government is supported by the argument that it is a training ground for democracy. Abolishing township Government requires constitutional amendments in most states and is generally not an easy procedure.

Special Districts

Although less conspicuous, special districts are the most numerous forms of local Government in the USA. The formation of special districts is the response to the inability of most local Governments to cope with problems that are highly typical. Each district is there to perform a specific function. This means that there are as many special districts as there are functions. The name of the district indicates its major functions. So there are school, irrigation, flood control,

fire protection districts etc. The Government of a special district may be the county board, the local court or the state.

Sources of Local Government Finance in United States of America

The sources of local Government finance includes state and federal aid, property taxes on public companies and various charges such as public metres, sewer fees, taxes on entrance fees to the places of amusement.

Although property taxes are the most liable source of local revenue, they are heavily criticised because the property tax is not based on the ability to pay. One has to pay the assessed tax whether or not they are in employment. An individual risks the possibility of his/her property being sold off for failure to pay the tax for too long. On the part of the local authority, property tax is administratively cumbersome. There is for example, the need to hire qualified people to assess, deal with bills and taxes from individuals who claim that they have not been properly (unfairly) taxed. All these things make the administration of property tax very cumbersome and costly.

Local Governments in the United States of America also get grants from central Government. There are three major grants given:-

- i. **Categorical grants**
Are meant to be used for specific purposes and on condition that certain standards are met. These grants infact act as a carrot and stick in that they have the ability to influence local Governments to alter their policies in line with central Government expectations.
- ii. **Block grants**
These are given to States and local Governments to support programmes to areas such as community development, health services and social services etc.
- iii. **Revenue sharing**
This represents federal Government allocatiion of funds to States and cities with vitually no strings attached. There is, however, a requirement for Governments

whether State or local with programmes financed through revenue sharing to prove that they do not discriminate against minority groups such as children or women.

Central Local Relations

There is extensive collaboration between national, state and local Governments on many issues involving service provision. The collaboration for example is mainly between the federal and state Governments on issues of highways and health, between the state and local Governments on issues of education and between federal and local Government on issues involving urban renewal programmes.

Officials of federal Government may be in control of the finances but state and local officials are the ones who actually manage the various programmes. Generally, it is quite appropriate to describe the interaction among federal, state and local official as administrative bargaining. There are, however, formal institutional elements in America's political system which tend to discourage decentralisation to local authorities. For example, the judiciary is more inclined to interpret the federal and state constitutions more favourably to the higher Governmental levels.

The system of taxation also gives higher Governments the lucrative income and sales tax leaving local authorities dependant on the less satisfactory property tax.

State constitutions set maximum limits on the tax rate and public debt that a local authority may choose. So there is no adequate room to manoeuvre for local authorities.

In terms of summarising, it is appropriate to say that local autonomy, central control and partnership are all aspects of the American federal, state and local relations. The three aspects describe the kind of relationship among the federal, state and local Governments in America.

THE ZAMBIAN LOCAL GOVERNMENT MODEL

Historical structure

Prior to colonialism, chiefs and headmen exercised the powers of Government. Nationally, chiefs were responsible for the Government of wide areas while locally, headmen were

responsible for the villagers within a given chief's jurisdiction. The more powerful a chief was, the larger the area on which he/she exercised power. The chief had executive as well as judicial powers and had advisers and councillors who advised him or her on various issues concerning the tribe. At village level, headmen communicated the chief's wishes and carried out the administration of specific issues. During the period, major services were provided for through the co-operation of the whole village.

In 1889, the British South African Company was granted a charter on condition that the rail line progressed northwards over the Zambezi (Cape-Cairo). Small communities developed along the rail line as it progressed northwards which in turn grew into small townships marking the birth of municipal administration in what was then called Northern Rhodesia, now Zambia. The charter among other things required the B.S. A. Company good Government. Through proclamation No 1 of 1901, the company established a village management board to administer various regulations pertaining to issues such as environmental health as well as streets and buildings.

In 1924, the British Government took over Northern Rhodesia and established it as a protectorate with a governor, legislative and executive councils. As a response to the growth of urban communities, two ordinances were passed in 1927 and 1928 to enhance local administration. These were the municipal co-operations ordinance and the townships ordinance respectively.

The 1927 and 1928 ordinances gave councils wide ranging discretionary powers which included the establishment of markets, parks, slaughter houses, refuse disposal services and the maintenance of law and order.

In 1923, the mine township ordinance was passed in response to the rapid development of the mining industry. Under this ordinance, mine township boards were established as local authorities. One major difference though was that these boards were not responsible for raising revenue or collection of rates and personal levy. They depended on the grants given to them by the mining co-operations.

Colonial Government Structure Before 1964

There was a colonial secretary based at the centre (England) represented in Zambia, then Northern Rhodesia by a Governor. At the provincial and district levels, there was a Provincial Commissioner (PC) and a District Commissioner (DC). (M. Mitchell – Basic information on the structure of local Government in Northern Rhodesia as of December 31, 1962.JS17649). Below the District Commissioner were the chiefs and their headmen. The powers of chiefs were considerably reduced since. They were made to depend on the colonial administrative officers. Native authorities were established in each senior chief's area to assist the maintenance of Law and order.

Executive powers at the district level were exercised by the District Commissioners while legislative powers were exercised by the native authorities. It is important to note however, that participation in local affairs was extended by and large to whites only who were in accordance with the law qualified to vote and could be appointed to various positions by the Governor. It was not until the passing of 1962 local Government elections ordinance that more positive measures to enhance greater African representation on local councils were instituted.

Local Government in Zambia

At independence, Zambia inherited a fragmented administrative structure consisting a collection of departments which enjoyed a great deal of autonomy from the centre. The civil service which was developed during the colonial period considered itself politically neutral and therefore not responsive to political control. In other words, the new Zambian Government inherited an administrative structure that was considered unsuitable to the aspiration of the new nation. Consequently the old provincial and district Government was abolished and a new reduced provincial and district Government was produced in August 1964. This new Government was to coordinate and implement Government services and provide co-operation between Government and political parties. This, however, marked the beginning of the institutionalisation of political control of the the civil service.

Following the rapid Zambianisation programme by the new Government, the average education levels of both provincial and district staff including that of the district secretary got compromised. The situation was worsened by the fact that appointments were not usually based

on merit. The existence of a new political authority in the name of UNIP regional secretary further weakened the DC's position/authority.

The 1965 local Government Act number 69 of Oct 1965

This Act provided for the establishment of 67 local authorities in the form of municipal councils with mayors and town clerks, townships and rural councils with chairmen and council secretaries.

At the provincial and district levels, the Ministry of Local Government was represented by a provincial local Government officer and a district local Government officer respectively. Most councillors were elected but the minister of local Government had powers to appoint additional members to the council but usually not exceeding five. The appointed members included chiefs and any other persons the minister thought could make a contribution to the smooth running of Local Government.

The mayor and his deputy and the chairman and his vice were elected by the council from among the councillors. The minister could also appoint an administrator to run council affairs in the event of the council failing to perform its functions or otherwise acting improperly. The Act also allowed the appointment of non-council members (co-option) to council committees except the finance committee provided that two thirds of the committee were council members.

In November 1968, there were decentralisation measures which among other things brought about the appointment of a cabinet minister and a permanent secretary to serve in each province. For administration of every district a political appointee in the name of a district governor was appointed. Nevertheless problems affecting local administration were acknowledged by the Government as evidenced by the appointment of a committee which looked into these and came up with recommendations including first the need for higher quality staff through channeling of new graduates to the provinces and districts. Secondly, more powers to be given to the District Secretary especially over local Government. Last but not the least removal of political control over political and local Government. But president Kaunda in his 1969 administration reforms did not accept most of the recommendations. The president perceived the proposals as a return to the colonial system of public administration. In effect, the 1969 reform did not only reject the

proposal of freedom from political control but actually institutionalised it. At the district level for example, the district governor was meant to be the political administrative head. The president also ignored the proposal of raising the quality of staff in the manner proposed by the committee.

In effect, the reforms loaded the central Government units with additional functions without improving co-ordination. In the eyes of the local people therefore, local authorities were seen as patronage organisations rather than important instruments for development. Political bias and corruption characterised the allocation of development funds, signing of contracts etc. Tension amongst administrative staff and councillors was very rife.

During the one party state period between 1973 and 1991, institutions which provided avenues for local participation included provincial development committee, district development committee, the rural council, the ward development committees and the village productivity committee (VPC). In December 1971, an official working party under the chairmanship of A. F. Simance who was then the staff development advisor in the cabinet office was appointed to critically review the decentralised system. Among the findings and recommendations was the following;

Although the framework of the decentralised administration was sound, the system was not operating efficiently because executive authority had remained firmly at the centre. The working party recommended that authority needed to be transferred for the system to work efficiently.

A world bank survey of 1974 also echoed some of the main recommendations of the Simance report and stated that if decentralisation was to be successful supervisory powers of planning, finance and personnel must be granted to the province and professional and technical specialists should be transferred from the centre to the periphery.

Vertical rather than horizontal accountability still characterised the decentralised system of Government. Departmental heads at the regional level received most of their important instructions from their headquarters in Lusaka and not from their local superiors.

The country's experience during this period therefore had been that of centralisation and not decentralisation. It was amidst these observations that the 1980 Local Administrative Act came into being.

1980 Local Administration Act Number 15

This Act ushered in a new system of local Government with three major objectives:-

- i. To implement the party and its Government's desire to decentralise power to the people to enable them to take part in decisions that affect their well being. This desire was clearly articulated in the Act viz-a-viz the functions of a council. The council was to ensure that administration of a district was carried out in a manner that would achieve effective decentralisation and the transfer of power in the political, economic, science and technological, social agricultural and defence and security.
- ii. Creating district councils as front liners in the development process. It was expected that the district council would be responsible to formulate long as well as short term development programmes.
- iii. To ensure effective integration of the primary organs of the party and other organs of local administration in the district into one body, the district council. At the provincial level into one body, the provincial council.

Council Functions

The council as a statutory and deliberative body was entrusted with 74 functions among them:-

- i. To administer the affairs of the District in the five areas already aluded to ie Political, economic etc.
- ii. To serve as the final authority to whom all organs of local administration shall be answerable in respect to matters relating to local administration.
- iii. To formulate long and short term programmes in the five areas already aluded to.

Composition of Councils

To make up a council, there was a District Governor as chairman, the District Secretary, two district trustees appointed by the central committee, all members of ward committees in the district, all members of parliament of the district, one representative from each of the mass organisations operating in the district e.g. the UNIP womens league, one representative from each of the trade unions operating in a district, one representative from each of the security forces and one chief elected by all chiefs in the district.

The District Governor as chairman of the council was responsible for overall administration in particular for the day to day functions of the council, the efficient and proper operation of all public institutions and parastatal organisations operating in the District and such other functions as may from time to time be assigned to him by the president or the secretary general of the party or by the resolution of the council.

The Act also provided for the establishment of the district secretariate under the supervision of the district executive secretary whose functions among others were:-

- i. To coordinate Government functions of the district.
- ii. To carry out the day to day administration of the council including implementation of party and Government policies and programmes of work in the district.
- iii. To prepare annual reports other than political reports on the activities of the district for submission to the council.
- iv. To prepare annual estimates of revenue and expenditure of the district for submission to the council.
- v. To prepare district plans and programmes for submission to the council.
- vi. To consult the appropriate organs of the party and Government directly on any technical matters pertaining to the administration of the district or implementation of

any development, activities of the district and to be responsible for the proper administration of the council so as to achieve effective decentralisation in the district.

Composition of the District Secretariate

The District Secretariate composed the district political secretary, administrative secretary, financial secretary, social secretary, development secretary, commercial and industrial secretary, legal secretary, security secretary and a political secretary (political scientist). It is important to note though that very few councils had a legal secretary and non of them had political scientists.

Assessing the 1980 Local Administration Act

When the Act was passed, Kaunda hoped that the new system would get on its feet as quickly as possible with a view to achieve its major objectives. This did not however, happen and very little power if any had been transferred to the people. Administration still remained highly centralised. District councils were far from being front linners in the development process as they could not stand on their own feet. Only the offices of the district secretary and the district governor had been fully integratd into District councils while Government Departments continued to operate vertically to their provincial headquarters and directly to Lusaka.

Most district councils particularly the smaller ones became top heavy as there were too many heads of Departments (e.g. many directors at ZESCO). The results had been bureaucratic, infighting coupled with overaping of the functions.

There were also problems related to finance as councils had not developed the tradition of being independent from the central Government. This dependence stifled local initiative to fully exploit the sources of local revenue. There was also financial mismanagement and interference. The Act also did not give much room for disctrict councils to raise revenue from local sources because rents, rates, fees and charges needed the approval of the Minister.

The lack of statutory integration was replaced by a “dual supervision formular.” Under this arrangement, the party and its Government expected provincial and district heads of functional Central Government Departments to be administeratively responsible to provincial and district councils and to be technically responsible to their ministries through their own departmental hierachy. It was not easy to draw and maintain a line between the administrative and technical

functions. Because of this problem and other factors, the dual supervision formula had failed to work effectively.

Consequently, local administration in Zambia still remained characterised by the collection of Central Government departments, local authorities and other agencies that were not effectively co-ordinating resulting in the overlapping of roles, confusion and duplication of efforts and resources.

The district governor for example, was not able to play his role as the overseer of parastatal activities. The various Acts and legal requirements which governed the operations of the parastatals had not been revised to enable the district governor to play an effective role.

The foregoing sentiments or observations were also echoed in the Mvunga commission's constitution report of October 1990 where among other things the majority of the petitioners submitted that while some kind of provincial leadership was necessary, the existing structure was extremely top heavy and greatly weighed in favour of the political department at the expense of social and economic development. Earlier, a special parliamentary select committee appointed by the national assembly in July 1990 also observed that the system of local administration introduced in 1980 under the local administration Act Number 15 had not achieved its intended objectives.

As a matter of fact, the Mvunga commission found the following:-

- i) There was a majority wish that the provinces in the third republic should be headed by political appointees who should be called provincial ministers, resident ministers or provincial governors.
- ii) A few petitioners suggested the creation of provincial assemblies or councils consisting of elected leaders and traditional chiefs in the province in addition to a small but effective civil service led by a provincial permanent secretary.

- iii) At the district level, there was an overwhelming call to revert to the old mayoral or chairmanship system of administration which existed before the enactment of the local administration Act of 1980.

On the basis of the submissions, the commission recommended the following:-

- i) The president to appoint the provincial or resident minister who would be in charge of all political functions in the province and would be answerable to the president.
- ii) The provincial or resident minister to be assisted by a small but effective team of civil servants.
- iii) At the district level, the third republic should revert to the mayoral/chairmanship that existed before the introduction of the local administration system of 1980.
- iv) Civil and political functions at the district level must be separated with the formers being administered by the political appointee assisted by civil servants headed by the district secretary.

The 1991 Local Government Act #22 of November 91

This is the Act currently in effect. The Act has basically brought back the local Government system that existed in the first republic. Various positions such as that of members of the central committee, provincial governor, regional secretaries, district governors. District governors have been done away with like in the first republic, the provincial minister appointed by the president is the chief executive in charge of provincial legislation. He presides over meetings dealing with issues ranging from security to development at provincial level.

To aid field administration, each ministry has official representation at the provincial and/or district levels. The position of provincial permanent secretary as the topmost civil servant appointed by the president at the regional level has been retained.

Until the recent appointments of the district administrators, there was no person at the district level who would be considered as a political figurehead.

The D.As responsibility is generally to:-

- i) Act as coordinator of all Governmental functionaries at the district level. To ensure that people understood Government policies and programmes and effective delivery of services to the people by all Government organs.

In the absence of a formal legislation stating the exact responsibility of the DA it remains to be seen whether or not this person is more of a political figurehead than anything else.

Regional administration is enhanced by elected officials, the councillors who constitute the council. Mayors preside over city and municipal councils while chairmen preside over the smaller district councils.

The mayor has a major function of presiding over council meetings. He calls for special council meeting when and if necessary. He is the first citizen of the town or city who welcomes and entertains important visitors coming to the locality. He attends important functions on behalf of the local citizens and is an ex-official member to all council committees. The mayor is first and foremost accountable to the people who elected him/her as councillor and then to the councillors who elected him/her as mayor. He/she is also responsible to the community at large within the jurisdiction of the council.

Councillors attend all council meeting and influence the decision making process through participating in debates and taking a vote on issues that are controversial. When exercising this important role, councillors naturally take into account the interests of the people they represent in their electorates.

Just like members of parliament, councillors are not full-time workers. They are, therefore, not paid a salary but just get various allowances.

Powers of the Minister of Local Government and Housing

Powers of the Minister of Local Government and Housing are as follows;-

- i) Approval of the councils' annual estimates.
- ii) Approval of a councils' intention to open a bank account in its name.
- iii) By statutory instrument, the minister may make regulations for the control and management of the finances of a council.
- iv) Appointment of a public officer or other person to be the auditor to the council.
- v) Confirmation of by-laws made by councils because as a minister he has the power to amend or revoke by –laws.
- vi) Appointment of a public officer as a local government administrator for a given council following such a councils' refusal, failure or inability to adequately discharge all/any of its functions.

Amendments to the 1991 Local Government Act

It is important to note however that there have been some amendments to the Act since its enactment. One such amendment is the local government amendment Act # 30 of 1995 which empowered local authorities to appoint and discipline personnel without reference to the minister. Provincial local Government appeals boards now facilitate decision making relating to issues of discipline and appeal cases instead of the local Government service commission.

Another was the 1996 Amendment which introduced the Constituency Development Fund (CDF). Constituency development fund (CDF) was approved by parliament in 1995 to finance micro community projects for poverty reduction. It is set aside by the government of the Republic of Zambia to address the needs of the community in all the constituencies of the country. It is released through the Ministry of Local Government and Housing (MLGH) to the local authorities throughout the country. "As part of their annual capital programme, each

council is mandated to include Constituency Development Fund for community based projects in capital budgets.” GRZ-MLGH-CDF (2006:1).

Assessment of the 1991 local Government Act

Among the notable justifications for the local Government reforms of 1980 and 1991 is the argument that local Governments needed to be financially autonomous. It is however unfortunate to note that to date, local authorities in Zambia are still heavily dependent on central Government funding. For some time many district councils were not able to pay salaries to their employees usually ending up in arrears spreading over to several months. Some time in 1999, Government was forced to pay more than 300 Million Kwacha to five district councils namely; Isoka, Mpika, Chama, Kawambwa and Kasempa after the Zambia United Local Authorities Workers’ Union (ZULAWU) sued the councils for non payment of salaries.

Local authorities are still operating under very difficult conditions. Nearly all of them especially those in the rural areas do not have adequate capital equipment such as transport, servisable fire tenders, graders etc. Many residents within localities still view local authorities as institutions whose management is inept, corrupt, not to the welfare of the communities and generally incapable of delivering the much needed services. It may, however, also be argued that many residents lack a sense of ownership and responsibility for public property. They look at the local authorities not as institutions meant to facilitate but rather as the sole providers of development and the ultimate custodians of public policy. It would therefore appear that there is need for both central and local Governments to embark on civic awareness campaigns as as to;

- i) Educate citizens on the roles of local authorities in national development. The ultimate goal for such among other things would be to solicit for citizen participation in the effective running of local authorities. The campaigns would e.g. enable the public to develop a positive attitude towards the need for paying for the provision of services by local authorities.

- ii) Help citizens to objectively assess the constraints faced by local authorities with a view to improve their capacity to make informed contributions in matters of policy affecting Local Government.
- iii) Help instil a sense of ownership and responsibility in order to reduce acts of vandalism and the general 'i don't care' attitude towards public property exhibited by many residents in our towns and cities.

It is important to note however, that it is not only the ordinary citizens who hold a negative attitude towards local authorities. Even within central Governmental circles, it's often argued that local authorities are failing to take initiative to utilise local resources as well as to come up with viable/profitable commercial ventures. Some reasons advanced on this argument are corruption, mismanagement of funds, inefficiency and overemployment.

What Government needs urgently among other things is to cultivate a sense of trust in those running local authorities with a view to encourage them to take on more responsibilities in the decision making process of their authorities. The renewed trust and confidence will inspire local authorities to be outward looking with a view to, for example search for income generating sources besides the traditional ones.

Too much central control on major issues relating to finance and administration on one hand and contradictory policies/directives on the other hand have also contributed to local authorities' failure to function effectively as well as reduce their financial dependence on central Government. It is true that lack of the necessary capacity and adequate funding constitute the two major constituents facing local authorities today. But as long as local authorities remain exercised by financial mismanagement, indiscipline, bickering, it will be very difficult for them to formulate strategies aimed at improving these areas. It will equally be difficult to solicit for the support of local citizens.

In order to revitalise and give a new lease of life to the local Government system in Zambia, there is an urgent need for an effective devolution of both administrative functions and finances to local authorities and the adoption of deliberate policies aimed at improving management capacity.

THE ENGLISH LOCAL GOVERNMENT MODEL

Under the British constitution, parliament is sovereign/supreme. The responsibilities of local authorities stems from Acts of Parliament, ministerial orders and regulations. A council can only do what it is specifically permitted to do by Law. Through mandatory Acts, parliament lays down specific duties to be carried out by councils like in most parts of the world, councils in the english system of local Government are responsible for services in education, environmental health, housing, social services, waste collection and disposal, highway/road maintenance etc.

The local Government structure in England comprises shire areas, metropolitan areas and unitary areas.

The shire areas consist of county, district and sometimes parish councils. In other words, a county council consists of several district councils which may in turn be divided into parish councils. The powers of a parish council are shared with that of a district council. Parishes normally deal with local services and problems at a very practical and detailed level. Parish councils are considered by some people as the only truly democratic institutions in England. Annual parish meetings attended by the electorates within the parish are held to discuss issues of interest and usually a vote is taken to decide on an issue. The vote may not be binding on the council but the meeting is seen as a great opportunity at which the electorates may put forward their views to a full council.

The metropolitan areas comprise metropolitan districts, london boroughs and joint boards and the unitary council. The metropolitan district councils normally called the borough or city councils are responsible for all services except those provided by joint boards within their locality. The unitary councils are all purpose autonomous councils with the same span of responsibilities as metropolitan councils. The London boroughs are an integral part of Local Government in London in addition to the city of London co-operation and any other units of Local Government such as joint boards or other elected bodies.

Although most services are run by the boroughs, there is co-operation with the joint boards and other adhoc joint arrangements in the provision of services.

The co-operation of the city of London is responsible for only a square mile in the heart of the city of London. The London County council through the various metropolitan borough councils within the county is responsible for the rest.

Joint boards in each metropolitan area provide the police, fire and civil defence arrangements which run across the whole jurisdiction. These boards which are not directly elected but nominated by the metropolitan districts within the metropolitan area are authorities in their own right.

In the English system, county councils, district councils and parish councils are headed by chairmen while city councils, borough councils and town councils have Lord mayors or simply mayors. The difference is really a matter of terminology because they have several lords and they are all councillors elected to the office by their fellow councillors.

The council is the main forum of debate and subsequent decision making. Councillors elect one of their own called the chairman or mayor to preside over the council. Much of the work of running council affairs is accomplished through committees. The number, range and scope of committees is entirely the responsibility of individual authorities. These committees only refer difficult matters to the full council. Most councils will however have a committee often known as the policy and resources committee. The roles of councillors are many and varied. The role taken on by a councillor to some extent depends among other things on whether the councillor is a representative of the party controlling the council or of the opposition.

Generally speaking however, a councillor's role includes those of being a politician, a policy maker, a representative and a manager. As a politician, councillors make decisions in the light of diverse and sometimes conflicting demands and promote the interest and concern of their political party and supporters.

As policy makers, they take part in council and committee meetings to formulate policies.

As representatives, they project the views of their constituents and deal with their problems.

As managers, councillors supervise the administration as well as management of the council which is carried out by the employed officers of the Authority. Councillors are sometimes required to sit on the board of a company which is fully or partially owned by the council. During their term of office, chairmen of the council are among other things expected to be politically impartial when chairing meetings, rule on procedural matters and they are the first citizens of the county, borough or district.

They receive foreign visitors, trade delegations and other dignitaries, open conferences and major events and represent the council at various civil functions.

Council employees are responsible for implementing council policies and organising the provision of services to the local citizens.

The most senior officer of the council is normally referred to as the Chief Executive who is the principle advisor to the council on various issues including matters of new legislation and policy.

He is the mediator in various conflicts and is normally responsible for the smooth running and co-ordination of all council affairs. The Chief Executive is the main link between the senior officers heading individual departments, between senior officers and councillors and is the chairman of the senior officers management team.

The senior officers whose appointment, promotion and discipline is the responsibility of the councillors are responsible for advising the council on matters of policy and implementing policies determined by councillors.

Senior officers attend committee and full council meetings but are not members of the committees on council and do not make policies.

Field administration is achieved through central Government ministries which maintain offices in the various regions. Co-ordination is achieved through periodical meetings known as special meetings e.g. DDCC in the case of Zambia at the district level. The staff employed to ensure there is co-ordination are career officers.

Sources of local authority funds

Only about 18% of local authorities income is derived from revenues under the council's own control ie rents on houses and other property, rates etc while the rest comes from a variety of central Government grants and loans. These are general grants, specific grants and rate deficiency grants. Rate deficiency grants assist authorities whose rate resources are below the national average. Local authorities require the approval of central government to borrow from capital expenditure.

Central local relations

One of the basic feature of the English local Government is that except for few and minor exceptions, the local units are free from control of other local authorities. this contrasts sharply with the hierachical system of the French local Government (Aideffer). Maximum deconcentration in the English system is accepted by central Government as an aim and central Government departments have the responsibility to encourage local Government to achieve this decentralisation.

Local authorities usually have associations which are in constant touch with the various Government departments. The objectives of these various associations is to press for maximum devolution. All ministries responsible for various services accept the liability to assist local authorities as much as possible. This is achieved in two ways;

- 1) By issuing guidelines whether by statutory instruments or by circulars.
- 2) By making themselves available or request to help either through their local organs or from their headquarters.

Be that as it may, Central Government controls many activities of Local Governement.

Many decisions that the council takes require approval from a Government Minister or a senior civil servant. Councils are bound by ministerial directives and regulations and most of the services they run are scrutinised by Central Government.

Like in many, if not all the countries, some of the council decisions may be the subject of appeal to a Minister or a Government Department. The extent of controls often depend on statutes e.g.

under planning legislation, local planning authorities must prepare and review as necessary the development plan of their areas and put these proposals to the minister responsible for approval.

Central Government auditing also provides another measure of control. The auditing is aimed at watching the legality or expenditure of Local Governments.

THE FRENCH LOCAL GOVERNMENT MODEL

France is a state with a parliamentary system. It has a multiparty political system. The administration still retains the unitary structure established by Napoleon the first (I). The French model is found in most parts of the world today. This is likely due to the 1789 French Revolution and also due to the fact that France was a major imperial power. The present French local Government system has retained the essential features of that which was created by Napoleon after he made changes to the old one in 1800.

The major units of local Government are the communes, the departments and the regional regions. They all have legal status, assets, obligations and rights. The communes replaced the parishes of the old regime. The departments replaced the old provinces whose existence was seen as a danger to national unity. The department (province) as a local authority is a deliberative body comprising elected members who form the departmental council. Executive power in the department is exercised by the chairman of the departmental council elected by that body.

For each department, there is a prefect who is an official appointed by the Government and is the representative of the deconcentrated state of that level. The prefect is primarily an agent of the state in the department and informs the Government and carries out its decisions in so far as they relate to the running of the department.

The commune or municipality is essentially a decentralised community. The commune constitutes villages, towns and cities. The municipal council at the level of a commune is elected by universal suffrage. There is a mayor elected by the council. In some cases both the mayor and the council do receive powers from the central Government. In this case, the mayor can be considered as an agent of deconcentrated power.

The programme regions were established under a decree to promote economic development in the country. This was done in response to the realisation of the growing importance of problems relating to economic development as well as the need to enhance co-ordination among the departments. The regions have a regional council composing the regions' selected members of parliament, some representatives of the communes and the departments who are elected by their general councils and representatives from the urban communities.

The regional local Government system existing in France today is a result of the following Acts passed in 1982.

- i. The rights and liberties of the communes and the departments and regions Acts passed on March 2nd 1982.
- ii. The transfer of financial resources regulations mainly government by the two Acts.

The 1982 Acts made local authorities more autonomous and accountable for their activities. Local autonomy is ensured by two fundamental policy decisions namely; abolition of state control over these authorities on one hand and transfer of the executive function previously held by the prefect to the departmental and regional councils.

Prior to the above Acts, the prefect as the senior most Government representative in the department had wide ranging powers. The prefect's approval for example was required for any measures adopted by local assemblies (councils at any level) to take effect.

The prefect was the executive authority at the departmental as well as the regional level. He had power to take decision regarding the planning of appropriations for regional projects at the departmental level.

Measures taken after 1982 in the context of decentralisation, however, constitute a coherent national plan which affects the distribution of financial resources and the pattern of national and local Government. This is however not to say that the prefect no longer wields significant powers over local Government. The 1982 Act clearly defines the role of the prefect who now holds the title of commissioner of the Republic.

The Commissioners' roles include;

- Being the representative of ministers
- Directing Government departments and
- Is in charge of national interests, the rule of law and administrative control at the local level.

Formerly the Ministers were locally represented by their departmental or regional heads of staff.

The Commissioner of the republic is now;

- i. Head of all outside departments.
- ii. He is the compulsory intermediary in any correspondence between a ministry and its outside departments.
- iii. He or she is the ex-official chairman of all administrative commissions in the department or region. He or she exercises financial powers as secondary authorising officer.
- iv. He or she is the ex-official (states representative) to companies, firms and other bodies which receive financial help from the state. Such bodies including nationalised companies and public and commercial concerns have to keep the commissioner informed on issues of special importance to the republic.

In terms of devolving central Government authority therefore, it can be argued that the prefects' (commissioners') powers have been somewhat enhanced. The role of the prefect/commissioner may be illustrated by what is normally referred to as the integrated prefectural system.

Integrated prefectorial system

This system refers to the direct dual relationship between the prefect and officers of central Government and between the prefect and local Government. In the French system of military Government, the prefect in the department is the senior most Government officer. All Officers of individual ministries are subordinate to him. The prefect is part of the chain of command from the central Government. The prefect embodies the authority of all ministries and is the

chain of communication between technical field officials and the centre. Delegation of powers to the ministries is made by the prefect rather than any other ministerial representative. In terms of local Government the prefect towers above all local Government officials. He exercises supervision over the two systems (departments/commune) and is the supreme authority in the region.

Merits of the integrated prefectorial system

- i. The governing of a country is felt much more through the integrated system.
- ii. It reduces the span of control between the region and the centre since there is only one central Government representative in each region.
- iii. In small countries, the system can prove to work much more efficiently than in larger ones.

Demerits of the integrated prefectorial system

- i. The system can be inefficient as well as ineffective at the regional level since the prefect is a generalist and cannot make rational decisions in areas he has little or no knowledge at all.
- ii. Since there are many ministries and departments over which he supervises within the region, the span of control is too wide making governance/administration difficult.
- iii. Local authorities feel less autonomous to use initiative and discretion when the overseer (prefect) is so close. This state of affairs robs local authorities the potential for democratic local decision making

Sources of Local Government Finance

The sources of local government finance include taxation, aid from the state, borrowing, various rates and charges on public as well as private investments etc. Generally, communes located in urban industrial areas are usually richer in terms of finances than those which are not. Departments dispose significantly more fiscal resources than the communes and the regions.

This is mainly because central Government transfers many responsibilities to departments and is therefore obliged to disburse significant amounts of financial resources to them. Another source of revenue for the departments is direct taxes on motor vehicles. Being the greatest beneficiary of the 1982 reforms, the department is also the richest of the three levels of local Government.

Central-local relations

Local authorities in the French system of local government like in any other system do not possess complete freedom of action. Decentralisation in France has been weakened by the rapid development of national republic services through the nationalisation of undertakings formerly operated by local authorities. There are numerous financial regulations with which local authorities have to comply. These tend to severely limit the scope for effective decentralisation. There is very strict supervision over financial matters by the centre more than over other matters.

The grants given to local authorities by the centre also act as a carrot and stick in as far as decision making at the local level is concerned. It has an effect on reducing local autonomy. Progressive steps taken in the 1982 reforms include the abolishing of the so called controls, technical controls included restrictions imposed on local authorities wishing to make investments with aid from the state or for the purchase of certain equipment. The restrictions in this case were in the form of particular standards set by the state and also the use of standard contracts. These restrictions tended to reduce the freedom of local authorities in terms of decision making thereby giving rise to delays in administrative communications.

The powers of prior approval and substitution have also been abolished. Under the power of approval, the measures taken by local authorities needed to be approved by the prefect in order for them to take effect. The prefect could also veto measure on grounds that they infringed a law or that they were *ultralvires*.

Under the power of substitution, the control authority (prefect) could act in place of a local authority it controlled. This meant for example that the prefect could take the place of an elected representative in the event of such a representative failing or refusing to perform functions conferred upon him or her by law.

What is perhaps more important to note is that local authorities in France have recourse to an administrative tribunal as a means of defence against unjustified central control ie can take the state to court if need arises.

THE UGANDAN LOCAL GOVERNMENT MODEL

Uganda is a unitary state ruled by the National Resistance Movement (NRM) under president Yoweri Kaguta Museveni. The NRM is as a result of a broad coalition of political factors who formed an alliance in response to the 1980 elections which were allegedly rigged by Milton Obote.

The NRM's argument was that political parties were undemocratic and had the potential to entrench instability in the country. What Uganda needed according to that argument was a political system that would unify the people in order to spearhead national development.

There are 250 constituencies in Uganda. People elected from these constituency form the pool from which the president can choose his ministers.

The Ugandan constitution is silent on question of whether or not the President can appoint ministers outside those related to the constituencies.

The 1967 Constitution and Local Administration Act:

This Act centralised powers and severely constrained local authorities. Between 1967 and 1970, local administration political offices became appointive. Discipline in councils deteriorated because there was no direct accountability to the electorate to facilitate efficient and effective service provision. The accompanying laws of legitimacy resulted among other things in the ineffective enforcement of by-laws and the operations of self-help and community development ground to a halt. This led to a decay of social economic infrastructure.

The 1967 Act gave the Minister of Local Government very close control over local spending and sweeping powers to intervene whenever political and administrative problems arose at the local level.

During Obote's Government, no progressive efforts were made to revive democratic local governance. Obote's regime in fact set out to monopolise the control and distribution of resources at the local and national levels. The NRM Government upon assuming office in 1986 embarked on a process of power decentralisation in local governance with a view to promote and sustain popular democratic participation through a system of elected local councils.

Museveni's Government immediately set a commission of enquiry in August 1986 into the local Government system. The recommendations of this commission provided the basis for designing the new system of local Government.

It is very important to note that the local Government decentralisation programme in Uganda officially launched by Museveni on October 2nd 1992 was as a result of broad consultations at various levels.

In addition to the 1986 commission of enquiry, there were other consultative forums such as the May 1990 committee of experts on democratic decentralisation whose report was presented on July 12th 1990. The report made some recommendations for strengthening democratic decentralisation in Uganda.

In April 1992, an interdisciplinary task force of Uganda technical experts was set up from various ministries and the National Resistance Movement secretariate to prepare implementation modalities and to review the draft local Government bill.

Generally, however, the local Government system prevailing in Uganda emanates from the enactments of the resistance councils and committees statute of 1987 which among other things first created resistance councils and committees from the village up to the district level and granted them wide ranging powers. Secondly, created district development committees. Thirdly, fostered political accountability by holding the resistance councils fully accountable to the electorates and investing them with powers to recall their representation. Fourthly, fostered administrative accountability by requiring district officials to be answerable to councils.

The decentralisation policy in Uganda aims at achieving among other things the following objectives;

1. To transfer power to the districts and thus reduce the load on remote and under resourced officials.
2. To bring political and administrative control over services to the point where they are actually delivered and thus reduce competition for power at the centre and improve accountability.
3. To free local managers from central constraints and thus allow them to develop original structures tailored to local circumstances.
4. To restructure Government machinery in order to make the administration of the country more effective.
5. To create democracy that would bring about more efficiency and productivity in the state machinery through the involvement of the people at all levels.

Decentralisation policy in Uganda emphasises “democratic decentralisation” which advocates for;

1. Promotion of popular participation.
2. Empowerment of local residents through the creation or originating structures that provide for citizens’ decision making.
3. Regular local elections so as to give legitimacy to the local leadership and to enable constituents to control their leaders and to hold them regularly accountable.

Decentralisation in Uganda is a democratic reform which seeks to transfer political, administrative, financial and planning authority from the centre to local Government councils.

Uganda is divided into 39 districts. The district is the largest political subdivision of the country. Within a given district, there are counties and subcounties. The district is headed by a political appointee in the name of Resident District Commissioner whose main functions include the supervision of central Government projects and mobilisation of the people within his or her district.

There are five tiers of local Government in Uganda namely; Resistance Councils(RC) as follows:

RC 1 (Village)

RC 2 (Parish)

RC 3 (Sub-County)

RC 4 (County)

RC 5 (District)

Councillors at the village, sub-county and district levels are directly elected. Everybody is free to contest in local Government elections at the various levels except at level RC 1 where only those living in that village qualify to contest.

Generally speaking, there are ten councillors at each level. Councillors at level 3 and 5 contest for specific positions of the council. An individual may for example contest for councillorship in the area of finance, environment, health, etc. The chairman of the district resistance council (5) is the highest elected official in the district and his or her position is full time and is specifically contested as such.

The term of office for councillors is five years. An individual councillor or the entire council may be removed for various reasons ranging from ineffectiveness to issues of discipline. There is a minimum education level for one to contest as councilor. Experience has, however shown that only people with relatively higher levels of education and some form of skill do contest.

Local Central Relations

The relationship between the local authorities and the centre is that of cooperation. High level of autonomy is conferred to local authorities. Therefore, resistance councils use discretion on a number of matters whilst central government concentrates on policy guidance and monitoring.

Like every other system, the central government in Uganda still retains some control on local authorities. They are therefore reasonably monitored to ensure adherence to standardised levels of community service and management as per provisions of the national policies and legislation.

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APPENDIX

Course Outline

The Pre-requisite to this course are Introduction to public administration (PAM 1025) and Introduction to Political Science (PAM 1015)

Course aim

The basic aim of the course is to introduce students to the fundamentals of local government administration and management. The course will also focus on the comparative study of local government institutions in Zambia and other selected countries basically in terms of their relationships with national institutions and their specific functions and responsibilities.

Course objectives

By the end of the course, students should be able to:

- i. Explain the principles and theories of local government administration and management;
- ii. Identify and explain relationships among and between units of government offices in the formulation, approval and implementation of public policies;
- iii. Demonstrate an ability to compare and contrast local government systems in selected countries;
- iv. Analyse and explain the rationale for the existence of particular local government structures and functions.

Course content

1. Introduction, nature and scope of local government: meaning, roles, functions, decentralisation, devolution decentralisation and field administration.
2. Local government and the national systems: relations to central government. Administrative control and legal provisions.
3. Personnel systems: Separate, unified and integrated systems.
3. Financial administration: Sources of finance, budgetary process, expenditure, relationship between local and central government budget.
5. Accountability in Local Government Administration: The committee system, role of councillors, Councillor/staff relationship, Local Government Elections and Politics.
6. Managing Local Government: Management approach, public business approach, analysing the performance of local government.

7. Ethics in Local Government Administration: Definitions, critical ethics and importance.
8. Case studies: Zambia, USA, UK, France and Uganda
 - Evolution of form and structure
 - Local government functions
 - Personnel systems
 - Local government finance
 - Central - local relations
 - Decentralisation reforms

Readings

The required and recommended readings of the course are as outlined below:

Required readings

Friend K.F. & Jessop N. W. Local Government and Strategic choice Coventry: Tavistock 1979.

Jackson E. The Structure of Local Government London: Camelot Press 1976.

Rondinelli A.D. 'Government Decentralisation in comparative perspective: Theory and Practice in Developing Countries' In International Review of Administrative Science. vol xiviii No. 2. pp. 133-145, 1981.

Recommended readings

Jackson R.M. The Machinery of Local Government. Toronto: MacMillan 1977.

United Nations Decentralisation for National and Local Development. New York 1962.

Bryne T. Local Government in Britain. London: Penguin, 1990.

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