

Full Decentralisation of Powers, Resources and Functions in the Kingdom of Lesotho: an Evaluation from a Developmental Local Government perspective

by

Ignatius Matete Naha

*Thesis presented in partial fulfilment of the requirements for the degree
Masters in Public Administration in the faculty of Management Science
at Stellenbosch University*



Supervisor: **Mr. David Daniels**

December 2015

Declaration

By submitting this thesis electronically, I declare that the entirety of the work contained therein is my own, original work, that I am the sole author thereof (safe to the extent explicitly otherwise stated), that reproduction and publication thereof by Stellenbosch University will not infringe any third party rights and that I have not previously in its entirety or in part submitted it for obtaining any qualification.

Signature: I.M.Naha

Date: 09 November 2015

Copyright © 2012 Stellenbosch University

All rights reserved

Abstract

Local government in Lesotho was established in 2005 with 128 Community Councils, 1 Municipal Council and 10 District Councils. In 2011, Community Councils were reduced to a total of 64 with one Maseru Municipality, 11 urban councils and 10 District councils. The Lesotho local government is enshrined in the 1993 National Constitution which spells out through section 106 that “parliament shall establish such local authorities as it deems necessary to enable urban and rural communities to determine their affairs and develop themselves. Such authorities shall perform functions as may be conferred by an act of parliament”. Decentralisation in Lesotho is embedded in the operationalisation of the Local Government Act (LGA) and the legislation that supports it. LGA serves as the guiding legislation for decentralisation of powers, resources and functions. Decentralisation within the Kingdom of Lesotho is partial. This study evaluates whether LGA is effectively utilized, decentralisation well comprehended, conceptualised and fully implemented.

Decentralisation within the Kingdom of Lesotho evolved from the developmental context hence lofty, normatively inspired, national and internationally advocated goals are linked to successful implementation of local government. The goals in point include the Vision 2020, Poverty Reduction Strategy (PRS), Local Economic Development (LED), HIV and AIDS, Public Sector Improvement Reform Programme (PSIRP) and Millennium Development Goals (MDG's). It is the objective of this study to enhance the understanding of decentralisation, evaluate decentralisation and local government in Lesotho from a developmental perspective. This study aims to add to a body of knowledge by providing an ethical, managerial, decisional, educational and motivational purpose because decentralisation and local government are at the centre of development in the Kingdom of Lesotho. Various concepts, approaches, strategies, theories, models and processes of decentralisation are described and explained along with the benefits and the type of decentralisation pursued by Lesotho.

The evaluation methodology of the study covers the selection and verification or refutation of all value claims and the data is synthesized. Readiness, knowledge, understanding and attitudes of personnel from line ministries, political and public officials from Ministry of Local Government and Chieftainship (MoLGC), local authorities, the electorate and social media are determined. This is done through individual interviews and personal contact and insight whereby the researcher has personal interaction with research participants. The structured questionnaire is also used. Councils in Lesotho are determined by their autonomy in having decentralised powers, functions and resources and ability to contribute to the overall development and goals of the local populace and the nation. Legislation, policies, and guidelines of reform are evaluated and analysed through content analysis. The mixed method and qualitative approach is used to focus on processes that occurred with the implementation and establishment of local government. Overt versus covert method, observation and participation are used as well as the Fourth Generation Evaluation. Non-probability sampling has been used in the form of snowball, quota, accidental and purposive structure.

The findings indicated that local government is a gateway to fighting HIV/AIDS and bringing about development in Lesotho, however decentralisation and citizen participation are just a formality. There is centralisation within decentralisation within which power is concentrated in District Council and MoLGC. The study established that local governments have a limited political, administrative and fiscal mandate. There are no local government associations to advocate the interests and development of local authorities. Local governments are yet to be given a mandate to manage natural resources, local economies and revenues while on the other hand there

is an under-consumption of natural resources to alleviate poverty, create employment and bring about prosperity. There is no clear LED approach and other national policies are not implemented. LGA and the supporting legislation are not effectively used. The inter-governmental relations on the other hand are yet to be addressed.

There has been limited conceptual clarity on policy, the type of decentralisation to be pursued and political direction of the decentralisation reform. This has resulted in the resistance from the line ministries to devolve functions. Resistance is further fuelled by political opponents and chiefs who feel threatened that they have no role to play in local governance. The twelve-year decentralisation action plan which has a two-year transition phase 2004-2005, second phase (2006-2011) in which additional functions were expected to be decentralised and third phase (2012-2016) which is a consolidation phase in which operations were to be refined and which has failed.

The findings and analysis lead to the conclusion that the Kingdom of Lesotho is highly centralised and that public and elected office-bearers have a limited knowledge about decentralisation and local government. The study concluded by putting forward recommendations to address the problems that besiege the KoL. The recommendations correspond with the findings namely, the current reality, resources, governance, audit, monitoring and evaluation.

This study has achieved its objectives because it provides literature on decentralisation and local government within both international and local context while gaps have been identified and analysis provided along with recommendations necessary to address loopholes in decentralisation and Developmental Local Government in Lesotho.

Opsomming

Plaaslike regering met 128 gemeenskapsrade, 1 munisipale raad en 10 distriksrade is in 2005 in Lesotho ingestel. In 2011 is die gemeenskapsrade tot 64 in totaal ingekort, met een munisipaliteit, in Maseru, 11 stedelike rade en 10 distriksrade. Plaaslike regering in Lesotho is in 1993 in die Nasionale Grondwet opgeneem en word in artikel 106 uitgespel in "die parlement sal plaaslike owerhede soos dit nodig ag, vestig, om stedelike en landelike gemeenskappe in staat te stel om hul sake self te bepaal en te ontwikkel. Sodanige owerhede sal funksies uitvoer soos deur 'n wet van die parlement aan hulle toegeken". Desentralisasie in Lesotho is in die uitvoering van die Wet op Plaaslike Regering, en die wetgewing waardeur dit ondersteun word, ingesluit. Die Wet op Plaaslike Regering dien as rigtinggewende wetgewing vir die desentralisering van mag, hulpbronne en funksies. Desentralisasie binne die Koninkryk van Lesotho is egter gedeeltelik. Hierdie studie verteenwoordig 'n poging om te bepaal of die Wet op Plaaslike Regering effektief benut word, en desentralisasie goed begryp, gekonseptualiseer en ten volle geïmplementeer word.

Desentralisasie binne die Koninkryk van Lesotho het uit die ontwikkelingskonteks tot stand gekom, dus is verheve, normatief geïnspireerde doelwitte wat nasionaal en internasionaal aanbeveel word, aan die suksesvolle implementering van plaaslike regering gekoppel, insluitend Visie 2020, die Armoedeverligtingstrategie, Plaaslike Ekonomiese Ontwikkeling en MIV en VIGS, die Verbetering van die Openbare Sektor Hervormingsplan en die Millennium Ontwikkelingsdoelwitte. Met hierdie studie is beoog om begrip van desentralisasie te verbeter, en desentralisasie en plaaslike regering in Lesotho vanuit 'n ontwikkelingsperspektief te evalueer. Die studie het ten doel om 'n bydrae tot die korpus van kennis te lewer deur die daarstelling van 'n etiese, bestuurs-, beslissende, opvoedkundige en motiverende doelwit omdat desentralisasie en plaaslike regering die kern van ontwikkeling in die Koninkryk van Lesotho is. Verskeie konsepte, benaderings, strategieë, teorieë, modelle en prosesse rondom desentralisasie, tesame met die voordele daarvan en die tipe desentralisasie wat deur Lesotho nagestreef word, word beskryf en verduidelik.

Die evalueringsmetodologie van die studie dek die keuring en toetsing of weerlegging van alle waarde-eise en die data is in sintese saamgevoeg. Die gereedheid, kennis, begrip en houdings van personeel in hoof ministeries, politieke en openbare amptenare van die Ministerie van Plaaslike Regering en Hoofmanskap, plaaslike owerhede, die kiesers en sosiale media word bepaal. Dit is gedoen deur middel van individuele onderhoude en persoonlike kontak en insig waardeur die navorser persoonlike interaksie met deelnemers aan die navorsing gehad het. Daar is ook gebruik gemaak van 'n gestruktureerde vraelys. Rade in Lesotho word volgens hul outonomie met betrekking tot gedesentraliseerde mag, funksies en hulpbronne en hul vermoë om 'n bydrae tot die algehele ontwikkeling en doelwitte van die plaaslike bevolking en die nasie te lewer, bepaal. Wetgewing, beleid en hervormings riglyne word geëvalueer en deur middel van inhoudsanalise ontleed. Gemengde metodes en kwalitatiewe benaderings is gebruik om op die prosesse wat die implementering en vestiging van plaaslike regering begelei het, te fokus. Verder is openlike teenoor bedekte metodes, waarneming en deelname, sowel as Vierde-Generasie Evaluering gebruik. Nie-waarskynlikheidssteekproefneming met behulp van sneeubal-, kwota-, toevallige en doelbewuste strukture is gebruik.

Die bevindinge het aangedui dat die plaaslike regering 'n weg na die stryd teen MIV / VIGS en die totstandkoming van ontwikkeling in Lesotho bied, maar desentralisering en burgerlike deelname is 'n blote formaliteit. Daar is sentralisering binne desentralisasie waarbinne die mag steeds in Distriksrade en die Ministerie van Plaaslike Regering en Hoofmanskap gekonsentreer bly. Die studie het vasgestel dat plaaslike regering slegs oor 'n beperkte politieke, administratiewe

en fiskale mandaat beskik. Daar is geen plaaslike regering verenigings om die belange en ontwikkeling van plaaslike owerhede te bepleit nie. Plaaslike regerings het nog nie 'n mandaat verkry om natuurlike hulpbronne, plaaslike ekonomieë en inkomste te bestuur nie, terwyl daar aan die ander kant onderverbruik voorkom van natuurlike hulpbronne om armoede te verlig, werk te skep en welvaart te bewerkstellig. Daar is geen duidelike Plaaslike Ekonomiese Ontwikkelingsbenadering nie en ander aspekte van nasionale beleid is nie geïmplementeer nie. Die Wet op Plaaslike Regering en die ondersteunende wetgewing word nie doeltreffend gebruik nie. Aan die ander kant moet die interregeringsverhoudings ook nog aangespreek word.

Daar is beperkte konseptuele duidelikheid oor beleid, die tipe van desentralisasie wat nagevolg moet word en die politieke rigting van die desentralisasieherworing. Dit is wat tot die weerstand van die hoof ministeries teen die afwenteling van funksies aanleiding gegee het. Weerstand word verder aangevuur deur politieke opponente en hoofmanne wat bedreig voel omdat daar vir hulle geen rol is om in die plaaslike regering te speel nie. Die twaalf-jaar aksieplan vir desentralisasie met 'n twee-jaar oorgangsfase vanaf 2004 tot 2005, 'n tweede fase (2006 tot 2011) waarin addisionele funksies na verwagting gedentraliseer sou word, en 'n derde fase (2012 tot 2016) wat as 'n konsolidasiefase waarin bedrywighede verfyn sou word, voorgestel is, het gefaal.

Die bevindinge en ontleding lei tot die gevolgtrekking dat die Koninkryk van Lesotho hoogs gesentraliseer bly en dat die openbare en verkose ampsdraers beperkte kennis van desentralisasie en plaaslike regering het. Die studie is afgesluit met die daarstelling van aanbevelings om die probleme waardeur die Koninkryk van Lesotho beleër word, aan te spreek. Die aanbevelings stem ooreen met die bevindinge oor die huidige werklikheid, hulpbronne, bestuur, ouditering, monitering en evaluering.

Die doelwitte van hierdie studie is bereik, daar uitgebreide literatuur oor desentralisasie en plaaslike regering in beide internasionale en plaaslike konteks aangebied is, gapings geïdentifiseer is en ontleding tesame met die nodige aanbevelings om skuiwergate in desentralisasie en Ontwikkelende Plaaslike Regering in Lesotho aan te spreek, verskaf is.

Acknowledgements

I would like to thank my wife, *'Mantoetsi Ignatius Naha* and my parents *'Mamalefane Theresia* and *Mahao Naha* for their unconditional support in my quest for upgrading of my academic aptitudes, it was not a best time for me to pursue this dream but they endured every pain with me. I also would like to dedicate this project to my daughter, *Ntoetsi Angelica-Magdalena Naha* for being a source of motivation for me to swim against the current. *'Mangoane Constance 'Maliokhoane Leuta* and *'Malekule Pekile* for caring and supporting, I appreciate.

From the bottom of my heart I thank my aunt, *Magdalena 'Mamotloang Naha* for making my academic journey possible by first supporting me through junior ranks and raising me, for with her guidance I have become a man that I am today, and I am able to say that only the sky is the limit. I would like to thank my cousin, *Margret Gilmour* for being there when I days were dark. My sisters, *'Mamabela Ernestina* and *Calectina Motsieleli* and my brother *Abele Moshati Paul* I love you. My family and friends who kept me abreast with the knowledge that they believed in me therefore I greatly thank you; *Tlali. P. Nchai, Moeketsi Rankhone, Mokhachane Posholi, Siphon Fako* and family for taking trouble to care when days were dark.

I would like to thank my supervisor, *Mr. David Daniels* for his dedication in guiding me through this thesis process. I thank *Professor Erwin Schwella* for his contribution, assistance in this work. I thank Mr. Pierre Claassen for his contribution in this work.

'Motho ke motho ka batho, thank you to those individuals within my community who had faith in me because it became a drive not to disappoint or quit for a quitter never wins and the winner never quits.

I would also like to thank my colleagues for their support in my studies; *Mr. F. L. Ts'eane* and *Miss Lerato Seisa* for believing and supporting me, *Mr. J. Masia* for having that courage to share ideas about the academic journey that we are involved in, my staff, Rats'oleli and Tsoelikana community council councillors for their trust in me.

To the memory of my late big brother *Malefane Julius Naha* with whom we worked hard for excellence in an academic field. This work is dedicated to you; we will always be together in spirit. You sneaked away from us while you and I started this academic Journey towards a master's degree. This work is from me to you.

TABLE OF CONTENTS

Declaration.....	2
Abstract.....	3
Opsomming.....	5
Acknowledgements.....	7
List of Tables.....	11
List of Figures.....	11
List of Appendices.....	11
Glossary of Acronyms and Abbreviations.....	12
Chapter 1: Setting the Context.....	15
1.1. Introduction.....	15
1.2. Rationale.....	15
1.3. Research Problem and Objectives.....	16
1.4. Thesis Outline.....	16
1.5. Research Design and Methodology.....	17
1.5.1. Research Design.....	17
1.5.2. Research Methodology.....	18
1.5.3. A summarised execution of the study.....	20
1.6 Summary.....	21
Chapter 2: Decentralisation: a literature study.....	22
2.1. Introduction.....	22
2.2. Decentralisation defined.....	22
2.2.1. Decentralist theories.....	24
2.2.1.1. Historical perspective.....	24
2.2.1.2. Law-state theory.....	25
2.2.1.3. Free-administration theory.....	25
2.2.1.4. Local self-government theory.....	26
2.2.1.5. The localist theory.....	27
2.2.1.6. Public-choice theory.....	28
2.2.1.7. Dual-state theory.....	29
2.2.1.8. Liberal democratic theory.....	29
2.2.1.9. Participatory theory.....	30
2.3. Approaches to Decentralisation.....	31
2.3.1. Formal approach.....	32
2.3.1.1. Constitutional indicators.....	32
2.3.1.2. Administrative indicators.....	33
2.3.1.3. Financial indicators.....	33

2.3.2. Dynamic approach.....	34
2.3.3. Functional approach.....	35
2.3.4. Governance approach.....	36
2.3.5. Big Bang theory.....	38
2.3.6. Gradual approach.....	38
2.4. Models for Decentralisation.....	39
2.4.1. Multi-Purpose.....	39
2.4.2. Two-Tier Model.....	40
2.4.3. One-Tier Model.....	43
2.4.4. Voluntary Cooperation.....	44
2.4.5. Special Purpose Districts.....	44
2.5. Decentralisation Strategies.....	45
2.5.1. Political decentralisation.....	46
2.5.2. Fiscal decentralisation.....	46
2.5.3. Market decentralisation.....	47
2.5.4 Administrative decentralisation.....	48
2.6. Decentralisation Modes.....	48
2.6.1. The Emanation of decentralisation	51
2.6.2. Rationale for decentralisation processes.....	52
2.6.2.1. Citizen participation.....	53
2.6.2.2. Improved efficiency.....	54
2.6.2.3. Improved governance.....	54
2.6.2.4. Improved equity.....	55
2.6.2.5. Improved development and poverty reduction.....	55
2.6.2.6. Remedy to institutional ills.....	55
2.6.3. Decentralisation Process Internationally.....	56
2.6.3.1. Decentralisation process in Asia Pacific.....	56
2.6.3.1.1. Summary of lessons that can assist Lesotho.....	59
2.6.3.2. Decentralisation in Latin America.....	60
2.6.3.2.1. Summary of lessons to be learned.....	64
2.6.3.3. Decentralisation in Europe.....	65
2.6.3.3.1. Summary of key decentralisation lessons for Lesotho...	70
2.6.3.4. Decentralisation in Africa.....	71
2.6.3.4.1. Summary of key lessons.....	78
2.7. Decentralisation related to Local Economic Development.....	80
2.7.1. Developmental Local Government.....	81
2.8. Summary.....	82
Chapter 3: Decentralisation and Local government in KoL.....	83
3.1. Introduction.....	83
3.2. Local Government in the KoL: The context.....	83
3.3. Local Government in the KoL: The current policies.....	86
3.3.1. National vision 2020.....	87
3.3.2. Poverty Reduction Strategy.....	88
3.3.3. Public Sector Improvement Reform Programme.....	90
3.3.4. HIV and AIDS.....	92

3.4. Local government in KoL: the legislation.....	93
3.4.1. Local Government Act	94
3.4.2. Local Government Service Act 2008.....	97
3.4.3. Local government Elections Act 1998.....	98
3.4.4. Land Act 2010.....	99
3.5. Local government in the Kingdom of Lesotho: The institutional framework.....	100
3.6. Local Government in the Kingdom of Lesotho: The Developmental Perspective.....	104
3.6.1. South Africa as comparative example of Developmental Local Government.....	107
3.7. Summary.....	108
Chapter 4: Local Government in KoL from a Developmental Perspective: An analysis.....	109
4.1. Introduction.....	109
4.2. Current reality on Developmental Local Government in the Kingdom of Lesotho based upon research.....	110
4.2.1. Current reality.....	110
4.2.2. Assessment of current reality.....	112
4.3. Resources.....	113
4.3.1. Physical resources.....	113
4.3.2. Human resources.....	116
4.3.3. Financial resources.....	121
4.3.4. Local Government Associations.....	125
4.4. Governance.....	126
4.4.1. Institutionalisation and functionality of DLG.....	127
4.4.2. Legislation and its operation.....	131
4.4.2.1. Local Government Act, 1997.....	131
4.4.2.2. The supporting legislation to LGA.....	134
4.4.2.2.1 Land Act, 2010.....	134
4.4.2.2.2 LGEA and LGSA.....	136
4.4.3 Current policies.....	138
4.4.4. Developmental Perspective.....	142
4.4.5. Civic Participation and service delivery.....	146
4.4.5.1. Civic Participation.....	146
4.4.5.2. Service delivery.....	155
4.4.6. Monitoring and Evaluation.....	156
4.4.6.1. Monitoring.....	156
4.4.6.2. Evaluation.....	157
4.4.6.3. Audit.....	157
4.5. Summary.....	159
Chapter 5: Conclusions and Recommendations.....	162
5.1. Introduction.....	162
5.2. Evaluation.....	162
5.3. Conclusion.....	167
5.3.1. Significance of findings.....	169

5.4 Recommendations.....	170
5.4.1. Current reality.....	170
5.4.2. Physical resources.....	170
5.4.3. Human resources.....	171
5.4.4. Financial resources.....	171
5.4.5. Institutionalisation and functionality of DLG.....	172
5.4.6. Legislation and its operation.....	172
5.4.7. Current policies.....	172
5.4.8. Economic Development Perspective.....	173
5.4.9. Civic participation.....	174
5.4.10. Service delivery.....	175
5.4.11. Developmental Local Government.....	175
5.4.12. Monitoring and Evaluation.....	175
5.4.13. Audit.....	175
References.....	177

List of Tables

Table 2.1: Allocation of expenditure and responsibilities in a Two-Tier Model.....	42
Table 2.2: Women Mayors in Latin America	62
Table 2.3: Local Government: Demography and Urbanisation.....	73

List of Figures

Figure 3.1: Institutional set-up for Decentralisation Action Plan implementation, Coordination and Reporting.....	101
Figure 4.1: HIV/AIDS prevalence by district.....	140
Figure 4.2: Local Government election results of 1 st October 2011.....	149
Figure 4.3: Women in decision making in SADC.....	150

7. List of Appendices

Appendix 1: State organs and their interaction in a democratic Lesotho.....	186
Appendix 2: The Community Council Structure.....	187
Appendix 3: Timeline of key events in the history of Lesotho.....	188
Appendix 4: Maseru Municipal Council/ 10 District councils structure.....	191
Appendix 5: Structure of Land administration.....	192
Appendix 6: New Electoral Divisions in Lesotho.....	193
Appendix 7: Local Government Elections Results of 2011.....	197
Appendix 8: Allocations of functions in the government of Lesotho.....	198
Appendix 9: List of international treaties and conventions signed by Lesotho..	199
Appendix 10: Estimated Daily funds to be incurred per district by councils after new boundaries and amalgamation (Recurrent Budget).....	202
Appendix 11: National Constituencies and New Council structures by District.	203
Appendix 12: Community members constructing access roads using garden tools..	204
Appendix 13: Questionnaire.....	204

Glossary of Acronyms and Abbreviations

AAO	Assistant Administration Officer
ABC	All Basotho Convention
ACP	African, Caribbean and Pacific states
AIDS	Acquired Immune Deficiency Syndrome
APRM	African Peer Review Mechanism
BAC	Basotho African Congress
BBDP	Batho Batho Democratic Party
BCP	Basotholand Congress Party
BNP	Basotholand National Party
CAS	Centre for Accounting Studies
CBL	Central Bank of Lesotho
CBOs	Community Based Organisations
CC	Community Council
CCs	Community Councils
CS	Council Secretary
CCS	Community Council Secretary
CCSs	Community Council Secretaries
CEDAW	Convention on the Elimination of all forms of
Discrimination	
COSC	Cambridge O' level School Certificate
CSAR	Country Self- Assessment Report
DA	District Administrator
DAP	Decentralisation Action Plan
DC	District Council
DCI	Development Cooperation of Ireland
DCs	District Councils
DCS	District Council Secretary
DCEO	Directorate on Corruption and Economic Offences
DD	Decentralisation Department
DDCC	District Development Coordinating Committee
DDF	District Development Fund
DDP	District Development Plan
DFID	Department for International Development
DG	Director General
DLG	Developmental Local Government
DPU	District Planning Unit
ED	Electoral Division
EDs	Electoral Divisions
E-Government	Electronic Government
EU	European Union
FDTT	Fiscal Decentralisation Task Team
FIDA	Federation of women lawyers
FPTP	First Past The Post

GHG	Greenhouse Gases
GoL	Government of Lesotho
GS	Government Secretary
GTZ	German Agency for Technical cooperation
HDR	Human Development Report
HIV	Human Immunodeficiency Virus
ICT	Information, Communication and Technology
IDM	Institute for Development Management
IDP	Integrated Development Planning
IEC	Independent Electoral Commission
IEMS	Institute of Extra Mural Studies
IKCT	Information, Knowledge, Communication and Technology
ILO	International Labour Organisation
IMF	International Monetary Fund
IMWG	Inter-Ministerial Working Group
IPCC	Intergovernmental Panel on Climate Change
IT	Information Technology
KoL	Kingdom of Lesotho
KPIs	Key Performance Indicators
LA	Land Act, 2010
LAA	Land Administration Authority
LCN	Lesotho Council of Non-Governmental Organisations
LCD	Lesotho Congress for Democracy
LDCs	Least Developed Countries
LED	Local Economic Development
LGA	Local Government Act 1997
LGEA	Local Government Elections Act 2004
LGNSP	Local Governance and Non-state actors Support
Programme	
LGSC	Local Government Service Commission
LHDA	Lesotho Highlands Development Authority
LHWP	Lesotho Highlands Water Project
LLDC	Lesotho Local Development Concept
LPC	Lesotho People's Congress
LRA	Lesotho Revenue Authority
LGS	Local Government Service
LGSA	Local Government Service Act 2008
LLWSS	Lesotho Lowlands Water Supply Scheme
LNBS	Lesotho National Broadcasting Service
LSPP	Land Survey and Physical Planning
LUCT	Limkokwing University of Creative Technology
LWP	Lesotho Workers Party
Maluti (M)	Lesotho Currency
MC	Municipal Council
MCA	Millennium Challenge Account
MCST	Ministry of Communications, Science and Technology

MDGs	Millennium Development Goals
MFDP	Ministry of Finance and Development Planning
MFP	Marematlou Freedom Party
MMP	Mixed Member Proportional
MoLGC	Ministry of Local Government and Chieftainship
MONR	Ministry of Natural Resources
MW	Megawatts
NEPAD	New Partnership for Africa's Secretariat
NES	National Environment Secretariat
NGOs	Non Governmental Organisations
NIP	National Independent Party
NMDS	National Manpower Development Secretariat
NPM	New Public Management
NSA	Non State Actors
NUL	National University of Lesotho
OAG	Office of the Auditor General
OAU	Organisation of African Unity
OECD	Organisation for Economic Cooperation and Development
PAC	Public Accounts Commission
PFD	Popular Front for Democracy
PS	Principal Secretary
PM	Prime Minister
PMS	Performance Management System
PPP	Public-Private Partnership
PR	Proportional Representation
PRS	Poverty Reduction Strategy
PSIRP	Public Sector Improvement Reform Programme
RSA	Republic of South Africa
SADC	Southern African Development Community
SMME	Small, Medium and Micro Enterprises
SIWI	Stockholm International Water Institute
TC	Town Clerk
UC	Urban Council
UCS	Urban Council Secretary
USAID	United States Agency for International Development
UNAIDS	Joint United Nations Programme ON HIV/AIDS
UNICEF	United Nations Children Fund
UNCDF	United Nations Capital Development Fund
UNCED	United Nations Cooperation for Economic Development
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, scientific & Cultural
Organisation	
UNFCC	United Nations Framework Convention on Climate Change
UNFPA	United Nations Population Fund
UNHCR	United Nations High commissioner for Human Rights
VCT	Voluntary Counselling and Testing

Chapter 1: Setting the context

1.1. Introduction

This introductory chapter presents the road plan for this study. The goal of the research is stated as well as the presentation and a brief explanation of how to reach this goal. The rationale for the study and the statement of the research problem is presented in this chapter. The objectives, chapter outline and methodology of the study are also stated.

1.2. Rationale

Local government in Lesotho has always been seen as a gateway for all developmental endeavours while the national government was to play a support and monitoring role of the activities of local governments. The Lesotho vision 2020, Southern African Development Community (SADC) protocol, Poverty Reduction Strategy (PRS), National Policy on HIV and AIDS, Public Sector Improvement Reform Programme (PSIRP) under the ambit of New Public Management (NPM) are expected to be fully implemented through local governments. However there is a limited operationalisation of the Local Government Act, 1997, accompanied by the resistance of the majority of the line ministries. There is limited clarity on the type of decentralization to be pursued by Lesotho while the decentralization policy is yet to be completed in the near future. The government of Lesotho openly admitted in 2012 that Lesotho lacked a clear decentralization policy hence an expert from Rwanda was consulted in 2013 to look into the prevailing conditions of Lesotho in relation to decentralisation policy.

Local governments have limited authority and autonomy to make their own decisions; there is centralization¹ within decentralization (within partial decentralisation, recentralization is taking shape and form); there is no clear devolution of powers, resources and functions to the local authorities; there is no clear Local Economic Development (LED) approach. There is limited knowledge about local governance and its implementation. There have been limited evaluation studies on the implementation of local government in Lesotho: Robert Sperfeld, a German scholar, is one of the few who undertook a scientific study about Lesotho's local governance in 2006. This was barely a year after the establishment of local government. It is an opportune time for a scientific and evaluative study to be conducted, especially now that the system of local government is in its second term. The consolidation phase of local government was set to end in 2016 when the second term for councillors also ends.

As a public official at the local authorities and a student in the School of Public Leadership (SPL), the author has a depth and a wealth of knowledge as to what has transpired within the councils. The evaluator has been equipped with necessary skills and knowledge about local governance, leadership and development, hence the motivation and passion to engage in this research. Apart from contributing to an understanding of local governance in Lesotho, this research is also directed towards informing and educating elected and appointed public officials and the electorate about decentralization and its implementation, within developmental local government in Lesotho.

¹ "Centralisation is the degree to which decision making is concentrated in a single point in the organisation, usually top management"(Barnwell and Robbins, 2006:115).

The fact that high school students and their teachers tirelessly consult local government officers with requests to shed light on the nature and operations of local governments is enough motivation for conducting the study. The other compelling reason is the fact that councils in Lesotho are taken as centres of excellence; they compete and hold annual national and regional summits about service delivery and gender related efforts under the auspices of Gender-Links².

1.3. Research problem and objectives

The main research problem in this thesis lies with the limited operationalisation of the Local Government Act, 1997 (LGA). The LGA is intended to serve as guiding legislation for the decentralisation of powers, resources and functions in Lesotho. Decentralisation is partial within KOL. It is important to evaluate whether the LGA is effectively utilized, decentralisation well comprehended, conceptualized and fully implemented. It is important to find out why decentralisation is lagging behind, and whether this is affecting the developmental component of local government in Lesotho. The study aims to establish whether it is only when local governments are afforded powers, resources and functions that the development at the local level can take root, and whether the guiding legislation is ignored or selectively used. It is also crucial to find out whether the local governments are autonomous bodies acting for the interests of the local populace or whether they act on directives as agents of the national government.

It must be noted that the decentralisation within the KOL evolved from the developmental context hence lofty, normatively inspired, national and internationally advocated goals are linked to successful implementation of local government; Vision 2020, PRS, LED, HIV and AIDS, PSIRP and MDGs. Local governments are given the developmental responsibility, and it is therefore an objective of this study to enhance the understanding of decentralisation, evaluate decentralisation and local government in Lesotho from a developmental perspective. This study will provide ethical, managerial, decisional, educational and motivational purpose because decentralisation and local government are at the centre of development in the KOL. It is the aim of this work to contribute to the body of knowledge, and to the implementation process of the decentralisation and the developmental local governance. Various concepts, approaches, strategies, theories, models and processes of decentralisation will be described and explained, and the benefits of the decentralisation presented as well as the type of decentralisation that is pursued by the Kingdom of Lesotho. The recommendations and conclusions will be made to point the way towards the future of local governance in Lesotho.

1.4. Thesis outline

Chapter 1: Setting the context

Introduction will be stated as a road plan for the study. There overview or contextualization will be made. The goal for the research will be stated as well as the presentation and a brief explanation of how to reach this goal through the objectives of the research, being: understanding

² Gender-Links is a Non Governmental Organisation which has its headquarters in Gauteng, South Africa. It was formed in 2001, and since its inception Gender Links has formed partnerships with 90 governments, NGO; academic institutions and gender advocacy groups in 14 SADC countries. The SADC municipalities or local governments compete in almost every sphere of local governance and service delivery under its influence. It is supporting these Centres of Excellence in their initiative to attain the 28 targets of the SADC Gender and Development Protocol and MDGs at the local level. Participating councils and individuals are motivated by certificates of achievement and other various rewards including sharing of ideas amongst local governments themselves.

of decentralisation, decentralisation in the Kingdom of Lesotho (KOL) from a developmental local government perspective, analyzing and evaluating decentralisation in the KOL from a developmental local government perspective.

The rationale for the study and the statement of the research problem will be presented in this chapter. The objectives, chapter outline and the research design and methodology of the study will be stated. Finally the summary will be made as well the linkage to the following chapter 2.

Chapter 2: Decentralisation: Literature Study

The goal of chapter 2 will be to enhance the understanding of decentralisation. The objective in this chapter will be to define decentralisation, approaches to decentralisation, models of decentralisation, decentralisation strategies, modes of decentralisation, processes of decentralisation, decentralisation and developmental local government (DLG). The introduction will be made which links chapter 1 to chapter 2 while at the same time chapter 2 is introduced with all that it will entail. Summary and linkage to chapter 3 will be made at the end of this chapter.

Chapter 3: Decentralisation and Local Government in the Kingdom of Lesotho

The introduction will be used to link chapter 2 and 3, and the primary focus will be on decentralisation and local government in the KOL. The objective is to contextualize local government in Lesotho, a historical account and the challenges will be looked at. The current policies, the legislation, the institutional framework and the developmental perspective inherent and associated with Local Government are unpacked in this chapter. The chapter is then concluded with summary and the link to chapter 4.

Chapter 4: Local Government in the Kingdom of Lesotho from a Developmental Local Government Perspective: An Analysis

The goal is to facilitate analysis and evaluation while the objectives are to understand the current reality based upon the research; to assess and evaluate the current state of decentralisation. The chapter starts with the introduction which links the previous chapter with chapter 4 in which an overview is provided; the understanding is provided through the research, the assessment, findings and analysis and the summary.

Chapter 5: Evaluation; Conclusions and recommendations

In this final chapter, salient themes that arise from the previous chapters of the study are discussed. The conclusions are stated in this chapter based on the findings and analysis, prescriptions of decentralisation through its literature, and problem statement. This chapter is concluded with recommendations pivotal for decentralisation and developmental local government in Lesotho.

1.5. Research design and methodology

This section describes the research design and methodology that inform the study. The research objective is guided by qualitative paradigm. The qualitative implementation process of evaluation is identified as an appropriate research design of the study. The research is social, and it includes observation, in-depth interviews, purposive sampling design and analysis of legislation and official documents concerning decentralisation and local government in Lesotho.

1.5.1. Research Design

Implementation (process) evaluation will be conducted to assess the conditions at both local and central level. It will be determined how far the line ministries have been decentralized, and to what degree local authorities have gained autonomy, and whether the local populace is taking charge in their developmental initiatives. The evaluation is done bearing in mind or assessing a twelve-year national decentralisation implementation programme which is made up of transition, development and consolidation phases. Through process evaluation, the study contributes towards determining effectiveness of the implementation process, identifying opportunities, problems and correcting mistakes, providing feedback and assisting in continued improvements so that the programme may perform better. Relevance is in focus as well as what can be learned as a way forward for reshaping or future interventions.

The research evaluation will focus on current literary works augmented by official documents and in-depth personal interviews with key stakeholders. The documents and relevant policies of development partners and non- governmental organizations will be studied. The social media, local newspapers and studies are utilized. Literature studies of recent documents on decentralisation, development and local government will be accessed. The LGA as a pivotal tenet of local government in Lesotho is summarized and explicated together with its amendments and the majority of the findings being based on prescriptions of the LGA. The timing of the study is appropriate because it is almost ten years since the establishment of local government, making it an opportune time to evaluate local government and analyse its regulatory, policy and legal frameworks.

1.5.2. Research Methodology

The evaluation methodology of the study covers the selection and verification or refutation of all value claims and synthesizing of the data. Attitudes of personnel from line ministries, attitudes of political and public officials from the Ministry of Local Government and Chieftainship, local authorities, the electorate and social media are determined. The readiness, knowledge and understanding of local governance by the abovementioned groups are determined. This is done through individual interviews and personal contact and insight whereby the researcher has interactive developmentally based contact with research participants. The structured questionnaire is also used for the interviews.

This study determines whether the councils are autonomous by weighing the decisions and developments that they manage. It is determined whether they prepare or have their own budgets, whether they have established a council fund with a bank; whether they collect revenue, hire, discipline and dismiss their own staff and whether they have enough personnel, offices and vehicles. The researcher investigates whether the line ministries are administratively under the control of councils and whether local government have budgets for these other ministries, and if a system of integrated development planning (IDP) exists to avoid duplication of efforts by the line ministries. The researcher finds out whether the local populace has meaningful participation in decisions that affect their lives. The minutes of the council have been checked and examined to determine the daily business of the councils. Data will also be collected through semi –structured interviews. “The inferred knowledge mostly based on listening and seeing and then making a judgement on the experience after working in the natural setting or context” is incorporated to determine the level of implementation process (Auriacombe and Hartslief, 2009: 872).

Legislation, policies and guidelines of reform is evaluated and analysed; this necessitated content analysis to determine whether what is written in legislation and other documents is a reality or just a formality. Numerous official documents on local government, the Decentralisation Action Plan (DAP), MDGs, Programme for Implementation of Local Government in Lesotho, Lesotho Local Development Programme Concept paper, Lesotho Vision 2020, SADC Protocol, National HIV and AIDS Policy, PRS Paper, PSIRP, scholarship review by Sperfeld (2006) and other authors on different countries will be brought under perspective and be analysed. “Content analysis is usually aimed at the public documents, especially editorials in newspapers and magazines, advertisements, letters, political speeches, annual report and so on” (Mouton, 2008:166).

This mixed method and qualitative research focuses on processes that occurred with the implementation of decentralisation and establishment of local government. The researcher has in-depth insight into the organization therefore his experience in local governance complements the research process and he explicates certain situations which might otherwise be difficult to grasp if he were an outsider. Since the researcher is enculturated into local government his observation and participation is valued. Overt³ versus covert⁴ research has been engaged by the researcher. The fourth Generation Evaluation is also utilized since “it is the evaluation process that is organized by the claims, concerns and issues of stakeholders,” and it utilizes the constructivist paradigm⁵ methodology (Auriacombe and Hartsliet, 2009: 870).

Sampling

In this study, non-probability sampling (samples are gathered without giving all individuals equal chances of being selected) has been utilized in their different types which include snowball, quota, accidental and purposive sampling.

Snowball⁶ is used to interview the local government staff in the Ministry of Local Government and Chieftainship. The directives that are given to the local governments come from this Ministry as it is the Local Government headquarters; it is comprised of the Minister of Local Government, the assistant minister’s office, the Principal Secretary and his or her Deputy, the director general and all other directors. Amongst the departments that are there at the headquarters is a Decentralisation department that the researcher is keen to examine. Quota⁷ is used when interviewing members of the communities, councillors and traditional chiefs from both urban and rural areas. The interview includes the literate and illiterate. It is also used to interview the support staff within the public sector offices.

³ In overt research, the participants are informed about the researcher and the study taken amongst them; there is openness about the research.

⁴ Covert research – the researcher is a passive or active observer; the researcher participates without informing members of the social group that the study is being undertaken or that they are being observed.

⁵ The constructivist paradigm emanates from the philosophy of Edmund Husserl’s phenomenology and Wilhelm Dilthey’s and other German philosophers’ study of interpretive understanding called hermeneutics (Eichelberger, 1989). Constructivist paradigm underpins a balanced representation of views and values and it is guided by knowledge that has been acquired and made by people who participate in the research process in order to understand their world view in certain situations or daily experiences.

⁶ Snowball sampling - the initial interviewee is asked by the researcher to identify another potential subject who meets the research criteria.

⁷ Quota sampling is a sampling technique in which “the assembled sample has the same proportions of individuals as the entire population with respect to known characteristics, traits or focused phenomenon” (Shuttleworth, 2009).

Accidental sampling⁸ has been playing a pivotal role since the researcher has been to numerous conferences, symposiums, workshops and consultations within the local government organization, sister organizations and development partners where possible elected and public official interviewees mostly attended. The purposeful individual is conspicuously mobile up and down the respective organizational ladder.

Purposive sampling⁹ is also used to interview the officials of both centralized and decentralized ministries. This sampling design will also be utilized to access information from the human resource department in the Ministry of Local Government and Chieftainship and elected officials comprising: the steering committee of Principal Secretaries on Decentralisation, Inter-Ministerial Working Group (IMWG), Decentralisation Department (DD), Development Partners (DPs), District Administrators, District Council Secretaries, Community Council Secretaries, Council Chairpersons and councillors. The aforementioned interviewees by virtue of their positions have an insight which is pivotal for thorough evaluation and assessment of decentralisation reform in Lesotho. Junior and senior officials from other line ministries and ministries that belong to the national government, NGOs, private sector and UN personnel will be interviewed.

1.5.3. A summarised execution of the study

In executing the research study the author became the instrument of data collection and the results varied based on who was interviewed; his or her status and whether he or she is a community member, elected or appointed public official. There are similarities in the way they see and understand local government. The interviewees gave detailed account of what they think about local government and the author was able to deduce what they meant since he was an active participant.

The author's involvement in the establishment of local government contributed meaningfully to the study because the official gatherings and meetings held with the stakeholders, the author's colleagues, development partners, NGOs and the electorate helped in the progress of the study.

The documentation on local government informed the study. The study is a qualitative implementation study since it is conducted on a newly established local government in Lesotho. The sampling designs are both judgemental and multistage cluster samplings because at some stage those officials who are directly responsible for functional decentralisation needed to have an input in the study. Multistage cluster sampling was used mainly in the interviewing of the electorate to get their insight in as far as participation, service delivery, decentralisation, development and local government are concerned. Confidentiality was prioritized and guaranteed to avert possible negative consequences detrimental to interviewees' position and future, and to encourage the freedom of expression in what is really the prevailing situation

Some people were interviewed unknowingly through the casual conversation in which they were open about their views on local government, its operations and its future. This strategy was used both purposefully and accidentally.

⁸Accidental sampling is also referred to as the convenience sampling because the samples are chosen due to their availability or presence or accessibility to the researcher; the technique is least time consuming and cheap.

⁹ Purposive sampling is also known as the judgmental sampling. The subjects of the study are chosen in accordance with a specific purpose, and the researcher believes some subjects are more appropriate for the research than other individuals.

1.6. Summary

Local government in Lesotho was established in May 2005, aiming at the decentralisation of government ministries but failed to do so. The motivation behind the study was fuelled by a suspicion that senior management has a limited understanding of decentralisation. The local authorities seem to have a limited authority and autonomy. There is a prevalent state of ignorance about local governments within the general public which demands improved service delivery. The research problem in the study lies with the limited operationalisation of the LGA which serves as a guide for decentralisation and local government in Lesotho. The study utilises a bulk of international sources which deals with decentralisation and local government and it is narrowed down to local context using the few local sources that are available.

The thesis outline comprises five chapters that guide the study. The research design, implementation (process) evaluation in this study is used to assess the prevailing conditions of the decentralisation process at the council and central government level. Functionality of decentralisation is determined as well as relevance, effectiveness and efficiency of policy implementation. Active participation is emphasized to enhance ownership of findings. A qualitative approach adopted describes and evaluates performance of the decentralisation reform. Key variables, dependent and independent are identified.

The research methodology in this study entails the practical and theoretical processes. The current literature augmented with official documents and interviews of key stakeholders is the base at which the study is conducted. The sample design that is used is a routine and a multistage cluster sampling which involves the random selection of districts, district councils, community councils, electoral divisions, villages and households. The members of the electorate, elected officials and public officials are interviewed about decentralisation and local government.

The next chapter entails the literature review concerning decentralisation and its theories, approaches, models and modes. The principles associated with decentralisation are put into perspective as well as the relation of developmental local government to decentralisation.

Chapter 2: Decentralisation: Literature Study

2.1. Introduction

In the previous chapter the rationale for the study, reasons for selecting decentralisation and DLG as a point of focus for research and analysis, the statement of the research problem, the discussion about research design and the methodology undertaken were presented. It is therefore appropriate that in this chapter the literature study is put under international perspective based on decentralisation, development and local governance in an organised and well-structured manner.

The literature review is based on the discourse of local government as a decentralised, representative institution which advocates for the best interests of the electorate through their involvement in decisions that affect their socio-economic and political conditions. The objective of this chapter is to define and clarify decentralisation in its conceptual and practical aspects.

Aspects of decentralisation, principles associated with decentralisation, different decentralist theories, approaches to decentralisation and models of decentralisation are discussed in this chapter. The strategies of decentralisation within the unitary and federal states are also discussed as well as processes and types of decentralisation. Decentralisation is implemented for different reasons by different nations around the world, thus the rationale for decentralisation process is stated. The selected case studies involving the most advanced and developing nations are put into perspective in as far as the decentralisation process is concerned.

It is the aim of the chapter to describe and explain the various approaches, models and processes of decentralisation. The relation of decentralisation to developmental local government is clarified. Developmental local government is also described and explained. It is stated in this chapter that public participation is inherent in decentralisation while Information and Communication Technology (ICT) is embedded in citizen participation as a valuable tool for reform and transformation. Decentralisation is seen as crucial for developmental local government because it serves as an umbrella for other tools that concern development. The chapter concludes with an example of a country that made a most comprehensive initiative in pro-poor Local Economic Development (LED) within the context of Developmental Local Government (DLG), on the continent of Africa.

In discussion of different concepts, approaches, strategies, models, processes, theories of decentralisation, different publications by different authors are used; these are in the form of textbooks, journals and articles.

2.2. Decentralisation defined

Johnson, McCullough and Rondinelli in Smoke (2003:13) maintain that “decentralisation embraces a variety of concepts, the feasibility of which must be analysed in any particular country” before decentralization policies could be pursued. Decentralisation is a complex, multi-faceted phenomenon and it is determined by history and traditions of a particular country whereas the nature, power and competitiveness of political parties at the local levels as well as strength of the civil society are of utmost importance.

Political will is seen as the most ubiquitous claim for successful decentralisation, and its absence necessitates pressure by the people for central government to cooperate in supporting decentralisation. Legal and constitutional reforms are also a necessity for support of

decentralisation (Smoke, 2003:12). This means that the parliament within states should always enshrine decentralisation within their constitution and legal clauses if support of decentralisation is to be prevalent in acts of parliament or parliamentary statutes.

Decentralisation has always been a relevant matter in governance as far back as the sixteenth century emanating from the West European countries (Bayat, Ishmael and Meyer, 1997:14; Hollis and Plokker, 1995:24). “Decentralisation has been an important reform in many developing countries and a major focus of the considerable support provided by development partners to public sector reform” (Eaton, Kaiser and Smoke, 2011: xiii). Nowadays decentralisation is based with the growing acceptance of a European Union-promoted principle of subsidiarity created through the Maastricht Treaty of February 1992 (Beckmann, Eggers and Mettepenningen 2009:690; Hollis and Plokker 1995:44). Subsidiarity is a principle of appropriate responsibility at appropriate levels. This principle means that functions (or tasks) which suit to be effectively performed at the lower levels should be devolved to these lower levels which have the capacity to complete them in a satisfactory manner.

According to the principle of subsidiarity, decentralising governance is the restructuring of authority towards the creation of a system of which responsibilities between institutions of governance at the central, regional and local levels are shared accordingly, thus improving the overall quality and effectiveness of governance, authority and capabilities at sub-national levels (UNDP, 2002:5-6). The subsidiarity principle promotes the intergovernmental relations and cooperation between the different levels of government in their endeavours to achieve common goals of the state and to respond to the basic needs of people whom governments are accountable to.

Decentralisation gained prominence in the 1950s and 1960s through the British and French colonial administration in preparation for colonies’ independence. “In the 1980s, decentralisation came to the forefront of developmental agenda alongside the renewed global emphasis on governance and human-centered approaches to human development. Developed and developing countries pursue decentralisation policies to address poverty, gender, inequality, environmental concerns, and the improvement of healthcare, education and access to Technology” (Poyyamoli, 2011:3).

Nowadays decentralisation is pursued as a move away from ineffective and inefficient Weberian method or traditional public administration whereby the public sector concentrated on inputs and implementation processes rather than the result-oriented approach in which citizens’ needs are well-responded to. The major shift from government to governance necessitates the adoption of decentralisation as one of the central tenets of good governance

Decentralisation involves the transfer of central government authority, and its tasks and functions to elected local (sub-national) governments. It means that powers, resources, competences and functions are taken away from the centre and widely distributed especially to the local authorities (European Commission, 2009:1; Sperfeld, 2006:7; Hollis and Plokker 1995:62; Poyyamoli 2011:3). Decentralisation means that the distribution of power and control should be horizontal rather than being hierarchical. Decentralisation further adopts a system of bottom-up approach in which the electorate makes the decisions that affect their lives through the locally selected goals as opposed to a traditional top-down approach in which governments give the directorate to the local populace via the bureaucracy.

Decentralisation places powers, functions and resources at lower levels of government where the local populace is able to exert more influence over decision making about matters that are

relevant to their daily lives. Decentralisation requires a high level of political commitment and ownership by central governments in order to become an effective instrument of democratisation, reconciliation, social integration and a valuable tool in poverty reduction, promotion of sustainable human development and good governance, protection and promotion of cultural diversity (European Commission, 2009:1).

“Decentralisation is a process, not a one-time act, and the trajectory of reform is heavily influenced by the degree to which the often conflicting incentives of different actors play out. At the initial design stage, the decision to decentralise is reflected in de jure changes in legal frameworks, including executive decrees, new statutes, and in some cases even constitutional reforms” (Eaton et al., 2011:9)

Decentralisation further means transferring the political, financial and administrative authority from central to Municipal, Urban, District and Community Councils in order to improve service delivery. It brings about equity because it has the great advantage of focusing policy-makers’ attention more directly on the peculiarities of local rural conditions and thus counteracting the almost universal urban bias of educated officials (Kasfir, 1993:29). The rural population who might otherwise be neglected in the development processes are given attention and appropriate services and a voice to improve their lives while the donor agencies tend to focus their attention on them (the marginalised people- women, youth and the worse-off).

Rondinelli and Nellis (1986) in Johnson, McCullough and Rondinelli, 1989) define decentralisation from an administrative perspective as “the transfer of responsibility for planning, management, and the raise and allocation of resources from the central government and its agencies to field units of government agencies, subordinate units or levels of government, semi-autonomous public authorities, or non-governmental private or voluntary organisations”. From the administrative point of view decentralisation is about giving the lower levels of governance responsibility and autonomy as advocated by the decentralist theories. The autonomous status of lower levels of governance, especially local governments, should be enshrined in the constitution of any given country according to the decentralist theories.

2.2.1. Decentralist Theories

Decentralist theories emphasise the entitlement of local government’s autonomous status in the constitutional arrangements. These decentralist theories “include: the historical-specific, law state, free-administration, local self-government, localist, public choice; dual-state, liberal and participatory democratic theories” (Bayat et al., 1997:20). The connection between decentralist theories and the constitution is that both advocate for independence of local populace in articulating their needs and making decisions as a democratic right and exercise. Local government or decentralisation is therefore enshrined in the constitution which is a supreme law within the nation states. The legislature gives local authorities autonomy to respond to the needs of the local populace. The local authorities are therefore given their own discretionary powers while central governments concentrate on monitoring local level activities.

2.2.1.1. Historical-specific theory

With this theory, more emphasis is put on history in that the local communities were initially governing themselves and that some towns had autonomy long before the state constitutions were made. It is a theory that developed in the course of history as the local communities became aware of their specific, unique, common interests within their localities when they governed themselves. This historical-specific theory was established between the 18th and 19th century but it

became more popular in 1848. Bayat et al., (1997:20) argue that after this theory gained momentum in 1848, “the idea of local community, with local government as its organ” went on to be termed “local self-government as introduced in England”. The term ‘Local self-government’ advocated for the intolerance of the outside interference in local government matters (Bayat et al., (1997:20). Wickwar (1970), in Bayat et al., (1997: 20) notes that “Toulmin Smith was very critical of the liberal reforms of his day and challenged all forms of central government interference in local government issues”. The interference of national governments in local matters meant the intolerable undermining of local self-government and the relevant autonomy of local communities to govern themselves.

Bayat et al., (1997: 20-21) state that “American followers of this theory staked their claim for local self-government around the argument that New England towns incorporated themselves even before state constitutions had been written, and further that local self-government was a common-law right bestowed on local authorities”. The communities or towns had a sense of local self-governance already endowed within their power. The local self-governance meant that communities had discretion over their local affairs; thus, Rudolf Gneist introduced the law-state theory to reconcile local self-government with the national self-government to pave the way for evolving with a semblance of order and avert any possible and imminent revolution.

2.2.1.2. Law-state theory

The law-state theory was developed by Rudolf Gneist in an attempt to reconcile the problem of ensuring a law-abiding evolution while simultaneously preventing a revolution. Rudolf Gneist “espoused the view that local self-government was a prerequisite for national self-government. Moreover, a state which worked through local government was a state in which citizen participation was likely to flourish” (Bayat et al., 1997:21). With citizen participation made possible by the functioning local government, the national state is put in an appropriate position to become successful in responding to the needs of the people as well as creating working foreign links that would lead the nation into prosperity through global markets and flexible trade relations. The national government is put in a strategic position to pursue its foreign policies for the benefit of its citizens.

According to Bayat et al., (1997:21) the philosophy of Rudolf Gneist was summed up by the British Liberal writing for the Cobden Club:

“...self-government means the harnessing of society to the state, not the disintegration of the state into joint-stock companies ruled by boards of elected directors. It was the carrying out the will and doing the work of the state by the local units themselves, and not carrying out the will and doing the work of the local units by means of delegates or representatives named by these units.”

With self-government people are turned into law-abiding citizenry with the freedom to choose their direction of life and to find ways to meet their domestic needs in a way that allows the state to also fulfil its mandate. The local units do the work and make the policies that complement the national policies and not those that go against the state’s overall policies and laws. The societal interests are harmonised with the state’s will in constitution of the free administration in pursuit of practical needs.

2.2.1.3. Free-administration theory

Wickwar (1970), in Bayat et al., (1997:21) argues that since 1848 a new phase had emerged in which societal interests, together with those of cooperation, were reconciled in two forms of free administration to meet practical needs. The voluntary associations were made through statutes to

serve for a common purpose. The service was done by elected representatives who acted on behalf of patrons such as trade unions. Local governments were also developed through voluntary associations while powers were enacted through statutes.

According to Bayat et al., (1997:22) Von Stein and Gneist suggested that local government is a “means of obtaining a synthesis between the state and society”. This means that local government helps the state and the society to reach for and have a common ground in that, the needs of the society are well expressed and articulated towards the state just as the interests of the state are towards the society while at the same time synergy is formed between the state and society. With local government and decentralisation in place, principles of local self-government are studied, scrutinized and polished to meet community demands while the constitution, as protector of the people’s right, enshrines the local self-government and its theories. Decentralisation allowed for a free administration of community developmental needs and the interaction of the state and society even as far back as the 19th century.

2.2.1.4. Local self-government theory

At the beginning of the 20th century, local government was intensively studied and debated. The principles of local self-government were emphasised by both writers and philosophers, and Wickwar in Bayat et al (1997:23) draws attention to some of these principles as follows:

“...local self-government was a product of history and, according to Gomme, ‘traceable to deeper instincts in our life than legislative experiments’;

A local area formed in the course of history by common interests of the local community was the true locality which should be recognised by legislature;

Local government must develop to meet demands; scale must be adapted to technology; new communities recognised and services interrelated, but without sacrificing elective responsibility; and local government must be consulted and freed from judicial, statutory and sub-legislative restraints; should enjoy freedom and dignity and be exempted from the principle of *ultra vires*, free to render whatever services it could afford (Meyer, 1978:8-9).”

Hollis and Plokker (1995:25) explicates that “The development of strong local government has been reinforced in Western European acceptance of the right of all communities to local self-government – a principle given official recognition in the European Charter of Local Self-Government in 1985.” Self-government is defined as the freedom of local authorities to regulate and manage public affairs as their own responsibility in pursuit of the interests of the local populace. Prevalently the majority of local authorities are thus autonomous and independent legal entities. A great number of European countries have signed and officially voted in agreement to align themselves with the Charter.

The European countries ‘established the power of the general competence as a norm for local government’ (Hollis and Plokker, 1995:25). Local self-government is a theory that is no different to the localist theory which strives for autonomy of the elected local authorities who are independent bodies representing the needs and interests of the local populace. The connection between the local self-government theory and decentralisation is the independence of decision making in governance by the local communities. This governance should or is without outside interference.

2.2.1.5 The Localist theory

Bayat et al (1997:24) the localist theory advocates for independent, autonomous and elected authorities. The theory argues that the government must evoke diverse responses in order to respond to diverse local needs and interests. Concentration of political power in the higher tier of government should be avoided while the influence of local decision-makers, the councillors, should be fully extended (Bayat et al., 1997:24). The localist theory is strictly against encroachment by the central government of any political power that would otherwise be fully vested in the local authorities. This theory, advocates for full local decision making in affairs that affect and have the influence in people's daily lives, meaning that the localist theory supports the stance that people should determine their own fate.

“The localist theory is thus oriented towards maximum decentralisation of functions and powers. Proponents of this theory point out that the local tier is the closest to citizens, and because of this strategic placement, can be more responsive and accountable to the communities.” Bayat et al., (1997:24). The theory identifies elected local government as having the strategic importance of promoting the principles of good government because it is more predictable, accountable, transparent and responsive to citizenry.

Within the localist theory context, citizens have a right to participate in local elections and to choose those representatives who would effectively and efficiently respond to their local needs. The local political officials are liable to be held accountable for their activities as they are close to the people unlike the central government officials who are seldom reachable. Planact (1992) in Bayat et al., (1997:24) affirms that “localist arguments rest on a pluralist approach to understanding the state and politics. Emphasising the existence of diversity in society, they identify elected local government as best placed to govern responsively and with accountability”. Inability to fully take into account the tensions that exist between the central and local government. The localist theory gives the local populace insufficient room to take control and responsibility over local needs. This theory does little to acknowledge the limited resources at the local level (Bayat et al., 1997: 24). The localist theory indeed fails to recognise the fact that the less developed countries and some regions within the well-off countries may have limited resources which the central government could help in developing the limited resources at local levels.

The development could only be made through the direct involvement of central government in local level affairs. This would be the case in most of the third world countries which need central government subsidy for the performance of their daily business. The case in point is that some local governments may not be able to raise enough revenue for the running of their affairs, and necessitate the involvement of central government even though such involvement may be extensive or compromise the complete autonomy of the worst-off local governments. The localist theory is not relevant to the concept of decentralisation because insufficient responsibility is directed towards the local level where accountability, effectiveness and efficiency are more valued and applicable.

With the involvement of central government in supporting the worst-off at the local level, central government would need to provide space for local governments to allow the Non-Governmental Organisations (NGOs) or the private sector to make a meaningful contribution in distributing goods and services. This share in distribution of goods and services by the private sector is advocated by the public-choice theory.

2.2.1.6. Public-choice theory

Public theory is more prominent within the approaches of public management; its major criticism against the Weberian model of bureaucracy being that the reward system does little to improve performance while politicians and civil servants have no incentives to control costs (Bartly and Larbi, 2004:34). Public-choice theory advocates for market or private sector involvement in allocation and distribution of goods and services (Bayat et al, 1997:24). Proponents of public choice theory “contend that , under conditions of reasonably free choice, the provision of some public goods is more economically efficient when a large number of local institutions are involved than when the central government is the provider” (Ostrom et al., 1961; Buchanan and Tullock, 1962; in Johnson et al., 1989:59). In this decentralist theory, the market or private sector are preferred in provision of goods because there is more efficiency and free choice than by the central government which is not conversant with the local conditions, is inefficient and ineffective in responsible provision of goods.

According to Bayat et al., (1997:24-25) it asserts that the decision-making capabilities of a representative democracy have immensely deteriorated. Proponents of public-choice theory contend that ‘public sector expenditure is subject to excessive growth and has a natural tendency to oversupply’ resulting in bloated bureaucracy, wastage, inefficiency and overspending, Bayat et al., (1997:25). For public choice theorists, citizens are rational beings capable of pursuing their own self-interests and optimal economic choices if left unfettered by government regulations and constraints (Rondinelli et al., 1989:60). Because public sector is failing and people are able to make rational decisions, it may be understood that public choice was created to erase the irregularities that exist in provision of the public services. Public choice theory has similar traits to the New Public Management paradigm which gained prominence in the 1990s but the only difference is that while the NPM advocates for public sector reform in adopting the managerialist and market-oriented principles, public theory rarely concern itself with improving capacity of government agencies.

The public-choice theorists call for reforms in local government in the form of contracting out by local authorities to the private sector to promote competition and profit-orientation which would then result in quality service delivery (Bayat et al., 1997:25). The local government reform could also come through “the fragmentation of the bureaucracy into smaller units aimed at extending citizen control over public officials, increasing the number of choices to be made by diversification and ensuring more efficient public structures” (Planact, (1992); in Bayat et al., 1997:25).

“This model argues for a weak local government and a decentralised non-profit community sector which will promote choice and promote community control over its environment” (Bayat et al., 1997:25). The control of community over its environment allows the local authorities to manage their natural resources which would otherwise fall under complete control of national governments. If the local governments are granted an opportunity to contracting out through the reform they are empowered to make independent decisions without completely relying on central government decision-making. Central government has its own mandate and priorities, dominant and differing from those of local government, thereby giving rise to disagreements and tension. Consumption needs of local politics on the other hand are placed above any other needs that are based on class struggle according to the dual-state theory.

2.2.1.7. Dual-state theory

It is a theory that differentiates priorities between central and local government. The main argument in this theory is that the central government is taken as superior because it deals with class struggles while local government is taken to be inferior since it deals with struggles around consumption needs. This theory “maintains that local and national priorities are different and their very nature gives rise to tensions. Moreover, national priorities dominate the local ones” (Bayat et al., 1997:25). Tension between national and local government emanates from the fact that for a long time, central politicians have been the centre of attention, being at the helm of control over concentrated powers, functions and resources. Nowadays local government and politicians pose a threat to the dominance of national government.

The proponents of this theory reject the notion of the local state with the view that the state should be a holistic expression of conflicting intergovernmental relations (Bayat et al., 1997:25). “This theory emphasises a national-local dichotomy, thus ignoring the facts that the central state often ensures the provision of resources pertaining to social welfare expenditure” while local authorities concentrate “in social investment programmes and that production and consumption are often part of the same political-economic strategy” (Bayat et al., 1997:26).

Dual-state theory pays no heed to internal politics of the state, but focuses “on the context of local government and not on the management of the local authority” (Bayat et al., 1997:26). Bayat et al. (1997:26) further maintain that “this theory provides a useful framework for developing policy proposal which are likely to contain central-local tensions while also integrating production and consumption”. The dual-state theory harmonises interests between central and local government, and creates commonality in goals. The theory also aims to create warm relations between these two spheres of government thereby dissolving any possible tensions. The liberal democratic theory on other hand emphasizes liberty and privacy of individuals within the democratic dispensation.

2.2.1.8. Liberal democratic theory

Liberal democratic theory accentuates more on individual liberty and privacy (Bayat et al., 1997:26). The features of liberal democracy are outlined by Centre for Policy Studies (1992) in Bayat et al., (1997:26) in the following way:

- Control over government decisions about policy is constitutionally vested in elected officials;
- Elected officials are chosen in frequent and fairly-conducted elections in which coercion is comparatively uncommon; i.e. votes are cast freely and secretly, counted and reported honestly, and converted into legislative seats as prescribed by law;
- Theoretically all adults have the right to vote in the election of office bearers;
- Practically all adults have the right to run for elective offices in the government;
- Citizens have the right to express themselves without any danger of punishment;
- Citizens have the right to seek out alternative sources of information and these (such as the media) are protected by the law;
- The political system is competitive, in that competing leaders and organisations define the alternatives of public policy, and this offers voters the opportunity of making real choices;
- Citizens have the right to form relatively independent associations or organisations, including independent political parties and interest groups; and

- Clear distinctions are drawn between various functions of government – legislative, executive and judicial.

The 19th century was punctuated by minimum government, law and order and national defence for a brief period due to civic problems which led to the birth of representative government through local authorities. ‘Local government thus became the centre of political and philosophical attention’. The problems surrounding the public administration, and delivery of services and democratic values within the society were sought to be minimised through more inclusive and representative local governments.

The basic tenets of representative institutions according to Hill (1974) in Bayat et al., (1997:27) “are free elections, majority rule, protection of minorities, subject to the majority’s final say, and the assumption that government operates on a basis of widespread discussion and responsiveness to an informed public opinion”. The fact that it is the majority who hold power does however not mean that the minority and their interests are suppressed while the people who take an initiative to elect their representatives should be respected in that the elected officials guide their actions and decisions based on the public will. This means that the people should be constantly consulted by their political principals before important resolutions could be reached.

Hill (1974) in Bayat et al., (1997:28) describes ‘the interrelatedness between electoral majority rule and democratic theory and local government’ as thus:

“Majority rule and representative government are central because democratic theory insists that power is legitimate power – those who hold power are elected by, and responsible to, the whole body of their constituents. Local government has a place in the theory because this is a proper arena in which legitimate power can be exercised and held accountable”.

Bayat et al. (1997:28) stress that democracy is about the rule of people by the people but in reality, “representative institutions give power to those who are politically active”, meaning that “power is theoretically open to all, but people must actively avail themselves of it”. The reason that the majority of people do not avail themselves to political power is ignorance and a misconception of it. Only those people who live beyond poverty line, the few rich and the old engage in politics. The youth and the middle class and educated people are yet to make contributions within the political arena in order to make a difference and the world a better place. The majority of people are yet to realise and know that they are political beings destined for full democratic engagement. People avoid involvement in the decision-making process, and continue to lead an unsatisfactory life of poverty, unfulfilled needs and demands. Participatory democracy however has a theory which is the answer to the social, political and economic ills because people avail themselves fully to politics according to this theory.

2.2.1.9. Participatory democratic theory

This theory emphasises people’s direct involvement in the decision making process (Bayat et al., 1997:28). Accordingly, the theory advocates for participatory democracy; it is a democracy that makes people full owners of decisions and developments that are taken either by political principals, public officials or non-governmental organisations or the private sector. The citizens contribute immensely in the decisions that affect their daily lives. Christenson et al., (1971) in Bayat et al., (1997:28-29) characterised participatory democratic theory as follows:

“It regards citizens as highly motivated politically, and believes that they will participate fully and continuously in public life. Citizens will have access to adequate political information and will use it for enlightened political decision-making. Citizens are able to

communicate their political views to others and debate them effectively; Government is accessible to all citizens..."

Horizons in participation are broadened when decentralisation provides institutional mechanisms that enable people to voice their concerns in the political decision making arena and in the policy implementing bureaucracy (Sperfeld, 2006:26). First and foremost, administrative institutions and political bodies need to be transparent and provide access to all information so that there could be a constructive and informed participation from outside the politico-administrative system.

The citizens need to have free access to relevant data such as budgets, planning documents and minutes of the council meetings while council meetings and their agenda should be announced publicly to pave the way for participation. The local populace needs to have access to transparent procedures, effective consultation and publicity by the government in order for the electorate to hold the government accountable (Kakumba and Nsingo, 2008:117).

The major flaw in participatory democracy is that it is primarily appropriate on small scale because it is disfunctional in larger modern cities (Bayat et al., 1997:29). This is because in modern cities people are not as committed to the democratic process regardless of the technological advantages they may have in a participatory process. In the cities ICT or e-government¹⁰ systems grant the urban population an opportunity to participate effectively in the democratic processes due to a lot of information that is put at people's disposal, even though these urbanites show only the slightest commitment in democratic processes. This is partly due to the fact that the pace of life in the city is faster and there is not enough time to get involved while a majority of the people living in the city are well-off compared to those living in the rural areas. The youth in the cities also distance themselves further from political processes due to ignorance or because they do not regard politics or democratic processes as valuable. Participatory democracy is taken to have waned in larger modern cities.

Participatory and democratic theories complement each other in the sense that liberal democracy makes provision for participatory features while systems of participatory democracy generally accommodate individualistic forms of liberty (Centre for Policy Studies (1992) in Bayat et al., 1997:30-31). While participatory and democratic theories complement each other, decentralisation has four main approaches which have synergy in paving way for liberty and good governance. These approaches involve the process of reasoning from general principles of decentralisation in the form of autonomy and independent decision making, the dynamic process of redistributing tasks and resources, the focus on the local governance autonomy, and governance through networks which allows the public and private sector to strive towards the same or common goals, and public interests indiscriminately without any boundaries.

2.3. Approaches to decentralisation

Formal, dynamic, functional, governance and Big Bang and gradualist approach constitute approaches for decentralisation. These approaches are in line with the decentralist theories which advocate for autonomy of local governments and the increase of the political will for successful decentralisation. The approaches are important due to their synergization with the previously stated concepts which are as follows;

¹⁰"E-government is the use of ICT to promote more efficient and effective government, facilitates more accessible government services, allow greater public access to information, and make government more accountable to citizens." (Farelo and Morris, 2006: 1)

- Local self-government which is seen as the prerequisite for national self-government, and a means to harnessing society to the state.
- The Subsidiary principle which advocates for the restructuring of government in pursuit of shared responsibility to improve quality and effectiveness of governance.
- The localist theory in stressing for local independence and autonomy.
- The public-choice theory in advocating for market or private sector to allocate and distribute goods and services thereby erasing the boundary between the public and private sector in service provision.
- Dual-state theory in focusing on the business and context of local government and not on the management of local authorities.
- Liberal democratic theory in advocating for individual liberty and privacy.
- Participatory democratic theory in stressing the need for people's direct involvement in decision making.

Approaches to decentralisation determine the level of local autonomy within the local governance reflecting the degree of decentralisation. Formal, dynamic, functional and governance approach regardless of their relativity to the abovementioned or previous concepts, differ in terms of the direction of decentralisation, dominant objects of analysis, relation decentralisation and autonomous local government, and type of judgement on the autonomy of local government.

Decentralisation is weighed in accordance with the effect it has on local autonomy, whether it increases or decreases local autonomy or bears no comparative relation to the decentralisation approach. Judgement on the autonomy of local government is laid in accordance with the approach in question. The formal approach which involves the process of reasoning from the general principles of decentralisation is analysed through administrative systems.

2.3.1. Formal approach

“The formal approach is primarily descriptive and deductive, but does not represent the workings of the administrative state, or typically lead to normative conclusions” (Fleurke and Willemse, 2004:523). In this approach, decentralisation is seen through administrative or political systems which may be either centralised or decentralised to the lowest or highest degree (Fleurke and Willemse, 2004:524-525). The administrative or political systems are used as indicators to determine whether the state is centralised or decentralised and to what extent and level.

Many authors concentrate on the formal specification of a political or administrative system with the aim of providing for description and comparisons with other systems, thereby ending up with the conceptualisation of decentralisation and centralisation as a distribution of competences, money and resources. With the conceptualisation of whether local government is enjoying a lot or little autonomy three sets of indicators are used to measure the extent of decentralisation (Fleurke and Willemse, 2004:525-526). The indicators that are used are of a constitutional, administrative and financial nature.

2.3.1.1. Constitutional indicators

The most preferred indicator in the category of the constitution is the principle of general competence which gives local authorities the right to make independent decisions. Local government is obligated to perform solely the tasks that are clearly and legally mandated to it through the legal framework provided by its parliament (Loughlin (2001) in Fleurke and Willemse, 2004: 526). This means that a constitution of any given country should enshrine the existence, functionality and autonomy of local governments for the betterment of lives of the citizens. Local governments should not be taken lightly because they are established to make a

difference with their own powers and authority sanctioned by parliament as a right. To determine whether local governments are enjoying the autonomy vested in them, their legally mandated tasks are assessed for their functionality and their extent in terms of practicality.

The constitutional feature as a measuring instrument of the degree of decentralisation or autonomy presents a clear indication that local governments could or could not operate beyond their powers or authority as the constitution is the legal framework within which such autonomy or decentralisation is enshrined. This constitutional feature is an important indicator or recognition of the significance of local government even though decentralisation, especially in third world countries, is more often not fully implemented. The constitutional feature may therefore show signs of aspiration towards local government establishment even though lack of capacity in implementation and functionality may take precedence over autonomy and decision making.

2.3.1.2 Administrative indicators

In this category, the types or kinds of services local governments are supposed to render to the public are scrutinised for efficiency and sufficiency by other levels of government (Fleurke and Willemse, 2004:526). This scrutiny can serve as a motivation for local governments to upgrade the standard of service or performance in pursuit of excellence, efficiency and sufficiency in service delivery while autonomy is stretched to the fullest.

Administratively, a twofold distinction can be made between “central statutory regulations that force local government to pursue certain policies and formal supervision over the activities of local government” (Fleurke and Willemse, 2004:527). The application of the former persuaded the Dutch scholars into concluding that the Dutch local government structures consist only with the “offices for central government in the local community” and “local outstations of central government” (Fleurke and Willemse 2004:527). In most African countries, local government structures follow a similar pattern to that concluded by the Dutch scholars because offices for local government exist but operate in the interests of central government which has complete control of daily local government business.

With regard to the formal supervision the view is that local governments have little or no local autonomy if central government dictates terms and conditions for local government business. Fleurke and Willemse (2004:527) state that through policy making the local governments are able to make policies which are prone to be replaced or superseded by the central government. The ultimate power with the state is held by the national government which approves or rejects some of the decisions of the local authorities that are not in line with the national goals or if they clash with the policies of central government.

2.3.1.3. Financial indicators

It is often stated that the existence of a grants system is an indicator of centralism. Based on this statement the Netherlands is highly centralised because 84% of local government’s income consists of central grants, and 16 % is earned through local taxation (Fleurke and Willemse, 2004:528). The objection against this reasoning is that the distinction should be made ‘between block grants which in principle are freely disposable and specific grants which are earmarked’. Through such distinction it turns out that the Dutch administrative system is less centralised.

In the case of countries in which local government depends entirely on central government and donor agencies to fund its business, such countries deserve to be classified as highly centralised. They often have no autonomy over natural resources in order for them to generate income and the lesser taxes that local government earn are taken by central government or are not able to make a

difference in local government's daily business. Redistribution of tasks, competencies and resources among different levels of government is considered a dynamic approach to decentralisation, and it is often influenced by the changes that take place within communities.

2.3.2. The Dynamic approach

“The dynamic approach, in contrast to the formal, focuses on task redistribution among tiers as a consequence of changes in society. The basic question with regard to this approach is which form of decentralisation has which effects on the quality of government under which conditions” (Fleurke and Willemse 2004:523).

With the dynamic approach, “decentralisation is considered as a dynamic process of redistribution of tasks, competencies and other resources over all tiers of government” (Fleurke and Willemse, 2004:530). Fleurke and Willemse (2004:530) further explain the dynamic approach as follows:

“Politico-administrative systems seem to oscillate between centralisation and decentralisation. There are continuous shifts in the relations between central and local government. In this respect, transfer of central responsibilities to lower levels, and vice versa, is a never ending story. Central governments bear the ultimate responsibility to react-sooner or later on changed or changing circumstances and developments, nationally and internationally, that ask for adjustments in central-local relations in general or in specific policy areas.”

In this approach the politico-administrative systems keep changing from time to time between centralisation and decentralisation, meaning that there is sometimes no clear demarcation line between centralisation and decentralisation. The tasks between both levels of governments are exchanged and this may end up in slow delivery of service to the electorate. Public confusion may further arise as to which tasks are still under whom and which level of government is to be held accountable for any failures in service delivery

Fleurke and Willemse (2004:533) maintain that decentralisation and local autonomy are not only the two sides of the same coin “but decentralisation is a means to reach the professed goals, for example optimizing the customization of public services or a better co-ordination of allied tasks carried out by different departments”. Decentralisation and local autonomy cannot be separated because they are complementary to each other. This means that there cannot be one without the other if the needs of the people and goals of the nation are to be reached. Decentralisation is an appropriate vehicle in response to the local needs because through local authorities, services are coordinated and integrated.

“Further decentralisation does not fully coincide with a specific central-local division of resources and responsibilities, but is foremost a deliberate policy that aims to alter such a division in order to improve local administrative practice in certain respects” (Fleurke and Willemse, 2004:533). This means that the normative dimension of decentralisation is not only confined to desirability of local autonomy, but it also concerns values like efficacy and efficiency.

According to Fleuke and Willemse (2004:533) non-governmental organisations are barriers in achieving goals within the decentralisation spectrum, and their role is important in as far as dynamic approach is concerned. NGOs cannot be the barriers for the achievement of decentralisation project because by their very nature NGOs are inclusive and open to anyone regardless of qualification, gender, religion or political affiliations and they exist in response to the demand of the public good, they exist to respond where the market and the state fails.

Furthermore their growth depends on civil society as their base to succeed by giving citizens a role to be active and achieve self-determination. Therefore they strive for best interest of the civil society, and advocate for full decentralisation. This is because with decentralisation people stand a better chance to improve their lives.

“By their very nature, the non-governmental organisations are specialized institutions with vested interests”, and as a result, “when addressing complex policy issues, local government faces organisational differentiation of the agencies involved” (Fleurke and Willemse, 2004:533). The organisational differentiation however is expected not to neglect the interests of the people; people’s interest should be at the heart of any decision making taken by either NGOs or the government.

Fleurke and Willemse (2004:533) maintain that some of the NGOs are funded by the central government for their resources. The relations between local and central government have strengthened and so have the relations of NGOs with local government. As a result, the local government’s ability to carry out the new duties is limited (Fleurke and Willemse, 2004:533). This means NGOs play a significant role of taking corrective measures or performing those duties that willingly or unwillingly are not performed by local governments. NGOs do this through partnerships with governments or as contractors because NGOs sometimes receive funds from their governments or donors to provide for services. This service provision becomes easier because NGOs have skilled and well remunerated personnel which governments lack.

According to Fleurke et al., (1997) in Fleurke and Willemse (2004:53), “Local government has lacked instruments to effectively coordinate the activities of the non-governmental organisations involved.” If local government is unable to coordinate activities of NGOs effectively at the local level, then it loses its responsibility and lessens its functionality as an autonomous body. In order to operate accordingly, local government should be directly involved in all the activities that take place at the local level.

2.3.3. The Functional approach

Functional approach is the approach that seeks to strengthen the people’s independent decision-making at the local level without outside interference. Within this approach democratic values are more enhanced and local governments account to civil society. “The functional approach focuses primarily on the local level, considering issues of horizontal decentralisation and the implications for local autonomy. Subsequent normative judgements are often ambiguous” (Fleurke and Willemse, 2004:523).

The functional non- or semi-governmental organisation whether established by local or central government plays a huge role in public policy-making throughout the Western World. “Decentralisation or distribution of responsibilities is organised not only vertically, but also horizontally” (Fleurke and Willemse, 2004:535). The difference between the vertical and horizontal decentralisation is that local governments are accountable to the centre under the former while under the latter local governments account to the local populace and the democratic forces.

Gurr and King (1987) in Fleurke and Willemse (2004:535) make the distinction between two types of local autonomy in which the first type is about the extent to which the local state is able to follow its mandate with a limited national state interference, and is thus referring to vertical relations within a state. It should be mentioned that if the national state involvement at the local

does not overshadow the local autonomy then the local state is able to function according to the real local needs.

The second type of local autonomy concerns the local state in pursuit of its interests without being inhibited significantly by local economic and social conditions (Fleurke and Willemse, 2004:535). According to Gurr and King (1987) in Fleurke and Willemse (2004:535) these inhibitions consist of the resistance from the dominant local interests and the activities of the locally based political organisations and social movements whose goal is to reshape the content of local public policy. 'This type of autonomy refers to horizontal relations within a state'.

King and Pierre in Fleurke and Willemse (2004:535) use the terms local autonomy and local government autonomy in this context. The local autonomy refers to the autonomy of the local community while the local government autonomy means the autonomy of local authorities. This means that the communities should make their own decisions in affairs that affect their lives without interference from political principals who also have their line of autonomy in pursuit of people's interests. The autonomy of the local community and that of the local authorities is harmonised by the governance approach which leads to the concept of local governance and networks.

2.3.4. Governance approach

Governance involves the establishment of chains of communication, measurement, authority, responsibility, and policy and control mechanisms in paving ways for the people to fulfil their roles and carry out their responsibilities. "The Governance approach substitutes [both public and private] networks for issues of decentralisation, concluding that local autonomy is on the wane" (Fleurke and Willemse, 2004:523) Local autonomy on its own, that is, without governance is not enough.

With the local governance approach the object of analysis is local practice similar to the functional approach though the difference arises where the governance approach (vertical) decentralisation, government and local autonomy are no longer seen as adequate concepts to cover the administrative practice of the last decades. These concepts according to Fleurke and Willemse (2004:537) "have been replaced by the concept of local governance and networks".

Fleurke and Willemse (2004:537) stress that the "governance literature" points to the fact that "an institutional analysis of government is not appropriate anymore, because there has been a step-shift in the pattern of governing away from formalised patterns of government...Characteristic of this new concept of governance is that it takes place in a fragmented institutional context in which all kinds of organisations have overlapping responsibilities". According to Fleurke and Willemse (2004:537) the demarcation line between public and private sector have been waning as the private companies are being tied into public missions. "As opposed to the last two or three decades, inter-organisational networks have increasingly gained importance". This is because "the network perspective as governance perspective focuses on the fact that public actors cannot achieve much without other actors... Networks facilitate interaction, decision-making, co-operation and learning since they provide the resources to support activities such as recognisable interaction patterns, common rules and organisational forms" Klijn (2003:31-32). Interdependence is valued because different actors converge with expertise that result is synergy that uplifts the social, economic and political standards that improve the local conditions.

According to John (2001) in Fleurke and Willemse (2004:537), "governance is considered as a substitute for the concept of government and certainly not just as an adaptation of government". It

is a system of values, policies and institutions in which a society organises collective decision making and action related to political, economic and socio-cultural and environmental affairs through involvement of the state, civil society and the private sector.

Governance is a new concept referring to the role of the institutions of the state in society and it evolved as a policy idea in 1990s out of the traditional Public Administration concept of governing (Nealer, 2007:159; Cloete, 2000:13). Governance is defined by the World Bank as ‘the manner in which power is exercised in the management of a country’s economic and social resources for development’ (World Bank (1994) in Cloete, 2000:15). The management of any given country in relation to the economic and social resources should therefore emanate from concerted efforts of different actors which have a common goal.

Governance is a “regime of laws, administrative rules, judicial rulings, and practices that constrain, prescribe, and enable government activity, where such activity is broadly defined as the production and delivery of publicly supported goods and services” (Lynn et al., in Frederickson and Smith, 2003:210). This definition of governance “implies that governance consists of separated but interrelated elements” (Frederickson and Smith, 2003:210). The definition also implies that governance is inherently political, that it involves bargaining and compromise between actors with different interests, and that it comprises both of formal structures and informal influence, either of which may characterise the relationship between the formal authority and the actual conduct of government-mandated operations” Lynn et al., in Frederickson and Smith (2003:211).

There is a “wide varieties of governance; it refers to new pattern of state-society interaction, to policy-networks, to the role of dialogue and partnerships, to the weakening of formal institutions, to the rise of meso-government, to horizontalization, and so on” (Cole and John, in Fleurke and Willemse, 2004:538). It can be denoted that within the concept of governance different actors operate on the same footing in bringing about the difference within the society, hence different and constructive ideas are shared in pursuance of a better service delivery.

The concept of governance encompasses a wide range of different phenomena, there exist no one commonly accepted and specific interpretation of it, yet scholars agree that “governance is about networks, about informal relations of which networks consist, about the importance of new private actors that do not belong to traditional government” and the significant autonomy that networks enjoy (Fleurke and Willemse, 2004:538). With a concept of governance, directives wane as the networks bring about positive changes through new, working and tested approaches while the traditional practices of government cease to be operational.

Fleurke and Willemse (2004:539) assert that the final question about governance concerns the normative dimension of governance; “if local governance indeed means the waning of traditional local government it also implies the demise of traditional local autonomy”. Fleurke and Willemse (2004:539) maintain that “this suggests it is no longer local government that performs an independent policy for the benefit of its community, but that self-governing networks without any regular democratic legitimacy have assumed this role”. As a result governance scholars are hesitant to focus on to the regular, formal and traditional accountability procedures within the local government system, but they concentrate much on the democratic deficit of governance networks (Cole and John in Fleurke and Willemse, 2004:539). Regardless of this logical outcome of the debate of governance the local politicians are still being elected and they need the political legitimacy and this democratic procedure is perfectly linked up with the (constitutional) autonomy granted to the local governments. “It also ignores the positive effects decentralisation

might have on the autonomy of local government and herewith the strength of local democracy” (Fleurke and Willemse (2004:539).

Fleurke and Willemse (2004:539) stress that the “traditional idea that decentralisation and local autonomy are intrinsically good seems to have eroded”, but in “many countries decentralisation is still taking place and local government still exist as a desired and autonomous administrative part of the state”. In countries in which central government sees local government as solely an administrative organ of the state following the directives of the upper tier government, democracy is not fully achieved and the economic and social resources are not fully manipulated for the benefit of the local populace, inhibiting local government structures with their ideal models.

2.3.5. Big bang approach

It is an approach in which decentralisation of resources, powers and functions is implemented quickly in a single instance with lesser costs than a long, drawn-out phased approach. According to Shah and Thompson (2004:19-20) a big bang approach has two defining characteristics which are holistic (comprehensive) and implemented at a lightning speed. “A holistic approach ensures that the desired balance in autonomy and accountability is achieved while providing incentives for cost efficiency. If expenditure decentralisation is not accompanied by revenue decentralisation, the decentralisation plan fails to take into account local governments’ fiscal capacity and fiscal needs, local revenue, the trade-off between equity and efficiency and the inefficiencies caused by high vertical imbalances” (Shah and Thompson, 2004:19). Political decentralisation without decentralisation of financial resources discourages or brings despair to the citizens about decentralisation’s ability to bring about positive results into their lives.

Shah and Thompson (2004:20) argue that ‘the lightning speed represents the best window of opportunity’ thereby creating winners and losers; it is the central government that stand to lose power from decentralisation that is implemented while people and local politicians are empowered at the expense of national politicians and bureaucrats. The reason behind some countries choosing partial decentralisation instead of following the big bang approach is the fear of losing power. “If reforms are planned to take place over a longer period of time”, national politicians and bureaucrats get the opportunity to organise themselves and likely build coalitions to circumvent reforms (Shah and Thompson, 2004:20).

2.3.6. Gradual approach

A gradualist approach involves a sequenced approach in which small steps are taken one at the time to implement decentralisation reform. A gradual approach works only if there is a strong political will for decentralisation reform and no efforts by affected groups formed to resist it. (Shah and Thompson, 2004: 20).

“A gradual approach is advocated on the grounds that local governments have inadequate capacities to handle newly assigned responsibilities as in Indonesia, Pakistan, Uganda and Vietnam or citizen participation in local government is weak due to lack of interest and or lack of education as in Bangladesh”(Shah and Thompson, 2004:20). The gradualist approach is also adopted when decentralisation is implemented wrongly and posing negative effects as a result of incorrect implementation. “Lack of capacity at the local level is often offered as a reason why decentralisation should proceed slowly. But technical capacity can be contracted at first, and eventually be home grown” (Shah and Thompson, 2004:20). Lack of capacity at the local level is often used by central government as an excuse not to decentralise powers, functions and resources to the local level. The gradual approach can also be adopted when there is reluctance or

resistance by some of the central government ministries to decentralise or when there is insufficient knowledge of decentralisation and local governance within the nation states.

There is no possible way that the local level could have the required capacity unless the central government gives local authorities an opportunity to work and err and learn from their mistakes. The lack of capacity is often an excuse by the national governments to decentralise the powers, functions and resources to the local level.

2.4. Models of decentralisation

The government structure at the local level consists of the following ideal models of decentralisation: multi-purpose or federal model, two-tier governments, one-tier or single-purpose model of decentralisation, voluntary cooperation (including inter-municipal agreements), and special purpose districts. Democratic countries around the world adopt those models that they think are best suited for their ambitions and aspirations from the abovementioned models of decentralisation. The models work successfully if they are best matched with demographics, size, topography and the degree at which democratic tenets and principles of good governance within a particular country are understood. This further means that the quality of both human and natural resources within nation states play a pivotal role for the functionality of these models.

2.4.1. Multi-purpose Model

With the multi-purpose model, “local governments are responsible for most or all public functions within a given, territorially defined jurisdiction” (Ebinger, Grohs and Reiter, 2011:554). In so far as this model is concerned, local governments are responsible for interrelated functions that are developmental, provided each locality has needs that may be unique and be relevant to such an area or community. Chandler (2010:13) further postulates that in multi-purpose local governments, functions cannot be delivered in isolation from one another because citizens expect that their complex needs and aspirations be responded to in unison or collectively because they are inter dependent. He offers the example of “the need to improve educational capacity requires not only schools but decent housing to facilitate study, health care sufficient to allow necessary concentration and enthusiasm, an absence of fear from crime and a transport system to enable access to places of learning”. This means that services should come as a complete package because they complement each other in transforming or making the lives of the citizens better than before.

“The decentralisation related to strengthening of multi-purpose local responsibility may increase the performance of local governments in some dimensions of public function fulfilment like the political accountability or the possibilities for cross-sectoral coordination” (Wagener (1976), Wollmann, (1997), (2004), (2008), Kuhlmann (2005) in Ebinger, Groh and Reiter, 2009:2). The extended responsibility in this model enhances the performance of local governments and their accountability aspect.

Federal Model

This model is appropriate or suitable in big countries where it is necessary to have more than two tiers of government. The regions play a dominant role and are characterised by a higher degree of autonomy which makes the national government relatively weaker (Hollis and Plokker, 1995: 84). However, the national government “would retain full powers over strategic issues of national importance such as economic and monetary policy, foreign affairs, defence and education

standards while delegating some powers of legislation, local institutional structures and economic development to the regions” (Hollis and Plokker, 1995:84). Multipurpose model allows for the distribution and specialization in certain issues or functions that pave the way for the respective tiers of government to account fully in their area of specialization, thereby increasing expertise. The distinctive role between the tiers of government assists both local and central government to upgrade the standard of service delivery. Countries which use this model are often more highly prosperous and developed.

Within these models, “regions are represented at the national level through a bi-cameral parliament or dual representation of delegates at regional and national level” (Hollis and Plokker, 1995:84). The dual representation in this model makes delegates more conversant with prevailing conditions in their respective regions and they are enabled to articulate and inform the national government of the real needs of the citizens down at the lowest level of government. National government therefore rarely interferes in the affairs of the lower tiers of government resulting in less power struggle between tiers of government. Hollis and Plokker, (1995:84) stress that at the lowest level of government, the municipality plays a pivotal role “both as a focal point for community interests and as a provider of services” thereby are making a district a “weak tier with its primary function being one of intermediary between the municipalities and the regions”.

“The federal model is comparable to the structure of government in Germany. The main advantage of this model is that it allows the democratic function of local government to be fully developed and gives regions considerable freedom to run their affairs” (Hollis and Plokker 1995: 84). In countries that use this model democratic values are more enhanced and there is a little space for the opposite of good governance.

The main disadvantage for this model is that it encourages separatism because the national government has a limited control over regional strategic issues, such as economic development and infrastructure (Hollis and Plokker, 1995:84-85). The separatism however encourages an increase in competition and excellence by the municipalities while accountability of both political and public principals is increased. Another flaw is that the accountability to the population is often reduced when large scale services are delivered through joint agreements with neighbouring authorities because many municipalities may be too small to make a service delivery of a huge-scale (Hollis and Plokker, 1995:85).

As opposed to multi-purpose model, there exists the two-tier model in which the upper-tier of government provides region-wide, large scale services while the lower tier is restricted to small services of local nature while duplication of efforts happens occasionally, sometimes resulting in confusion and struggle over roles and functions in delivery of services.

2.4.2. Two-Tier Model in Local Government

Slack (2003:13) underscores the two-tier model as thus:

“The two-tier model consists of an upper-tier body (usually region, district, metropolitan area) encompassing a fairly large geographical area and a lower-tier area of municipalities (including cities, towns, villages, townships). The upper-tier governing body provides region-wide services characterised by economies of scale and externalities whereas the lower tiers are responsible for services of local nature. In this way, two-tier models help to resolve the conflict among the various criteria for designing government structure—economies of scale, externalities, and redistribution on the one hand and access and accountability on the other.

It is therefore deduced that with the two-tier model, the lower and upper tier bodies are enabled to complement each other in service delivery. Each tier is able to focus on its mandate and bring about excellence due to the specialization element which rapidly increases expertise while citizens' demands and needs are well understood. The lower tier of government however is prone to be undermined by the upper-tier of government in certain instances, and this may often result in a wrestle for power and control over the resources.

“Redistribution throughout the city-region is achieved at the upper-tier level through a combination of tax and spending policies”. The tax rates are levied uniformly “across the region and the contribution of each lower-tier municipality to the upper-tier municipality” relies on the size of tax base, and if any other municipality has the larger tax, its contribution to the upper-tier government is going to be larger (Slack, 2003:14). The redistribution achieved at the upper-tier helps those municipalities that are worse-off especially with natural resources which contribute handsomely towards economic growth. Through this model equity and efficiency are embraced. A redistribution point is also stressed by Smoke (2003:9), saying that it should be the responsibility of central government. This is because some areas may be much wealthier while others are poorer and therefore broadly inclusive local political processes or interventionist central governments may pitch in through inter-jurisdictional redistribution.

The upper-tier government directs expenditure through services in the whole region whereby the city-region benefits more because expenditures are not distributed in accordance with a uniform collection of tax revenue (Slack, 2003:14). There is differentiation however in the service levels and tax rates provided by the lower-tier municipalities.

It is necessary to allocate functions among the tiers in as far as the two-tier governments are concerned, and “the upper tier is responsible for services that provide region-wide benefits, generate externalities, entail some redistribution, and display economies of scale” (Slack, 2003:14). Each tier is given tasks that are appropriately and efficiently carried out while the sharing between the lower and upper tiers lightens the service delivery load.

Service delivery that is concerned with the local populace is the responsibility of the lower tier.

Table 1 is about the different “public services provided at the local level to determine the appropriate level of government to provide them” (Slack, 2003:14).

The two tier system has significant advantages in terms of accountability, efficiency, and local responsiveness (Slack, 2003:14). The critics of the two-tier model stress that this model is costly since it is accompanied by waste and duplication of efforts and resources when two levels of government provide services while two-level government is further described as being less transparent and more confusing to taxpayers who are not able to “figure out who is responsible for what services” (Slack, 2003:14). Accountability could therefore be dodged by those who should account to the detriment of the citizens who may be caught in service provision.

Not only the taxpayers get confused as to which role and responsibility belongs to the lower or upper tier as public officials or service providers themselves often get confused over the roles they are supposed to play. As a result two municipal councils go through a considerable “wrangling, inefficient decision-making, and delays in implementing policies” (Kitchen (2001) in Slack, 2003:14). This means that considerable time, a valuable resource, is lost between hesitant decision making and the scuffles that break out between the two tier bodies. The anticipated results in programme and projects outcome may at the same time suffer under these circumstances of uncertainty and wrestling for power and control.

Table 2.1: Allocation of Expenditure Responsibilities in a Two-Tier Model

Function	Upper Tier	Lower Tier	Justification
Social Services:			
Welfare Assistance	X		Income redistribution; externalities
Child Care Services	X		Income redistribution; externalities
Social housing	X		Income redistribution; economies of scale; externalities
Public Health	X		Income redistribution; economies of scale; externalities
Land ambulance	X		Economies of scale; externalities
Roads and bridges	X	X	Local versus regional roads
Public transit	X		Externalities; economies of scale
Street Lighting		X	No externalities
Sidewalks		X	No externalities
Water system	X		Economies of scale
Sewer System	X		Economies of scale
Garbage Collection	X		Economies of scale; externalities
Garbage Disposal	X		Economies of scale; externalities
Police protection	X		Economies of scale; externalities
Fire suppression		X	Local responsiveness; scale economies for specialized services
Fire prevention/training	X		Economies of scale
Local Land Use Planning		X	Local access, responsiveness
Regional land use planning	X		Externalities
Economic development	X		Externalities
Parks and recreation		X	Local responsiveness
Libraries		X	Local responsiveness

(Source: Slack, 2003:15)

According to Slack (2003:15) “most of the literature on two-tier systems apply to large metropolitan areas” whereas in the remote areas where municipalities exist in isolation from each other, benefits or costs of services provided by a single municipality is unlikely cover adjacent municipalities. In the same manner “distances between municipalities and their isolation from each other prevents them from benefiting from economies of scale in the provision of services whose costs decline as the number of residents served increases. Hence, the rationale for a two-tier structure at the municipal level in remote areas is somewhat less compelling than it is for larger metropolitan areas” (Slack 2003:15).

The examples of countries which use the two-tier systems at the local level are notably Toronto (Canada) (1954-1998), London (England), Paris, (France). Paris for example has a population of 2.2 million people, and it is both a commune¹¹ and a departement¹². Paris is divided into 20 arrondissements (districts) which have an elected mayor and council each, and the local people elect 163-member Council of Paris (Slack, 2003:16). The Council has a right to choose several deputy mayors who assist the Mayor and “it meets as a General Council when it deals with affairs of the departement and as Municipal Council when it deals with affairs of the commune” (Slack, 2003:16). As opposed to two-tier model the single purpose model is characterised by one unit that

¹¹A commune is a designation given to every city, town or village in France. It is the lowest level of administrative division in France.

¹²A departement is one of the ninety-six administrative units in the country of France.

covers a full range of services and has the overall responsibility for the provision of services over its area of jurisdiction, even in the remote areas there exist uniformity in service.

2.4.3. One-Tier Model

“Under the one-tier model of urban governance, a single local government is responsible for providing the full range of local services and has a geographic boundary that covers the entire urban area. Large single-tier governments are formed by amalgamation or by annexation” Slack (2003:17). One-tier governments provide a wide range of services and this could be financed from a variety of user fees and tax sources levied across the metropolitan area; there is one political body which makes both taxing and spending decisions.

One-tier cities are prone to provide uniform services throughout the metropolitan area, but this is not a necessity since amalgamated municipalities that form one-tier municipalities may require differential services and service levels within their respective and different territories (Slack, 2003:17). For example the rural residents may require services which are different from the urban residents since people are influenced by the environment in which they live which may also have a different terrain altogether. In one-tier cities services are not standardised and thus the tax rates should not be standardized according to Slack (2003:17). In as far as this point is concerned; there is an opposing argument that amalgamation is created for one jurisdiction that encompasses the entire city-region.

The main advantages of one-tier government include: better service coordination, clearer accountability, more streamlined decision-making and greater efficiency (Boyne (1992) in Slack, 2003:18). The sharing of tax base and funding provides for equitable access of services. According to Bahl and Johannes in Slack (2003:18) “the larger taxable capacity of one-tier government increases its ability to borrow and to recover capital and operating costs from user fees”.

Slack (2003:18-19) points out that “there is some debate however, over the success of a large one-tier government at achieving accountability and efficiency (in terms of savings). In terms of accountability, it has been argued that large-scale one-tier government reduces access and accountability because the jurisdiction becomes too large and bureaucratic”. In some other cases local issues are addressed by community committees or satellite offices “which are distributed across the municipality where people can pay tax bills, apply for building permits, etc”. The committees and satellite offices increase accessibility of services but the accountability remains questionable. Less accountability often increases corruption, unethical practices and less commitment with service delivery in the satellite offices likely to be poor.

“In terms of efficiency, municipal amalgamations suggests that cost saving are elusive. There tends to be a reduction in duplication when several municipalities are amalgamated – in particular, the number of politicians and bureaucrats is reduced. There is also a tendency for expenditure increases, however, when municipalities with different service levels and different wage scales merge” (Slack, 2003:19).

Amalgamations result in the harmonisation of service level across the new municipality and this will in turn equalize up to the highest service level enjoyed before amalgamation. The harmonization of service levels will also increase costs. If some municipalities are not able to provide adequate level of service due to inadequate resources, “amalgamation allows them to provide a comparable level of service as other municipalities in the region and thus such an amalgamation increases equity with the region” (Slack, 2003:19). However, “Amalgamation

tends to reduce competition between municipalities because there is less incentive to be concerned with efficiency and less incentive to be responsive to local needs. The lack of competition reduces efficiency in the delivery of services and results in higher costs” (Slack, 2003:20)

2.4.4. Voluntary Cooperation

Voluntary cooperation is “described as the ‘minimal’ government restructuring in which there is an area-wide body based on voluntary cooperation between existing units of local government in agglomeration with no permanent, independent institutional status” (Sharpe (1995) in Slack 2003:22). Voluntary cooperation is common in United States and France, and “its area-wide bodies are easy to create politically and can also be disbanded easily” (Slack, 2003:22). “Voluntary cooperation is also common where local autonomy is highly valued: municipalities can retain independence while reaping the benefits of independence” (Slack, 2003:22)

“The voluntary model is included under governance of metropolitan regions even though it does not include an elected, area-wide government. It is included because it recognises the inter-relationship of cities within the region with some form of area-wide arrangement” (Slack 2003:22),

Cooperation can include different forms “including consortia, communities of communes, urban communities (France), joint inter-municipal authorities (Spain and Belgium), public bodies, joint agency and core cities (Netherlands)” (Hermann, Tamas, Gabor Peteri and Gabor Ungvarim, (1999) in Slack, 2003:22). These forms of cooperation include administrative and political integration in that there is some form of representation on the boards from the member local governments. “These organisations can levy taxes or collect contributions from the municipalities or they can levy user fees to pay for services” (Slack, 2003:22).

“Voluntary cooperation is an alternative way of providing services across a region without resorting to amalgamation. Municipalities can retain their autonomy with respect to expenditure and tax decision but, at the same time, achieve economies of scale in service delivery and address externalities associated with service provision” (Sharpe (1995) in Slack, 2003:23).

The problems that are prone to arise in voluntary cooperation are problems of accountability especially when services are provided by another jurisdiction while redistribution, on the other hand, is not automatic in this model but it can be agreed upon by the involved municipalities. Regardless of its loopholes, voluntary cooperation has grown steadily around the world due to the fact that voluntarism is “incremental, non-threatening, and capable of growing by trial and error” (Swianeniewicz (2002) in Slack, 2003:23). The voluntary model works well in a situation where ‘policy objectives are shared by all policy-makers in various local governments’, and may become dysfunctional when there are divergent objectives (Slack, 2003:23).

2.4.5. Special Purpose Districts

Special-purpose districts or special district governments are autonomous units with fiscal and administrative independence; they offer specialized services within designated and contracted areas across towns, cities and villages. “Single-purpose special districts provide similar municipal services for several municipalities or manage regional services with externalities. This form of cooperation among municipalities for region-wide services is used in countries where there is a history of strong and autonomous local governments” (Slack 2003:25). The example is provided by Slack (2003:25) of the United States;

“One third of local governments are special districts or school districts providing education, transportation, water and waste management, economic development and other services. Joint boards of the special districts are responsible for these services as well as taxing, price setting, and other policy-making. These districts are indirectly controlled by the individual municipal councils”.

The special purpose districts present several advantages that include service spill-over which can be addressed on an individual basis. The spill-over boundaries may not be the same for each service, and thus “separate districts could be established such as a region-wide transit district or hospital district” (Bahl and Johannes (1992) in Slack, 2003:25).

The other advantages include the services that are provided by professionals with expertise, and the professional may have the decision making authority taken away from political influence (Slack, 2003:25). Independent, professional decision making brings about more efficiency in service delivery; expertise is not hampered by political connotations of elected officials.

Problems with special purpose bodies include the fact that “each body has responsibility for a single service and is not required to make tradeoffs between, for example, expenditure on transit and expenditures on water and sewers” (Slack, 2003:25). Secondly, “the proliferation of decision-making bodies has ‘created a diffuseness of government organisations that is difficult for citizens to understand’. There is no citizen control and there is a confused accountability” (Slack, 2003:25-26). Without the citizen involvement, democratic values are lessened and the people hardly cherish the principles for which special purpose districts stand for.

“The third problem is that there is no direct link between the expenditure decisions made by the special purpose agencies and the local council which collects taxes to fund them”, and this unavailability of “link between expenditures and revenues reduces accountability” (Slack, 2003:26). Fourthly, with the lack of accountability, “there is no incentive to be efficient”, and finally, interrelated activities are not easy to be coordinated “when there is a large number of independent special purpose bodies” (Slack, 2003:26). Duplication of efforts is a real likelihood and can result in high costs

There are solutions identified to address problems of coordination; there should be an “overlapping membership so that some of the same people are on a number of district boards”, district with multi-functions instead of single-purpose districts are encouraged and there are suggestions to control operations of districts in order for them to remain separate authorities which would still be subject to political considerations of the decision making process (Slack, 2003:26).

The decentralisation models however different, they are closely associated with strategies to decentralisation because within the models daily business is backed up politically; it is administratively conducted and fiscally attached while the markets increase the tax base in the form of revenue.

2.5. Decentralisation strategies

Within the models of decentralisation at the lower levels of government, there are four broad decentralisation strategies. These strategies are in the form of political, administrative, fiscal and market decentralisation located between these models of decentralisation (Ebinger et al., 2011: 555).

2.5.1. Political decentralisation

The rationale for strengthening local governance has always been to break the grip of national bureaucracies on the development process, and to disband the monopolization of power that is enshrined within national governments through the formation of strong regional and local governments (United Nations in Joint UNDP-Government of Germany, 1999:10).

Political decentralisation is “the transfer of state functions that have either been allocated previously on the level of central government itself or on states’ decentralised agencies into the sphere of local government” (Ebinger, Grohs and Reiter (2011: 555) According to Ebinger et al., (2011:555) political decentralisation means locally legitimised bodies are enabled to independently decide on the planning, financing and administration of their executive functions.

Political or democratic decentralisation is established by constitution and by legislation or other national policies to unite the local populace into the decision-making process through better representation by fully representative local governments (Sperfeld, 2006:8; Lesotho, 2006:12; Larson and Ribot, 2004:3). According to Ribot (2002b) in Larson and Ribot (2004:3) political decentralisation is premised on new local institutions which are directly accountable to and representative of the local populace with inherent autonomy to make and implement meaningful decisions.

With democratic decentralisation the difference is made between unitary¹³ and federal¹⁴ states. The federal states have one or more regions that govern themselves through a process of devolution where a previously centralised state gives autonomy to a formerly subordinate region. The unitary states on the other hand share legislative, executive and judiciary competences between national and regionally defined political entities.

The constitution and constitutional functions of federal states cannot be changed by central government whereas in the unitary states, some of the local governments can be created or reduced by central government if it feels that the change is so required. The unitary states may have the autonomous regions that each constitutes a sovereign entity but there is one National tier of government in which the sovereign power is concentrated and centralised as of a right. Federal states have sovereign, political powers without power in relation to foreign policy but have alliances between themselves.

The federal system is expensive and institutionally complex as it requires high levels of cooperation and the commitment of the sub-national levels to strengthen the institutionalisation of good governance while under the unitary system local governments work as the administrative units of the central government with some local autonomy safeguarded (UNDP, 2002:7).

2.5.2. Fiscal decentralisation

Fiscal decentralisation connotes the (legal) power of local governments to administer budgets in relation to their priorities ‘with their own expenditure and revenues independently from the overall government and the right to levy local taxes and fees’ (Sperfeld, 2006:9; Thieben,

¹³The unitary state is a country that is governed through a single and centralized unit with one legislature which is created constitutionally.

¹⁴Federal states are countries which have component states with sovereign powers that cannot be exercised by central government. “Federal form of government has a multilayered structure with decision making shared by all levels of government”. Shah and Thompson, (2004:2)

2001:2). It can be depicted that control over budgets is a tool for local governments to be fully in charge of their daily business and to have appropriate authority. Hankla and Downs (2010:726) further stress that taxation and autonomy give local governments complete independence in running their affairs, and local governments get more “freedom to raise their own revenue”. Fiscal decentralisation requires the existence of political and administrative decentralisation as the prerequisite while decentralisation itself should be well designed and crafted to address critical issues of the periphery while simultaneously safeguarding the national interests.

Fiscal decentralisation is compatible with a democratic system of governance because the democratic system may require strict control over decisions by sub-national governments “and because fiscal decentralisation facilitates political competition” (Thieben, 2001:4). It could also be argued that “fiscal decentralisation lessens concentration of political power, weakens the influence of vested interests on public policy and this could promote democracy, development and economic growth” (Thieben, 2001:4-5).

The shortcomings of fiscal decentralisation may require the intervention of central government, and “this intervention inhibits fiscal autonomy, responsibility and accountability of sub-national governments” (Thieben, 2001:5). Fiscal decentralisation may breed social inequality in that “incomes and tax bases may be unevenly distributed among jurisdictions and regions and wealthier communities and regions may attempt to fend off the low-income households. Thus, there needs to be a centralised redistribution policy” (Thieben, 2001:5). This means that a centralised redistribution policy would maintain equilibrium in the socio-politico-economic setting.

The sub-national governments should have good local taxes for fiscal decentralisation to flourish. The low degree of urbanisation is detrimental to local governments of rural areas which are faced with a poorly diversified tax base and weak democratic controls, hence the “rising degree of urbanisation may facilitate decentralisation and vice versa” (Prud’homme (1994) in Thieben, 2001:7). It can be deduced that with a complete and functioning decentralisation and management of natural resources, revenue could be raised in the rural areas because rural areas are often rich with natural resources which need to be placed under control and management of local authorities in order for economic growth and urbanisation to suffice. The rural areas of Lesotho for example have natural resources and minerals in abundance and they (natural resources and minerals) are yet to benefit the local populace.

2.5.3. Market decentralisation

“Market decentralisation seeks to create markets for the delivery of public tasks” (Sperfeld, 2006:9). The provision of public goods and services through created markets would be done in accordance with citizens’ preferences. Market decentralisation can also be referred to as divestment. Divestment means that planning and administrative responsibilities or public tasks are “transferred from government to voluntary, private or non-governmental institutions with clear benefits to and involvement of the public” (Joint UNDP-Government of Germany, 1999:8; UNDP, 2002:7).

In other instances governments transfer some functions to other private, professional or parastatal organisations or co-operations to regulate, operate or supervise institutions or organisations that the government previously controlled on its behalf. The market decentralisation or divestment can

also be identified with contracting out or outsourcing, deregulation or full privatisation¹⁵ which is the alternative service delivery mechanisms in New Public Management.

2.5.4. Administrative decentralisation

Administrative decentralisation means that local governments have powers to recruit, discipline and dismiss their own staff. Administrative decentralisation seeks to transfer the decision-making authority, management, raising and allocation of resources and responsibilities in the delivery of services from the national tier of government to sub-national governments, agencies, voluntary organisations, line-ministries and field offices of national government line agencies (Rondinelli and Nellis (1986) in Johnson et al., 1989:58-59; Polyamoli, 2011:5; UNDP, 2002:6). Administrative decentralisation happens at the same time with the public sector reforms.

Under administrative decentralisation local authorities act under the directives of central government which has full control and provides oversight over local government activities. While local authorities are seen as agents of central government, the degree of autonomy experienced by sub national levels of government is used to define administrative decentralisation “in terms of the control exercised over local revenue” (Schneider, (2003) in O’dwyer and Ziblat, 2006:341).

O’dwyer and Ziblat (2006:341) maintain that “the higher the percentage of local revenues that comes from taxes, the higher the level of administrative decentralisation, since of all forms of revenue, taxes offer sub national governments the greatest autonomy in policy making”. A high percentage of local revenue gives local governments the green light for administrative freedom in response to the local basic needs. Grants and loans from either donor agencies or national government present a lesser autonomy and discretionary transfers offer the least (O’dwyer and Ziblat, 2006:341). Grants and loans compel sub national governments to become dependent and fully subservient to central government and pose a threat to sub-national governments of becoming the extension of central government.

Ebinger et al., (2011:555) maintains that “administrative decentralisation marks a more moderate form of re-ordering of intergovernmental relations.” With administrative decentralisation, the intergovernmental relations are enliven, making it easier for sub national governments to make integrated development planning and avoid duplication of efforts by government departments, donor agencies or NGOs. The local authorities act as agents of national governments or governmental offices and “remain at least formally under the state’s full control, not only of the legality but also of the functionality and the professional quality of the respective action” (Wollmann (1997) in Ebinger et al., 2011:555).

2.6. Decentralisation Modes

Decentralisation process means “the redefinition of structures, procedures and practices of governance to be closer to the citizenry the importance of a general sensitization of the public and heightened awareness of costs and benefits, especially for direct stake holders, both at the central and local levels, has to be emphasised” (Joint UNDP-Government of Germany, 1999:12). This means that decentralisation, as democratic as it may be, is expected to redefine central and local government relations to each other, the tasks and resources involved between them thereby increasing benefits for the local populace while stakeholders are sensitised of the costs.

¹⁵Privatization is a process that involves the shifting of responsibility for production of goods or supply of services to private organizations by the government (Joint-UNDP- Government of Germany, 1999:8).

“Decentralisation is not a once-and-for-all act. It is a complex process that involves fundamental changes in attitudes about the way the public sector works. All major actors involved typically start from positions inconsistent with decentralisation” (Smoke, 2003:14). The depiction is that decentralisation as a multifaceted phenomenon takes a long time and processes to come to a desirable stage because it is also a transition that demands patience, understanding and total commitment from the electorate, elected and public officials.

Central officials are used to making huge decisions and controlling local authorities extensively while local officials on the other hand may be comfortable with extensive subsidisation and control of central government and they may not feel comfortable at being accountable to local residents. Local people on the other hand are not used to expecting much response from local governments or paying anything for services, and these attitudes require time and patient consultation to change (Smoke, 2003:14).

Decentralisation processes are achieved through three-stage approaches of devolution, deconcentration and delegation under administrative decentralisation. Devolution concerns mostly autonomy, delegation concerns the agencies and executive departments while deconcentration concerns mostly administration between departments of different spheres or levels.

a) Devolution

“Devolution is an arrangement in which there are reciprocal, mutually beneficial, and coordinated relationships between central and local government” (Joint UNDP-Government of Germany, 1999: 6). The autonomy that is embedded in devolution serves to promote three fundamental values of liberty, participation and efficiency. Devolution promotes co-operation while promoting values of democratic governance and response to the needs of localities. Devolution means that functions of a political nature are transferred from the central units to lower political units where they can be effectively performed with more relevance. These tasks are decentralised to autonomous and democratically elected institutions together with the discretionary decision-making powers and associated resources (Hollis and Plokker, 1995:62).

“Through devolution, the national government relinquishes certain functions or creates new units of government that are outside its direct control. Federal states are by definition devolved, though the extent of legally defined and shared powers devolved by the federal government to lower level government units can be quite limited” (Joint UNDP-Government of Germany, 1999:6). By relinquishing certain functions central government is able to concentrate on strategic matters of national economic and political nature to make the state more prosperous, peaceful and diplomatically powerful.

Devolution has the potential to enhance rural livelihoods through the establishment and empowerment of local resource user groups in which improved ways of managing and utilizing natural resources are identified implemented, thereby improving the resource base which poor people entirely depend on (Baland and Platteau (1996), Ostrom (1990) in Johnson, 2001:526).

There is a misconception however that ‘devolution means the abdication of all service responsibilities by the centre’ whereas the centre’s responsibilities lie in “policy formulation, regulation, monitoring/evaluation and certain aspects of some services” (Olowu, 2003:44). This implies that central government is not absolutely excluded from taking responsibility within the local government arena; it has a role to play sometimes in the redistribution of resources.

b) Delegation

“The decision-making and administrative authority for carefully spelled out tasks are transferred within institutions and organisations that are either under indirect government control or semi-independent” (Joint UNDP-Government of Germany, 1999:7). “Delegation involves a transfer of functions on an agency basis to organisations within national government, typically parastatal agencies or local authorities with some financial and administrative separation” (Hollis and Plokker, 1995:62).

With delegation the functions which were administered by the units of central governments are decentralised to local authorities. The parastatal agencies or local authorities execute these functions using their own independent budgets. Delegation is common within governments and fall short of devolution, “most typically, delegation is by central government to semi-autonomous organisations not wholly controlled by the government but legally accountable to it, such as state owned enterprises and urban or regional development corporations” (Joint UNDP-Government of Germany, 1999:7).

c) Deconcentration

Deconcentration involves the transfer of functions to lower levels within central government itself through primarily an administrative arrangement (De Visser, 2005:14; Ebinger et al., 2011:555; Hollis and Plokker, 1995:62). The sub-units of a centrally controlled organisation “usually has a delegated authority in policy, financial and administrative matters without any significant independent local inputs” (Joint UNDP-Government of Germany, 1999:7).

The central authority gains greater control of the peripheral parts of the country through the appointment of officers or staff that is responsible to the officers in the capital, and they are still part of the central authority (Bray, 1985:185).

Deconcentration involves a limited transfer of authority, and this authority is for “specific decision-making, financial and management functions by administrative means to different levels under the same jurisdictional authority of central government” (Joint UNDP-Government of Germany, 1999:7; Jutting, Kauffmann, Mc Donnell, Osterrieder, Pinaud and Wegner, 2004:9). The bodies which are responsible to higher tiers departments are the extensions of the central government (Ribot, 2003:9).

“Deconcentration is the least extensive type of administrative decentralisation, and it is most commonly found in developed countries” (Joint UNDP-Government of Germany, 1999:7). It is the weaker form of decentralisation because it involves a downward accountability which is not well established as in the political form of decentralisation (Ribot, 2003:9). “Deconcentration of public services- transfers of power to local administrative bodies- aims to help line ministries, such as health, education, public works and environment, to read the preferences of local populations and to better mobilise local resources and labour” (Ribot and Larson, 2004:3).

Some scholars maintain that it is not easy to find a nation which uses or has adopted only the one mode of decentralisation discussed above. Countries often make appropriate combinations of modes of decentralisation to align with and which suit local conditions while at the same time they (countries) pay attention as to how much powers and functions to decentralise to the local level.

2.6.1. The Emanation of decentralisation

“Decentralisation has a bottom-up or top-down processes. A bottom up process of decentralisation entails resident-voters organised in Tiebout¹⁶-type communities and declaring home rule for local public services and asking higher level governments to be supportive of these efforts. This has been the dominant mode of decentralisation in North America and Northern Europe” (Shah and Thompson, 2004:21). According to them a top-down process of decentralisation is followed in Southern Europe where central governments shift some of their responsibilities downwards.

In most African countries, South Asian regions and Latin America, the governments choose the decentralisation reform in which local village-level governments have a low capacity, no tax base, no access to independent spending, and limited “decision-making powers restricted to the administering of higher-tier grants for local infrastructure and beneficiary selection of welfare schemes” (Khemani, 2010:2).

As stated in section 2.2 democratic local government is traceable from the West European countries as far back as the 16th century while the 20th century became the era in which local government was intensively studied, scrutinised and disputed. In England writers and philosophers moved towards the London School of Economics and Political Science, and they built an influential body of work and ideologies around local governments (Bayat et al., 1997:23).

According to UNDP (2002: 5), the concept of decentralisation gained popularity in the 1950s and 1960s when the British and French colonial administrations prepared the colonised countries for independence by devolving responsibilities to local authorities. In most African countries the British-African style of local government was created at the terminal colonial period only to be abandoned a few years after independence due to open political competition and the need to accumulate central power (Mawhood, 1993:7).

In the 1980s decentralisation attracted more attention as it was put on the front line of the development agenda with the renewed global emphasis on good governance and human-centred approaches to human development (UNDP, 2002:5).

In the 1990s Local government or decentralized government became a fresh focus of interest since it is viewed to be a manifestation of pluralist democracy; LDCs and developing countries embarked upon decentralisation policies with the intension of improving allocation, management and mobilisation of resources in pursuit for quality service delivery, accountability, economic and social development (Sperfeld, 2006:1; Mawhood, 1993:vii).

According to UNDP (2010:viii) United Nations Development Programme has been supporting local governance and decentralisation processes for the last 30 years. The demands for UNDP to help countries with the local government reforms are increasing due to the realisation that the reforms bring about the difference into the lives of people; men and women, those who are worse off, the marginalised and the disadvantaged communities (UNDP, 2010:viii).

¹⁶Tiebout (Charles) was an economist and geographer who created a theory known as the Tiebout model which advocated for consumers’ freedom to choose their communities, and to move from community to community with full knowledge of services provided by local governments.

Both the developed and developing countries pursue decentralisation policies and process for different reasons according to Robert Ebel in UNDP (2002:5);

“The European countries see decentralisation as an alternative for provision of public services in a more cost-effective way. Developing countries pursue decentralisation reforms to counter economic inefficiencies, macroeconomic instability and ineffective governance. Post-communist transition countries are embracing decentralisation as a natural step in the shift to market economies and democracy. Latin America is decentralising due to the political pressure to democratise. African countries see decentralisation as a path to unity.”

Countries around the world pursue decentralisation for multiple reasons: For poverty reduction, promotion of sustainable human development, good governance¹⁷, improved service delivery, for promotion and protection of cultural diversity, for meeting of millennium development goals. The achievement of the millennium and national goals is seen as possible through decentralised system where almost every individual, NSA, CBOs, lower tiers of government, are involved in development processes in unison with central government which concentrates on the higher missions concerning the country.

Decentralisation is further promoted for the objective of “dismantling central government, consolidating national unity, consolidating central power (by shedding risks and burdens), improving citizen participation and local democracy, improving efficiency, and making local government stronger” (Ribot, 2004:8; De Vries, 2000:197).

“Most African governments place poverty reduction high on their political agendas’, and through political devolution most governments aim to reduce poverty by adopting an empowerment strategy that creates space for people to effectively participate in the decision making processes (Bossuyt and Gould, 2000:2). According to van Hoof (2009:5) poverty should be understood as lack of access to livelihood and basic necessities as well as the “exclusion from decision making processes and improving the quality of governance at local level which forms a vital element in combating the structural causes of poverty”.

Bossuyt and Gould (2000:2) maintain that poverty reduction and decentralisation might be connected through a resource mobilisation strategy because “when people are given greater control over local statutory structures, they may be motivated to commit more assets to the common good”.

2.6.2. Rationale for decentralisation processes

Decentralisation as a concept covers many different governmental and developmental objectives around the world. Developing and transitional countries embark on some forms of decentralisation processes to attain the following: Citizen Participation, improved efficiency, improved governance, improved equity, improved development and poverty reduction and remedy for institutional ills

¹⁷Good Governance is comprised of central principles which include Responsibility, Predictability, Transparency, and Accountability. Governance is taken to refer to “new ideas related to the involvement of society in the process of governing”(Roiseland, 2011: 3). It is defined as a self-governing intergovernmental network consisting of the process of articulating common priorities, bringing coherence to common purposes which include exchange of resources with accountability well established and a significant degree of autonomy from the state(Roiseland, 2011: 3; Smith, 2003: 4).

2.6.2.1. Citizen participation

Citizen participation is defined as an open (transparent), accountable and democratic process of engaging people, deciding, planning and playing a pivotal role in the development and operation of services that affect people's lives (Mafunisa and Xaba, 2008:454).

Advocates for decentralisation contend that it promotes participation in decision-making while relevance and accuracy of planning are improved because "decentralised structures are flexible and encourage greater sensitivity to local needs" (Bray, 1985:186). As indicated in sub-section 2.2.1.9, participation open avenues for flow of political information, communication and debates as government is accessible to all citizens.

"Citizen Participation in public policy is imperative for democratic local governance. Participation becomes meaningless unless local authorities have sufficient functions, powers and resources to implement policies and decisions. Participation is also less effective if communities are not empowered to participate fully in public issues" (Bayat, et al., 1997:31-32).

Citizen participation plays an important "role in the sustainability of programmes and quality of life improvements. Bringing stakeholders together to define priorities for projects and programmes increases interest and sense of ownership, which in turn promotes sustainability"(UNDP, 2002:4).

"Supporting open dialogue and participation between the local government and civil society can ensure improved self-reliance. The Local Initiative Facility for Urban Environment (LIFE) in Tanzania has helped strengthen the link between civil society and local governance institutions, thereby improving local capacity to solve key development problems" (UNDP, 2002:4).

The encouragement of a culture of participatory democracy helps in ensuring the accountability of elected local government officials thereby increasing "responsiveness of local authorities and improved service provision which assists in better revenue and local tax collection" (UNDP, 2002:4). "The United States Agency for International Development (USAID) is sponsoring a programme in Nigeria that aims to promote more effective participation in the democratization process. As a result of the project, more grassroots organisations are helping women learn about their rights, identify special concerns, and generate support for their issues. As a result women are gaining greater decision-making abilities in the household, community and political arenas". UNDP (2002:4)

Citizen participation has objectives which include provision of information to the electorate as well as getting information from the people. Improvement of public decisions, supplementation of public agency work, alteration of political power patterns, resource allocation, protection of individual and minority group rights as well as avoidance of complicating public decisions, constitute the objectives of citizen participation (Brynard in Kakumba and Nsingo, 2008:109).

"Citizens demand more information on how public goods are managed, and they want to know how their tax money is spent. They expect better services, and they want to participate in developmental processes and in making decisions that will affect them. Citizens further more progressively demand more interaction with their local government, accuracy of information, reduced processing times, less duplication of work, access to municipal structures, increased transparency and greater access to public goods... to participate, citizens need to obtain information about how municipalities work, how decisions are made and how civil society is

organised. They must know mechanisms and instruments for participation...” (Van der Waldt 2007:26)

Participation is pivotal in a decentralised process because it is closely linked to Information, Communication and Technology (ICT) which facilitates its operational mechanisms as information is highly valued by citizens. ICT is seen as the valuable tool for reform and transformation and for leveraging second world economies up to the first world economies. The World Summit on the Information Society sees e-government as people-centred, inclusive and development oriented because everyone has access and share information and knowledge (Farelo and Morris, 2006:1). E-government is woven into citizen participation because it is the simplest means for interaction with the electorate; it is the means to principles of good governance.

Nowadays more developed ‘wired’ countries experience information-age democracy as ‘e-citizens’; e-democracy has great potential to promote citizen participation to a highest degree through the usage of internet, mobile communications and other technologies; it could also bring about a different role for government and more participatory forms of direct citizen involvement in efforts to respond to public challenges (van der Waldt 2007:43).

Information is trumpeted to be the foundation of all governing because it guides decisions and through the acquirement and dissemination of information the people gain power (Mayer-Schonberger and Lazer, 2007:1-6). According to Mayer-Schonberger and Lazer (2007) ICT is touted to be the cure of the rigid, silo-based architecture of government and sagging rates of participation within the democratic dispensation; electronic government consists of defined stages that include a web presence of public institutions, means for the local populace to communicate with these institutions and availability of services online. This in turn leads to the transformation of the public sector (Rais Abdul Karim and Mohd Khalid (2003) cited in Mayer-Schonberger and Lazer, 2007:2).

2.6.2.2. Improved efficiency

Decentralisation leads to increased efficiency because it can be a tool for central authorities to better identify people’s needs and preferences more especially because local authorities are closer to people and have knowledge of their real needs and preferences (Smoke, 2003:9; Jutting et al., Corsi, Kauffmann, McDonnell, Osterrieder, Pinaud and Wegner, 2005:627-628).

“Decentralisation is expected to have a strong and positive impact on poverty through increased efficiency and better targeting of services. Enhanced efficiency in service provision improves people’s access to education, health, water, sewage and electricity, highly important poverty-related concerns” (Jutting, Kauffman, Mc Donnell, Osterrieder, Pinaud and Wegner, 2004:11)

2.6.2.3. Improved governance

Decentralisation is trumpeted to enhancing accountability and monitoring government officials and decision makers thereby prohibiting the wayward or unacceptable or unethical practices within the public spectrum (Jutting et al., 2004:9).

Political decentralisation, especially the election of local officials by citizens when accompanied by a strong legal framework, can create local accountability and thereby foster officials’ legitimacy, bolstering citizen involvement and interest in politics, political equality, leadership development, education, responsiveness and deepening the democratic nature of institutions (Blair (2000), Crook and Manor (1998), Manor (1999) in Jutting et al., 2004:9).

An improved or principles of good governance hoped to be achieved through the decentralisation process are transparency, participation, accountability and predictability. The procedures taken through the operations of the public sector should be open and forthcoming with the information for citizenry; citizens should be participating in political process, budgeting and planning, decision-making and communication through modern technologies or e-government systems which facilitate and put the public at the centre of development; elected and public officials should be held responsible or accountable for public businesses and the government procedures and conduct should be expected and not unpredictable.

2.6.2.4. Improved equity

If local governments are familiar with local circumstances', they are best suited to "equitably distribute public resources and target poverty within their jurisdictions. They are only restrained by their internal resources, so the redistribution from the richer to the poorer must be the responsibility of central" (Smoke, 2003:9). Central government, districts and regions therefore intervenes to put balance between local governments so that the resources are evenly distributed and benefit all citizens indiscriminately.

2.6.2.5. Improved development and poverty reduction

Local governments are expected to make a meaningful contribution to local economic development in various ways through provision of "productive and distributive inputs for local firms and entrepreneurs", they can contribute to a legal and institutional environment that is conducive for development, they can coordinate key local public, private and community actors in creating partnerships that promote development (Smoke, 2003:10). It can be deduced that local economic development (LED) is instrumental in achieving most of the developmental aspirations of local government, more so because LED is concerned with the improvement of the economy and those methods connected with it.

According to Smoke (2003:10) "local economic development is required for sustainable poverty reduction but it is not a sufficient condition for it". This means that local economic development may be a requisite for reduction of poverty but LED alone is not sufficient to eradicate poverty, some other inter-connected developmental policies are needed to support LED.

2.6.2.6. Remedy for institutional ills

Decentralisation has become the strategy hoped to eradicate institutional ills by governments or donor agencies especially in troubled or so called failed states like Sierra Leone where attempts are being made to resuscitate long decayed local government structures (McAllister, 2002:122). In Central and Eastern Europe in the early 1990s, there was pressure from the local level for local democratic control and autonomy as a reaction to the failures of the centralised state over four decades (Coulson (1995); Pickvance, (1997); Sootla and Grau (2005) in Delay and Devas, 2007:678). Local government is seen as the solution to disparities, and a remedy to the ills created by the national government which is not close to the people.

In some other countries decentralisation has been seen as a way for reconstruction of states conflict, especially conflict arising from ethnic diversity (Brinkerhoff (2005) in Delay and Devas, 2007:678). "In Uganda, following civil war, Museveni reconstructed the state from bottom up, through local Resistance Councils which were subsequently transformed into local councils" (Delay and Devas, 2007:678). Post-apartheid South Africa emphasised the sub-national levels

through the adoption of the separate spheres of government in its New Constitution, 1996. (Cameron (2004) in Delay and Devas, 2007:678). “The reconstruction of Iraq- albeit largely imposed from outside- also involves a strong emphasis on elected local government” Brinkerhoff and Mayfield (2005) in Delay and Devas (2007:679).

“By encompassing mass participation, accountability and responsiveness, it is thought that decentralisation will improve the provision of needed services, and combat corruption and *bossism*” (McAllister, 2002:122). Decentralisation here is used as the tool to uproot corruption in its different phases and degrees. In countries that remunerate the employees below the standard at which they can attain respectful and reasonable living conditions, it is often argued that the employees had no option but to resort to corruption while those who are handsomely remunerated engage in corruption due to mere greed and moral deficiency.

Devolution of powers from the centre to promote inclusion is considered to have the potential to renew a conviction in the ability of methods to address issues which was previously dealt with through force and violence (McAllister, 2007:122).

Donor agencies further play a pivotal role in the decentralisation process in which they influence agenda for political, administrative economic reforms through the funding of local elections and provision of support to the decentralisation process itself (Bossuyt and Gould, 2000:6). ‘They channel resources directly to decentralised authorities on an experimental basis’ in order “to improve the local capacity for participatory planning; empower local communities to articulate their interests and needs vis-a vis local government (policy advocacy)...” (Bossuyt and Gould, 2000:6).

In order to clarify more on decentralisation, it is important to examine decentralisation in an international context through the selection of less developed and the developed countries. This will shed some light on the decentralisation reform process in practical terms.

2.6.3. Decentralisation process internationally

2.6.3.1. Decentralisation in the Asia-Pacific

Asia-Pacific is comprised of the countries which are demographically big in the form of China and India, high income countries like Japan, New Zealand, Australia, Republic of Korea, less-developed countries like Indonesia, Bangladesh and Nepal and the developing economies in the form of Thailand, Philippines, Malaysia, Pakistan, Vietnam, Cambodia and Laos.

Colonial models of governance influenced the Asia- Pacific; the British model influenced Australia, New Zealand, India, Pakistan, Sri Lanka and Malaysia, the Dutch influenced Indonesia, the French and communist models influenced Vietnam, Laos and Cambodia, Philippines was influenced by the United States model while the Marxist-Leninist ideology influenced China, Vietnam, Laos, and North Korea (Brillantes, Cabo, Celestino, Devas and Nickson, 2008:53).

The Asia-Pacific region is characterised by developed metropolitan areas which are ranked highly in the world. Local governments are categorized as wards, districts, communes, shires, counties provinces, cities, municipalities and prefectures. In federal nations like India, Pakistan, Malaysia and Australia “local governments are a function of the intermediate level of government” (Brillantes et al., 2008:54). The states within the region are categorised into the federal and unitary system.

The unitary states are constituted by the local governments that have sub-national layers of government, thereby placing local government under supervision of the national governments. Brillantes et al. (2008:56) maintain that in theoretical terms, unitary governments may incline towards centralism and constrain local autonomy however “robust local governments and local democracy exist in unitary systems like Japan, New Zealand and Philippines”. Federal Australia also has a strong system of local government. Australia and New Zealand are world renown for having the highest standards in as far as public sector reforms and good governance is concerned.

In the Asia-Pacific region, local governments use powers by virtue of *intra vires*; the powers, roles and responsibilities are set out in specific legislation or acts promulgated by national or state level government, with some countries having more or fewer local powers and functions assigned to them (Brillantes et al., 2008:56). Local government is enshrined in the national constitutions and other separate laws in this region. Important initiatives were made over decades to strengthen institutional framework in support of decentralisation.

Australia’s local government is not recognised in the commonwealth constitution but in comprehensive Local Government Acts passed by individual state parliaments. By the same token, “New Zealand has no consolidated constitution; local government was strengthened by national legislation in 2002 granting it general competence”. Despite the absence of the constitutional umbrella, “local governments in both countries enjoy substantial powers and responsibilities that are not observed in several countries in the region that do provide constitutionally for local government autonomy” (Brillantes et al., 2008:57).

Unlike other regions in the world, decentralisation and local democracy in the Asia-Pacific region has been pushed from the central government. In the case of Vietnam decentralisation was influenced by economic and administrative factors through the *Doi Moi* (renovation) process which started in the late 1990s. China also engaged in the decentralisation reform due to economic aspirations towards a market-based economy. Indonesia went through “the most radical decentralisation programmes in the world from 1999, shifting major functional responsibilities, resources and staff to local governments” (Brillantes et al., 2008:59). Indonesia was able to implement its programme in less than two years in which two million staff was transferred from central to local governments (Shah and Thompson, 2004: 24).

The decentralisation program in Indonesia was implemented swiftly by decentralizing national responsibilities by “by-passing the provinces”, and matching “local services with local preferences” (Shah and Thompson, 2004:24-25). Before this major shift of devolving decision-making powers, Indonesia was using a deconcentrated local administration. The big bang decentralisation was influenced “by the urgent need to satisfy the interests of the resource-rich outer islands of Indonesia which had long felt marginalised and were threatening to secede” (Brillantes et al., 2008:59).

Different nations in this region have a considerable variation in a number of tiers of local government. Federal countries like Australia and Malaysia have a single tier of local government; Pakistan has a triple tier while India has double or triple tiers in the rural areas. Unitary countries like Japan, New Zealand and Indonesia have two tier systems of local government; China has four sub-national government layers while Philippines, Korea and Vietnam have three tier systems of local government (Brillantes et al., 2008:60).

Local governments are entrusted with the performance of service delivery planning, education, social and health services, water supply, public transport and business development. “Education is the most notable service delivered by local government in the region” (Brillantes et al.,

2008:66). There is a dramatic private sector participation in local service delivery influenced by NPM especially in New Zealand while in India the NPM initiatives encouraged local governments to engage in “new activities and service provision arrangements through public-private partnership” (Brillantes et al., 2008:66). Local governments in this region are endowed with powers to impose tax through property or hotels, restaurants and places of entertainment. The degree of fiscal autonomy differs from country to country. Australia and New Zealand on the other hand generate a significant amount of revenue locally and are less dependent on intergovernmental fiscal transfers.

The institutional and policy frameworks for recruitment vary in the region but specific laws guide local public service; in Japan, the local public service law defines the criteria for recruitment, remuneration and benefits, disciplinary matters training and others, in China the committees of the Chinese communist party choose, manage, discipline and dismiss civil servants including those in local government. In Indonesia the national government control the appointment of local government staff while in New Zealand and Australia the local authorities appoint the chief executive officer. In Malaysia it is the responsibility of local governments to “recruit, train, promote and discipline their personnel and even manage pensions but all these actions require approval by the state government. Local budgets are also subject to state supervision” (Brillantes et al., 2008:73).

Corruption in local government in this region is a concern. Vietnam, Pakistan, Indonesia and Philippines are categorised as highly corrupt while Transparency International reveals that New Zealand is the least corrupt country in the world while Australia appears number nine in world rankings of the least corrupt countries. According to Brillantes et al (2008:76) decentralisation is perceived to have been the root of corruption in both China and Indonesia, however “democratization and strengthening of civil society may simply expose corruption to more public view”.

Central governments in unitary countries like China, Vietnam, Thailand, Philippines, Japan, New Zealand and Korea prescribe the powers and functions of local government. “In federal systems such as Australia, India, Malaysia and Pakistan local governments are responsible to the state or provincial government. In Australia, state and territory ministers for local government may dissolve local council and appoint administrators to carry out all local government functions” (Brillantes et al., 2008:77). In other Asian Pacific region countries, national government is wary of decentralisation programmes. For example, in the Philippines national legislators detested decentralisation as “it lessened their political power and influence” while in Pakistan political parties have disassociated themselves from “recent decentralisation initiatives since they see these as attempts by the military regime to weaken their political base” (Shah and Thompson, 2004:23).

The mutual interests of local governments within the region are advanced by local government associations through the performance of diverse functions. “The association act as representative and advocate local government interests in higher levels of government”. The Australian Local Government Association (ALGA) is the oldest association in the region and it “sits as a member in the premier Conference and Council of Australian Government and various ministerial councils, intergovernmental committees and specialist advisory bodies” (Brillantes et al., 2008:79). The senior local government management within both Australia and New Zealand have also formed their own national professional association by the name of Society of Local Government Managers.

In Asia Pacific local government elections are closely contested but they are characterised by manipulation and cheating by participating parties. Those parties that are represented in local

elections are more often the branches of national political parties. In countries like Indonesia independent candidates are prohibited (Brillantes et al., 2008:84). Serving in local governance is seen as gateway towards getting involved or becoming a candidate in national political elections. Local government service is a prerequisite for central government service in this part of the world.

2.6.3.1.1. Summary of lessons that can assist Lesotho

Colonial models of governance influenced the Asia-Pacific. The British Model influenced Australia, New Zealand, India, Pakistan, Sri Lanka and Malaysia; the Dutch influenced Indonesia while the French and communist models influenced Vietnam, Laos and Cambodia, the United States influenced the Philippines and the Marxist-Leninist ideology influenced China, Vietnam, Laos and North Korea. The metropolitan areas in Asia-Pacific are ranked highly in the world. Local governments have sub-national layers of government, thereby placing local government under the supervision of national governments. Powers, roles and responsibilities of local governments are set out by legislation or acts promulgated by central government. Local government is enshrined in the national constitutions and other separate laws. Countries like Australia and New Zealand do not have their local governments under a constitutional umbrella but they have substantial responsibilities and powers that are rare in several countries that have local government autonomy protected by a constitution.

Central government in the Asia-Pacific has played a bigger and crucial role in ensuring that decentralisation and local democracy became a success unlike other regions of the world. Countries like Vietnam and China pursued decentralisation due to economic aspirations. Indonesia engaged the most radical decentralisation programmes in the world. It adopted a big-bang approach in which the decentralisation programme was implemented at high speed. Functional responsibilities, resources and staff were shifted from national government to local government within a period of two years and the transferred staff amounted to two million.

Local governments are entrusted with the performance of service delivery planning, education, social and health services, water supply, public transport and business development. Education is the responsibility of almost every local government in Asia-Pacific. A high participation of private sector in local governments has been encouraged by adoption of the NPM reform. Local governments in this region have the powers to impose tax through property or hotels, restaurants and places of entertainment. The degree of fiscal autonomy differs from country to country. Australia and New Zealand on the other hand generate a significant amount of revenue locally and are less dependent on intergovernmental fiscal transfers.

Institutional and policy frameworks for recruitment vary from country to country in the region; in China, the communist party chooses, manages, disciplines and dismisses civil servants including those in local government. In New Zealand and Australia local governments appoint their own chief executive officers. In Malaysia it is the responsibility of local authorities to recruit, train, promote, discipline and manage pensions of staff through the approval of the central government. Corruption in local government is however a major concern within this region.

Unitary countries like China, Vietnam, Thailand, Philippines, Japan, New Zealand and Korea prescribe the powers and functions of local government while federal countries like Australia, India, Malaysia and Pakistan local governments are responsible to the state or provincial government. In Australia the state and territory ministers for local government have the powers to dissolve the local governments and appoint administrators. In some countries like the Philippines, national legislators detested decentralisation with the fear that it lessens their political power and

influence over the electorate. In Pakistan political parties do not like decentralisation initiatives because they see decentralisation as the strategy by the military to weaken their political base. Local government associations in this region represent the interests of the local authorities and the staff. Senior managers in New Zealand and Australia have their own national professional association named Society of Local Government Managers. Local government elections are however closely contested in the region and they are characterised by manipulation and cheating by participating parties which are often the branches of national political parties. In Indonesia independent candidates are prohibited from contesting elections. Serving in local government opens avenues towards becoming a servant in central government service or national political elections.

2.6.3.2. Decentralisation in Latin America

Latin America extends from Mexico near United States of America to Tierra del Fuego at the tip of South America. Latin America is made up of Mesoamerica¹⁸, the Antilles¹⁹, South America²⁰ (Andean countries) and the Southern Cone²¹ countries. This region is characterised by cultures which include descendents of Native Americans, Spanish and Portuguese colonisers, African Slaves and successive waves of European immigrants” (Carmona and Rosales, 2008:171).

Latin America is classified by great inequality in distribution of wealth and almost 40 percent of the population live below poverty line. The inequality that is prevalent in this region hinders the upliftment of a democratic dispensation and prevents citizens from exercising their freedom to the fullest extent (Human Development Report, UNDP, 2005 in Carmona and Rosales, 2008:171).

Latin America has always been dominated by authoritarian regimes which began to ebb away from the 1980s onwards as a result of the adoption of democratic systems, public sector and local government reforms. The motivation for decentralisation in Latin America was mostly to “prevent return to autocracy” and to enhance the citizen participation (Shah and Thompson, 2004:3). “The majority of countries are democratising and reforming their states through institutional, political and legal transformations, of which decentralisation and strengthening of sub-national governments are part” (Carmona and Rosales, 2008:171).

Three federal nations; Argentina, Mexico and Brazil, are the biggest in the region. Most of the unitary countries in South America have however, increased their municipalities. In this region, the first decentralising cycle commenced from the 1980s when Latin American nations were going through a debt crisis and high inflation. The second decentralisation cycle happened at the end of the 20th century in the middle of financial and social crisis with the nations that were affected including Argentina, Bolivia, Brazil, Ecuador, Mexico, Peru and Republica Bolivariana de Venezuela. The decentralisation process was instigated by the municipal management’s progress (Carmona and Rosales, 2008:174). Amongst the most decentralised countries in this region federal Brazil is ranked first.

Carmona and Rosales (2008:184) maintain that “the political autonomy of any sub-national government depends largely on its financial strength” while the self-administered revenue

¹⁸Mesoamerica is comprised of Mexico and the Central America nations of Belize, Costa Rica, Guatemala, Honduras, Nicaragua, Panama and El Salvador.

¹⁹The Antilles is made up of Cuba and the Dominican Republic and other English speaking countries like Antigua Barbados, Granada, Jamaica, Saint Lucia, Trinidad and Tobago.

²⁰It is constituted by Bolivia, Colombia, Ecuador, Peru, and Republica Boliviriana de Venezuela.

²¹Southern Cone countries include Argentina, Brazil, Chile, Paraguay and Uruguay.

emanates from local taxes under the direct control of independent local governments. In reality however, Latin American local governments struggle over the restrictions imposed on local taxation powers. The majority of municipalities in this region depend on central funds transfers because they have no powers to impose local taxes and duties.

In most of Latin America municipalities are denied the right to determine taxation. “The intermediate governments in the federal countries or national governments in the unitary countries retain the right to approve the respective values for municipal income laws” (Carmona and Rosales, 2008:184). In as far as the public services are concerned, municipalities are granted the right to offer urban cleanliness, refuse collection and treatment, drinking water, drainage and sewers, public lighting, town planning, parks, gardens and spaces for sport, markets, cemeteries and slaughterhouses, traffic regulation, roads and civic safety, public shows and culture” (Carmona and Rosales, 2008:189-190).

The management of some other public services are shared between the municipalities, intermediate entities and the central government. Those services that are commonly or regularly shared include planning, education, health, civil protection, environmental protection, sport and culture. Each tier of government takes responsibility for a certain portion of the policy when services are performed through sharing, however problems of coordination often arise (Carmona and Rosales, 2008:190). Problems that emanate through sharing may include ambiguities with respect to management accountability and responsibility.

Neo-Liberalism has influenced the majority of Latin American countries in the 1990s to privatize local services. Argentina granted all local public services in concession while Chile privatized the basic services such as water, sewers, electricity, gas and telephone systems. Bolivia and Ecuador privatized management of drinking water. In Brazil, the small municipalities exchanged their responsibilities on construction and maintenance of roads for fuel tax while education and health were transferred to municipalities with superior administrative capacity (Carmona and Rosales, 2008:190).

Chile, Brazil and Costa Rica are the best performers in the region in terms of development at the state level. Local officials in these countries have been integrated into the national career systems matched by municipal level systems. The service term for mayors and councillors ranges between four, three and five years in office: Dominican Republic, Argentina, Brazil, Colombia, Chile, Venezuela have mandates of four years; Mexico has a three year term, Cuba has a two and half year term while Panama, Bolivia, Peru, Uruguay and Paraguay have a five-year term of service. Mexico and Colombia are the exceptions in that re-election of councillors into office is not allowed within the local government system (Carmona and Rosales, 2008:194). In other countries re-election is allowed in as long as it is the will of the people for certain individuals to hold political office.

The participation of women or their political representation in local government elections is very low in this region. According to Carmona and Rosales (2008:195) ‘between 1999 and 2002, 838 women mayors served in sixteen Latin American countries representing only 5.3 percent of the total’ (**Table 2.2**).

Table 2.2

Women Mayors in Latin America (between 1999 and 2002)			
Country	Type of state	Number	Percentage
Panama 1999	Unitary	11	14.8
Costa Rica 1998	Unitary	10	12.3
Chile 2000	Unitary	39	11.4
Honduras 2002	Unitary	29	9.7
El Salvador 2000	Unitary	22	8.3
Nicaragua 2000	Unitary	11	7.2
Colombia 2002	Unitary	76	7.0
Argentina 1999	Federal	136	6.4
Bolivia 2002	Unitary	19	6.0
Brazil 2000	Federal	317	5.7
Paraguay 2002	Unitary	12	5.6
Venezuela 2000	Federal	16	4.7
Mexico 2002	Federal	80	3.3
Peru 2002	Unitary	52	2.6
Ecuador 2000	Unitary	5	2.3
Guatemala 1999	Unitary	3	0.9
Latin America		832	5.3

Source: United Nations

Latin America has opened the public debate throughout the region about the participation of women representatives in local politics. Initiatives and efforts “have been taken to improve the proportion of democratically elected women officials in local government”. The quota system has been adopted to upgrade women’s political involvement. “In Argentina for example, the law provides that women candidates must be positioned in proportions sufficient to get elected; in Bolivia, a minimum of one in three candidates has to be a woman; and in Paraguay, one in five candidates has to be a woman; by law in Mexico no more than 70% of the candidates can be of the same gender; and in Peru, at least 25% of the candidates must be women. There are electoral gender quotas also in Ecuador and Dominican Republic” (Carmona and Rosales (2008:195).

Citizen participation in local elections is high in Latin America. Percentages for participation are below that of the European countries but are higher than that of United States of America. “In Argentina, Brazil and Uruguay, participation exceeds 80% and voting is mandatory” (Carmona and Rosales, 2008:196). In the whole region politics and democracy are a buzzword nowadays with Cuba being the exception. Political competition has been invested in the region while procedures for citizen participation are defined in the constitutions and legal reforms. However the case may be that Latin America is yet to effectively utilise procedures for citizen participation to the fullest extent.

Transparency is one of the principles of good governance for which every country aspires to have. In pursuit of transparency, “Brazil and other countries have legislated to oblige local governments to publish their public accounts” (Carmona and Rosales, 2008:198). With transparency the general public is able to put their trust in public and elected officials, thereby becoming more inclined to making decisions that would bear tangible results with a full knowledge of their stance financially.

Native peoples constitute between 125million and 705million of the population in Bolivia, Ecuador, Guatemala, Peru and Mexico while more than 105million of the native population lives

in Chile, Belize, Paraguay, El Salvador, Honduras, Nicaragua and Panama. The rights of the minority and indigenous are being recognised but this recognition is embryonic and in progress.

Decentralisation processes have opened avenues for formation of national and regional associations of local authorities. Most of the regional and national associations of municipalities have established between 1980 and 2000 except in the case of Central American countries, Brazil and Ecuador. “In some Countries the associations enjoy legal status recognised by national legislation. The majority of countries also have sub-national associations of regional municipalities” (Carmona and Rosales, 2008:200) Associations play a pivotal role in making sure that the goals and aspirations of both the employees and the local government organisations are achieved. The general functions of the associations include providing information and training, offering advisory services, and “maintaining contact with the governments and channelling resources from international cooperation” (Carmona and Rosales, 2008:200).

Through decentralisation Latin America has made commendable achievements which are accompanied by certain limitations which need to be addressed in the near future if they are not dealt with right away. According to Carmona and Rosales (2008: 200-201) the achievements are as follows:

- “Election by the people of local authorities has become common, changing the way that parties operate, bringing about renewal of leadership and transforming the municipality into a space in which leaders are formed, from which various Presidents have already emerged;
- Multiple constitutional and legal reforms have transformed the states, with competencies and resources being transferred to sub-national governments, although not always with clear strategies and methods;
- Sub-national resources have increased significantly, although unevenly, and the average decentralized continental expenditure has risen from 11.6% in 1980 to 18.8% of total government expenditure between 2002 and 2005;
- The new responsibilities of the local governments translate into progressive institutional development – though uneven – where some municipalities stand out because of their capacity for initiatives and innovation, while others still cling to their traditional structures and practices;
- The local spaces for civic democracy have given rise to new experiences of participation by citizens, such as the strategic participation plan and participatory budgets;
- Experiences in municipal de-concentration or decentralization have also been developed to share management with the communities and open spaces to groups that were previously marginalized (indigenous populations below the poverty line);
- The new responsibilities of the local governments and the transformation of relations with the national governments are expressed in the creation and strengthening of the national and regional associations of local authorities;
- In various countries, such as Bolivia, Brazil, Chile, Colombia and Ecuador, the positive results attained through decentralization are reflected in the increases of local investment, extension of basic services, improvement in human development indicators, decrease in poverty and broadened citizen participation”.

The limitations, gaps and obstacles in the decentralizing process as stated by Carmona and Rosales (2008:201) are as follows:

- “Unequal relations and frequent subordination of the intermediate entities and municipalities to the central governments, heightened by the increase in fragmentation and municipal heterogeneity;

- Gaps between the proliferation of legislation and weakness in its application, which may be attributed largely to prevailing political and institutional cultures;
- Limited financial capacity of local governments, because of central resistance to handing over resources in a context of macro-economic instability, lack of financing policies and adequate credit, citizens not used to paying for subsidized services, but also because of the lack of political will to strengthen the local capacity to collect taxes;
- Low efficiency of many local administrations in delivering services, because of the absence of human resource policies and bad handling of personnel (rotation, lack of career paths), resulting in a low level of efficiency and professionalism in local personnel;
- Limitations in civic participation in development management due to a lack of adequate financial and local human resources, poor adaptation of central laws and policies, and difficulties in organizing and mobilizing the actual communities”.

In conclusion Carmona and Rosales (2008:203) state that “despite advances in decentralization, Latin America is still a continent with a high degree of political, territorial and economic centralization, exacerbated by concentration in the metropolises and immense social and territorial disparities”. This means that there is so much to be done in as far as decentralisation and democracy is concerned however certain countries like Chile and Brazil are leading the way in reforming the public sector.

Regardless of a high degree of political, territorial and economic centralization, decentralisation process has revived the regional spirit or aspirations about “local development for sustainable development at national level. The issue of good local governance is emphasized and understood as a form of territorial self-government based on participatory networks of local actors, public-private alliances and the mobilization of own territorial resources to activate the endogenous processes of development” (Carmona and Rosales, 2008:203).

2.6.3.2.1. Summary of Lessons to be learned

There are several lessons to be learnt which that can assist Lesotho in promoting and improving its young local governance;

- Inequality in distribution of wealth prevents Latin America from making the desired advances in development and democratic values. Forty percent of people live below poverty line.
- Citizen participation is being enhanced. The decentralisation cycle happened amid the financial, debt, and social crises and when there was a high rate of inflation.
- Local governments are independent and have direct control over revenue collection.
- Quota system is adopted to upgrade women’s political involvement. Citizen participation in local elections is high.
- Local governments are obliged to publish their public accounts in pursuit of transparency.
- National and regional local government associations are established, and they play an important role in ensuring that goals and aspirations of employees and local government are achieved.
- Local authorities have become a platform for future leaders within the national government. There are gaps between the proliferation of legislation and weakness in its application.
- Local governments have a limited financial capacity due to resistance by central government to hand over resources in a context of macro-economic instability. There is

- absence of financing policies and lack of political will to strengthen the local capacity to collect taxes.
- There is an absence of human resources policies, and lack of career paths.
 - Limited public participation in the management of development. Failure towards adaptation of central policies and laws.
 - There is a high degree of political, territorial and economic centralization, however, decentralisation process provides motivation for local and sustainable development at the national level.

These abovementioned points need to be noted as some are positive while others are negative. These lessons can assist Lesotho in developing an appropriate decentralisation model and improve local governance by replicating what works and avoiding what does not work because some conditions prevailing in Latin America are similar to the prevalent conditions in Lesotho.

2.6.3.3. Decentralisation in Europe

Europe is made up of thirty-five states which share “two intrinsic characteristics that distinguish them from all other geo-political regions: the territories are all administered by municipal governments; all these states recognize a discreet set of fundamental principles on which local democracy is based” (Marcou and Wollman, 2008:131). European countries are adopting a new phase of territorial reform that is different from the one entered during the 1960s and 1970s. The new reforms focus on bolstering municipal framework, the direction toward regionalization, and problems associated with shaping urban areas in an orderly manner.

1960s and 1970s reforms came about with two contradicting approaches to local government; “the council as provider of public services (epitomized by the United Kingdom), and the council as public body based on a community of local people (epitomized by France)”. Because there had been a need to rationalize local government structure since 1990s, nations that chose the second approach have been implementing the territorial reforms recently (Marcou and Wollman, 2008:131).

The reforms work towards shifting greater responsibility to the first tier local governments by giving them capacity to execute their duties effectively. This approach was merged with the policy of bringing local government closer to local people, however, this localizing trend led to a break up of many councils. The second notable trend is about management of local authorities in which powers and responsibilities are increased while more focus tends to be directed towards consolidating control over finances (Marcou and Wollman, 2008:132). The powers and responsibilities of local authorities, however, suffered from the creation of regional forms of self-government.

Europe has seen a lot of progress within the public-sector management. Both the old and newly democratized and decentralized nations “have benefited from various programs developed by international organizations, and through bilateral cooperation projects. The precepts of the *New Public Management* have been received differently among European countries, depending on individual public service traditions, but the increase in responsibilities and the accompanying rationing of resources intensified pressure on local authorities to find ways to rationalize their management in order to give themselves maneuvering room. *Performance culture* has advanced and spread, as has its peculiar lexicon: defining objectives, indicators for evaluating results and benchmarking tools” (Marcou and Wollman, 2008:132).

In European local governance the local authorities tend to be divided into two levels namely the local level and the higher level extending over a larger or smaller territory or constituency while

the powers and responsibilities are shared between these levels (Marcou and Wollman, 2008:133). Marcou and Wollman (2008:132) further explicate that councils in certain countries “can take on the responsibilities of both government levels:

- Germany: Municipality and district (*Kreis*), with larger urban municipalities having the status of a district with district-level concomitant powers and responsibilities. A similar system is now used in Hungary and Poland;
- England: District and county. Before the 1972 reforms, certain boroughs had the attributes of a county. Since the reforms of 1986 and 1996, some areas have only a single-tier local authority—the district in metropolitan areas and the unitary council in others;
- Belgium, France, Italy and Spain: The municipality and province, or *département*. This applied in Belgium, Italy and Spain before regions with constitutional status were set up”.

Many European countries are pursuing the territorial reform once again but with a different perspective; as opposed to 1950s to 1970s reforms which targeted the establishment of minimal or optimal sizes to match the powers and responsibilities to be undertaken, the recent reforms are influenced more by a functional concern to embrace “the civic and democratic dimension of the municipal organisation rather than being concerned with just technical and management issues” (Marcou and Wollman, 2008:135-137).

“Highly urbanized countries that underwent major amalgamation of municipalities are now seeking to re-establish local community institutions at the infra-community level (Sweden, United Kingdom)...by contrast” Denmark reduced a number of its local governments that were established in 2007 from 271 to 98, and curtailed a number of administrative municipalities (counties) from fourteen to five regions in pursuit for economies of scale (Marcou and Wollman, 2008:137).

Local governments are interactive in nature; they operate in consultation with the state or higher authorities because their powers and responsibilities often overlap to complement regional or national legislation, goals and policies. The European Charter of local Self-Government²² stresses that the financial resources of local authorities should be commensurate with the powers and responsibilities endowed on local governments by law while the diversification and progression of resources must be utilized with a pace that merges with the real changes (Marcou and Wollman, 2008:141). Managing the local government system which should correlate with the national legislation and policies is more demanding and difficult. It needs a sound financial base and autonomy.

“Financial autonomy is the basis of local self-government, as stated in Article 9 of the European Charter of Local Self-Government, and it has three dimensions: resources must be in line with the costs associated with the duties conferred upon local authorities by law; the authorities must be able to dispose freely of the resources allocated to them; and they must have certain powers to determine the level of their own resources” (Marcou and Wollman, 2008:141-142). The European

²²European Charter of local Self-Government is an eighteen articulated grant of authority or rights adopted under the auspices of the Congress of the Council of Europe. It was established in 15 October 1985 and has 47 European member states who have subscribed to it. The charter guarantees the political, administrative and financial independence of local authorities for ratifying member states under the local self-government principle.

charter further advocates for the local freedom for local authorities to dispose of their resources freely provided the local duties correspond with the resources allocated (the principle of connexity).

In European states, the central government holds the taxing powers. The tax revenues of local authorities are comprised of the shared taxes. The grants are often granted to local authorities as they are significant sources of revenue and they allow local governments to establish their own fiscal policies. The local “allocation of financial resources is sometimes calculated on the basis of local tax revenue” as it is the case “in Germany where the municipal share of income tax is related to the local yield of the income tax” to the satisfaction of the taxpayer who knows that his or her tax assists in financing local public services (Marcou and Wollman, 2008:146).

According to Wollmann (2004:651) comparatively, Germany’s local government has been placed in the group of the politically and functionally strongest local government systems in Europe – along with Sweden, but unlike in Sweden, allocation of revenues to German local government is markedly more centralised. While the average 30% of revenue of municipalities in Germany is raised by municipalities themselves, most of these taxes are generated through a revenue sharing system which is determined by federal legislation.

“European countries except Sweden collect property tax, and this tax is held to be the most appropriate one for local taxation because of the localization of the tax base” (Marcou and Wollman, 2008:147). Local taxation strengthens the financial livelihood of local governments and bolsters their financial autonomy and fiscal policies.

Other funding techniques for local authorities include the various forms of public-private partnerships (PPPs) which were motivated by the British Private Finance Initiative (PFI) of 1992; a majority of European countries adopted legislation on PPPs so that the private partners could design, bear the financial risks, and provide the public services on behalf of local governments (Marcou and Wollman, 2008:149). PPPs came with the public sector reforms with the aim to make a lean state while effectiveness and efficiency are upgraded and maintained in delivery of services to the general public. In as much as they aspire to save costs and shift risks to the private partners, these partners often strive for higher profits which impact negatively on the public sector or local authorities’ financial muscle.

According to Marcou and Wollman (2008:150) evidence points to an increased distribution of tasks towards local authorities or their consortia in almost all the European countries; Portugal for example “delegates majority of tasks to sub-divisions on local councils”. The local tasks include town planning, “allocation of social benefits and management of social institutions for certain categories of the population, roads and public transport, water distribution (with notable exception of England), accommodation and housing (with the notable exception of the Netherlands, Italy and Switzerland), and the construction and maintenance of school buildings”. Education is also a local council’s task for all European countries; however, “there is a movement toward centralization in areas of education in the United Kingdom, health in Norway and public Safety in Belgium and Netherlands” (Marcou and Wollman, 2008:151).

“In the Nordic countries Switzerland and the United Kingdom, local government staff represent about 80% of the total for public sector employees (63% in Norway)” and the majority of these employees work within the education and health sector (Marcou and Wollman, 2008:151). Regardless of a the numerous tasks imposed on local authorities in Eastern Europe, the staffing level is low with a percentage amounting to forty (40%) except in Hungary (69%) and Slovak Republic (90%) (Pollitt and Boukaert (2004) in Marcou and Wollman, 2008:151). Evidence

shows that in unitary states, there is a highest proportion of staff employed by local authorities that it is the case in the federal states: in Germany the percentage in twenty-eight (28%) France 31%, Spain 24%, Belgium 34%, Italy 19% while Portugal has 18%. The lower staffing levels in federal states is due to a bulk of the employees stationed at the regional level while Greece and the Republic of Ireland have lower staffing levels as a result of limited powers and responsibilities bestowed on local governments by national government (Marcou and Wollman, 2008:151).

The 1990s was marked by a wave of “new public management (NPM) movement, EU liberalization policies and budgetary pressures” which had an influence on many European countries (Bevir, 2011: 317). “Netherlands under the influence of NPM doctrines – contracted out the production of services and exploitation of facilities to private firms and inter-municipal corporations and used forms of contract management to introduce more business-like management methods in the organisation of the local public bureaucracy” (Van Thiel (2002) in Bevir, 2011:318-319).

The emergence of NPM movement, however, influenced local governments from a number of countries to curtail their numbers in staffing levels due to budgetary constraints and outsourcing of activities stimulated by NPM philosophy. The employment conditions and incentive-based remuneration has been inspired by NPM; some countries adopted a performance-based contractual relationship with employees while others maintained the professional career structure. The majority of European countries hybridized both the above-mentioned models.

NPM was fully embraced by the United Kingdom. As for Sweden in 1974, Denmark 1969 and Italy in 1993 “gave up their old career employment structures in favor of a contract-based system”. The contract-based system has been partially introduced in many European countries while the career employment structure for managerial posts was maintained (Marcou and Wollman, 2008:152). In Germany, Finland and Switzerland the mixed system of a fixed-term contract and career employment became common. In Germany staff acquires permanent posts after 15 years of fixed-term work.

“The major criticisms of public administrations based on the career employment structure are lack of recognition for good performance by the remuneration system while promotion is based on the length of service and seniority” (Marcou and Wollman, 2008:153). The contract-based system is therefore utilized because it is competitive and introduction of a focus on incentives is motivating employees, helping to improve performance and results.

In all countries of Europe municipal councils are elected by direct, free and secret universal vote. In Germany mayors are elected by direct universal vote and there is always a possibility to remove them from office. In Italy mayors are elected by direct election as well as the provincial and regional presidents. In England the law prescribes that the mayors be elected by direct votes as well while in Netherlands burgomasters “are appointed by central government on the basis of nominations from the municipal councils but with the nominations being open to citizen consultations” (Marcou and Wollman, 2008:156).

European countries are moving towards a trend at which status of elected officials is professionalized and remunerative allowances are replaced by real salaries, complete with social security and pension rights; the public officials on the other hand are given limited executive roles. In Eastern Europe, elected officials have been classified as civil servants “in the new institutional context. In Germany, a full-time mayor is classified as a public sector employee for the duration of his mandate” (Marcou and Wollman, 2008:158).

The local elections however are characterized by a low voter turnout in Europe. The local elections in Eastern Europe fail to bring the electorate in big numbers to the polls displaying a negative picture that local authorities have no significant role to play in the lives of the local people. The three countries that are making progress in voter turnout are Hungary, Ireland and Switzerland. United Kingdom is also improving in voter participation.

“Restrictions, active and passive, still exist in some countries on the voting rights of part of the population. For example, Latvia, Estonia and Lithuania restrict voting by their Russian-speaking citizens. Such voter exclusion is difficult to square with the European Convention on Human Rights. Conversely, the Netherlands and Sweden are extending voting rights to foreign residents (non-European Union nationals), under certain conditions” (Marcou and Wollman, 2008:159). Regardless of the high moral standards within the European states, some countries are yet to open avenues for human rights and respect for the freedom of the minorities. Some European countries on the other hand have taken a quantum leap in respect to human rights and recognition of the conventions made between the states.

Sweden is given credit for encouraging and inspiring Europe with the transparency principle in which local governments allow the local population to access local government data thereby giving associations, citizens and media a clear picture of local authorities’ engagements administratively (Marcou and Wollman, 2008:159). Eastern European countries passed the legislation in engaging the public and giving it access to administrative documents. The United Kingdom also promulgated The Freedom of Information Act.

The emergence of electronic government has been improving the standards of citizen participation within the European states. The information technology has revolutionized the way administration procedures are carried out. The need to protect confidential and personal data plays a huge role to hinder the computerization of procedures. “With respect to local democracy, the internet serves an educational function by multiplying the sources of information that citizens can consult. Of course, it does not guarantee that relevant information will be made available to them for assessing local management or policies” (Marcou and Wollman, 2008:159).

In Europe the local governments do not go unsupervised; the state has a task to provide oversight on local governments while in the case of federal states the federal members provide supervision. The local governments play a significant role in implementing the national policies of the European states that is why supervision is pivotal.

The evidence points that local government associations play an important role in representing the local authorities’ interests at the national government. The associations are officially recognized by central governments and governed by private law. Austria is the only country which has enshrined the role of associations in its constitution, and “A few other constitutions enshrine the right of local councils to form associations to represent their interests (Bulgaria, Estonia and Hungary)” (Marcou and Wollman, 2008:162).

There are four categories of associations within the European states; associations that represent collective interest of local governments to the central government (Austria, Belgium, France, Germany, Greece, Italy and Spain and Eastern countries), “associations that represent local governments as employers and thus play a part in labour relations with the local government’s staff” (Denmark, Norway, Sweden, the United Kingdom and Italy). Thirdly there are associations that act as agents for consultancy and other services to local government (Austria, Germany, Netherlands, Ireland, Finland and Central and Eastern European countries). “The fourth category

is characterized by the difficulty of distinguishing the associations that represent specific interests from those that are legal tools for facilitating cooperation between separate local councils in jointly carrying out shared work on specific tasks (Bulgaria, Estonia, Lithuania)” (Marcou and Wollman, 2008:164).

Since 1950s, European local government associations have been developing cooperation and they have “the Council of European Municipalities and regions (CEMR) is a non-governmental umbrella for the national associations of local and regional authorities of 35 European states” (Marcou and Wollman, 2008:164). As clearly explicated by Marcou and Wollman (2008:164), the umbrella organisation has aspirations and functions which are as follows:

“The mission of the CEMR is to promote a European Union founded on local self-government, and it lobbies to be permitted input on European Community legislation and EU policies. It regularly publishes documents describing its position on EU initiatives or projects in progress, for example on the Commission’s Green Paper on energy efficiency (February 15, 2006), on the urban contribution to growth and jobs in the regions (March 10, 2006), on the proposal for a regulation of the European Parliament on public passenger transport services by rail and by road (April 2, 2006), on the role of local and regional governments in relation to migration (October 23, 2006), and on the directive proposal establishing a framework for the protection of soil (April 14, 2007). The CEMR is also the European branch of United Cities and Local Governments. There are other European-level local authority associations, in particular Eurocities, a network of 130 big European cities in 30 countries that has existed since 1986, and whose aims and forms of action are similar, though more from the point of view of the big cities. These organizations can find a support and a relay for their proposals in the Committee of the Regions of the European Union, though this institution is not their only channel for making representations”.

2.6.3.3.1 Summary of key decentralisation lessons for Lesotho

In Europe, local authorities are divided into two levels namely the local level and a higher level extending over a larger or smaller territory while the powers and responsibilities are shared between these levels. Territorial reforms are established to embrace the civic and democratic dimension of municipal organisation. Local governments interactively work in consultation with the state or higher authorities because powers and responsibilities overlap. The European Charter of local Self-Government guarantees the political, administrative and financial independence of local authorities for ratifying member states under the local self-government principle.

Grants are a significant source of revenue and they allow local authorities to establish their own fiscal policies. There is a localisation of the tax base and all the European local authorities collect property tax except Sweden. Various funding techniques for local authorities include public-private partnerships (PPPs). PPP came with the public sector reforms in order to make a lean state. Local governments have employed the majority of staff and a high number of these employees work within the health and education sector. The 1990s were punctuated by the emergence of new public management (NPM). NPM influenced local governments from a number of European countries to curtail their staffing levels due to budgetary constraints and outsourcing of activities stimulated by MPM philosophy.

Transparency is highly valued in local governance. For example in Sweden local population is allowed to access local government data thereby giving associations, citizen and media a clear picture of the activities and status of local authorities administratively. Eastern Europe has the legislation giving citizen access to administrative documents while the United Kingdom has

promulgated The Freedom of Information Act. Citizen participation in Europe is enhanced by emergence of electronic government. E-government has also revolutionised the way administration procedures are carried out.

Local government associations play a pivotal role in representing or articulating the local authorities' interests at the national level. The associations are recognised by central government and governed by private law. Austria is the only country which has enshrined the role of association in its constitution. Local government associations have four categories in Europe; there are associations that represent collective interests of local governments to the national level, associations that represent the local authorities' employees and employers, associations that act as agents for consultancy and those that act as legal tools for facilitating cooperation between local councils. The council of European Municipalities and Regions is a non-governmental umbrella for national associations and regional authorities.

On a negative note, the employment structure in Europe is characterised by a disregard for a good performance by the remuneration system. Promotion of public officials is based on the length of service and seniority. The local elections are characterised by a low turnout except in Hungary, Ireland and Switzerland. There is disregard for human rights and freedom of minorities and voter exclusion in some countries. For example Russian-speaking citizens are denied voting rights in Latvia, Estonia and Lithuania. However Netherlands and Sweden conditionally extend voting rights to foreign residents who are non-European Union nationals.

2.6.3.4. Decentralisation in Africa

Africa is a continent with a population of more than 933 million; 'it encompasses some 31 million square kilometers, its population urbanization ranges from 40% to 70% in 34 metropolises with more than one million inhabitants who live in impoverished suburbs and the literacy rate ranges from 40% to 60%' (Letaief, Mback, Mbassi and Ndiaye, 2008:25). The continent is plagued by HIV/AIDS pandemic, Malaria, Tuberculosis and recently deadly Ebola epidemic²³ prevalent in West African countries (Guinea, Liberia and Sierra Leone). There are civil wars, disorder and military conflict, especially in central and North Africa. The endless wars mainly ensue after elections when results are seldom taken as free and fair in most countries of the region.

Africa is economically underdeveloped; "of the world's 47 least developed countries, as identified by the United Nations, 18 are in sub-Saharan Africa. The New Partnership for African Development (NEPAD) has not yet been able to attract significant aid and investment to the continent, or to mobilize African savings of which 40%, according to experts, is invested outside Africa" (Letaief et al., 2008:25).

Since the 1990s some democratic political systems have been instituted effectively while in other areas the political systems have remained frail. The troubled countries with a lot of tension include Central African countries being the Democratic Republic of Congo, Central African Republic, Chad, West Africa (Ivory Coast, Liberia, Guinea, Sierra Leone and Togo) and East Africa (Ethiopia, Somalia, North and South Sudan). Africa also experienced the Arab spring²⁴ in

²³Ebola virus disease spread throughout Guinea and beyond the borders of West Africa. It started in early months of 2014 and it spread to Liberia, Sierra Leone and Nigeria and it is the worst ever to be recorded in history.

²⁴The Arab spring was started in Tunisia when a fruit vendor, a 26-year-old Mohamed Bouazizi set himself on fire in protest in front of a government building. The momentum in Tunisia set off uprisings across the

Even though Africa has now adopted the political system in which multi-party leaders are chosen by universal suffrage, there are still exceptions in Algeria, Morocco, Tunisia, Egypt, South Africa and Cameroon whereby the local officials are still appointed. According to Letaief et al (2008:25) ‘the majority of African states are unitary republics’; Ethiopia and Nigeria are federal states, South Africa is not a federal state by it has some elements of the federal state while Lesotho, Morocco and Swaziland are kingdoms²⁵.

Decentralisation in Africa from the beginning was envisioned and implemented as an administrative technique by colonial powers that controlled most of Africa, and disrupted traditional ties in order to secure their centralised power (Letaief et al., 2008:28). Letaief et al., (2008:28) state about the following situation in all African countries:

“The colonial legacy of an *ad hoc* and often contradictory combination of centralization and decentralization formed the foundation of post-colonial territorial administration. Following independence, embryonic national administrations relied on the familiar centralized model as they confronted urgent problems of resources, administrative management and the establishment of state structures. The continuation of centralized power was seen as expedient not only to control data and policy orientation, but also to deal with the shortcomings and failures of new governments struggling to establish national authorities”.

After independence the African states still feared decentralisation whenever it threatened to move beyond administrative technique toward political weight and significance with democratic merit. The aspirations of the governing elites were to strengthen their grip on reins of power in the name of modernization, economic development and national unity (Letaief et al., 2008:28). Nowadays, decentralisation policies in African states are enshrined in the national constitutions or other lower level laws and regulations. Less than 40% of African constitutions recognize local governments as a specific level of governance. “In countries where decentralisation and local governments are defined in statutes of a lower rank than the constitution”, the following can be expected and discovered according to Letaief et al., (2008: 29):

- There is elaborate legislation with many regulations, decrees and ordinances for implementation in some of these countries which happen to be francophone. The profusion of statutes complicates the implementation of decentralization and slows things down, causing substantial delays between confirmation of legality, and actual enforcement; delays of 10 years are not unusual;
- A small number of laws and regulations for decentralisation exist while a minimum number of statutes cover varying aspects of implementing decentralisation and this is often a common case in former British colonies;
- There has never been a meaningful break in the decentralisation policy, a process which commenced in the colonial era. The countries that have this situation in place are those in North Africa which adopted either the British or French model. “Some of the North African statutes date back to the middle of the 19th century (Tunisia, 1858). However, there have been major territorial reforms, including the 1984 Algerian law, and Morocco’s 1996 constitutional reform and 1997 law on regions. Despite the long experience of North African countries with decentralization, the autonomy of local government there is still restricted overall in relation to the central state”.

Middle East that became known as the Arab Spring. The whole of the Arab world demanded democracy and Mohamed Bouazizi ignited a will for people to stand and fight for their rights.

²⁵Lesotho and Morocco are the only kingdoms that have a constitutional Monarchy in Africa.

Since independence Africa has improved. It has seen growth in a number of local governments (table 2.3). "Diversification and a more refined and complex hierarchy of structures and territorial tiers of decentralization can also be seen" (Letaief et al., 2008:29).

Table 2.3

Local Governments: Demography and Urbanisation			
Regions	Populations(millions)	Rate of urbanization (%)	Municipalities (no)
North Africa	154	62	4200
West Africa	264	40	3000
Central Africa	98	47	1000
East Africa	245	31	1900
Southern Affrica	148	36	1300
Africa as a whole	909	38	11400

Source: The World Bank and United Cities and Local Governments

In as much as decentralisation was initially taken as an administrative technique in the African region, decentralisation is now moving in the right direction and gaining significant political ground. The local populace is slowly valuing local governance and recognizing its potential in providing a platform for independent decision making (Letaief et al., 2008:30). In countries like Niger, Senegal, South Africa and Uganda local elections and authorities are cherished and seen as new public authorities together with the central governments. The difference between local authorities and the national authorities is that local authorities are immediate respondents towards the local needs while national authorities clarify the national goals which are often implemented by local governments themselves.

North Africa has had decentralisation policies for ages but it is lacking implementation. With Senegal and Burkina Faso as the exceptions, West and central Africa seem reluctant to implement decentralisation (Letaief et al., 2008:30). Heads of state only make eloquent speeches about decentralisation policy. In these states decentralisation exists mainly in theory than practice.

Decentralisation in East and Southern Africa on the other hand is aligned to the past social and political crises. In this region decentralisation is implemented to reconstruct the tragic past. Decentralisation is taken as a priority for reconstruction and sustainable development as is the case in South Africa. Some African states in this region, however, have disregarded strict planning and implementation of decentralization policies as a result, United Cities and Local Government of Africa²⁶ (UCLGA) requests "that local governance be included in the good governance criteria selected by Peer Review Mechanism of NEPAD" (Letaief et al., 2008:28).

Decentralisation in Africa is making commendable progress despite the resistance by other national authorities; decentralisation policies and their implementation are driven by historical context or colonial legacy. More responsibilities and central administration is transferred to local governments in numerous African countries, however, powers, monopoly on foreign aid and

²⁶UCLGA is the "Pan-African local government organization. The UCLGA represents a combination of three African local government organizations previously divided along linguistic lines: the African Union of Local Authorities (AULA) for local governments from Anglophone countries, the Union des Villes Africaines (UVA) for francophone countries and the União dos cidades y Capitaes Lusofono Africana (UCCLA) for Portuguese-speaking countries....The UCLGA founding congress took place in Pretoria in May2005, marking the starting point of the unified African municipal movement. The UCLGA represents all local governments in Africa and seeks recognition from the African Union as the voice of African local governments within the Pan-African organization" (Letaief et al., 2008:48).

financial resources are clenched by national governments (Letaief et al., 2008:31). Central government is reluctant to release the powers to local authorities in most countries of the region.

African local governments organized themselves to set up networks to encourage and promote a decentralized cooperation; local governments have formed national associations to bolster up their role at the national level (Letaief et al., 2008:31). These associations represent the interests of local authorities, and UCLGA is the umbrella of other associations. The local government “associations provide tools to enhance the credibility of local authorities as relevant actors in the dialogue on development and cooperation in Africa” (Letaief, et al. 2008:31). Besides their fraternal cohesion, the associations play different roles and are institutionalized in relation to the needs of a specific country. In South Africa for example, South African Local Government Association (SALGA), “is recognized as a public institution” while in some other countries national associations have status under private law” (Letaief et al., 2008:31). However, some associations like “the Association of Municipalities in Burkina Faso (AMBF), may be acknowledged as acting on behalf of public interest” (Letaief et al., 2008:31).

Despite the firm grip of powers by some African national governments, there is an emerging trend in which central governments are refraining from imposing or giving local governments directives on how to execute their daily business activities. A bottom up approach is being adopted by many countries thereby granting local governments their autonomy while central governments provide oversight over legal aspects (Letaief et al., 2008:31).

Africa is seeing changes in structural levels. During the colonial era the municipal structures ensured control over African territories while principles of participation were sacrificed to the detriment of the African populace. The colonizers employed administrative decentralization systems: France used the “communes”, Portugal used “municipios” and England used the British local government system. Letaief et al. (2008:31) state that in this administrative decentralization, “few local bodies were elected; local executives were usually appointed and had only limited or consultative powers. Such decentralization also enabled administrators and colonists in rural areas to be governed by the same arrangements as their compatriots in colonial capitals and in Europe”.

The colonial administrators used direct and indirect rule in Africa; direct rule was used in countries colonized by France, Belgium and Portugal, and “local authorities played only a consultative role. Indirect rule, established primarily in British colonies, allowed local people to manage their own affairs, such as the administration of justice or collection of taxes – to be shared with the colonial government. Indigenous customs and authority were more or less ignored as long as local leaders protected the interests of the colonial power. This system sowed the seeds of future decentralization in these countries” (Letaief et al., 2008:32).

When African countries gained independence they retained the colonial structures for a while before moving towards decentralization in 1980s, and more effectively in the 1990s; decentralisation policies were adopted and implemented voluntarily. In most African countries “decentralisation was adopted following citizens’ demands for increased participation.” Some countries decentralized due to pro-democracy movements, some countries decentralized in order to qualify for foreign aid or donations, some countries decentralized as a result of political crises and as a shift of “responsibility for unpopular adjustment programmes” (Letaief et al., 2008:32-33; Shah and Thompson, 2004:3). Decentralisation process in a Unitarian state of Uganda “began after the authoritarian military rule that was introduced immediately after independence. The Ugandan model of decentralisation is ranked amongst the best in Africa, and it is comprised of two levels of local government (district and sub-county in the case of rural areas)” (Ts’olele and

Goldman, 2006:6). According to Ts'oele and Goldman (2006:6) below district and county “are the parish and village whereas one regional level is being created”.

Letaief et al., (2008:33) maintain that decentralisation in Africa is adopted in expectation to:

- “Mobilize communities to work for sustainable local development and improved living conditions;
- Help democracy to take root and spread at the local level;
- Reform the state and rebuild the legitimacy of public institutions from the bottom up; and
- Constitute the starting point for regional integration genuinely rooted in African realities”.

In North Africa there is competition for service delivery between local governments, central administration and different national public enterprises (Letaief et al., 2008:33). The local governments in other African countries are given both independent powers and powers that they share with other levels of governance in the public domain. Decentralisation policy is however, “different in federal and unitary states²⁷ and it also varies in accordance with the administrative tradition inherited from the colonial period” (Letaief et al., 2008:33).

There are similarities and differences between the local governments within Francophone and British countries as stated by Letaief et al., (2008:33-34) as thus:

“In francophone countries, the organization of local governments corresponds in principle to a division of powers between central and local authorities, the latter being represented by an elected deliberative body and an elected or appointed executive body. Municipal terms of office are usually similar to those of national institutions (four or five years) and re-election is allowed. In these countries, the municipal executive, mayor or top administrator typically has real decision-making power in local management, the powers of this office being defined by law. However, this nominal decision-making power is often restricted by the practice of pooling funds; that is, all public resources are held in the Treasury under the control of the Minister of Finance. Thus, the representatives of the Ministry of Finance, such as the comptroller and municipal tax collector, have effective power over local governments. Many mayors consider such fiscal power excessive because ministry representatives can block expenditure even if it has been committed in accordance with all laws and regulations. It is therefore a claim of national associations of local governments to relinquish or even suppress the principle of unified treasury. However in Senegal the law makes it possible to deviate from this rule: local governments may be authorized to deposit all or only part of their available funds with the Treasury”.

In African states with the British administrative legacy, executive bodies are either appointed or elected; the executive personnel is contracted to service from one to three years while the elected public officials hold office for similar terms to Francophone countries; the executive powers rest on Town Clerks or Chief Executive Officers (CEOs) instead of mayors who are given a ceremonial role to play in local governance; CEOs are often appointed by the Minister of Local Government; As it is the case in Francophone countries, national associations strive for more

²⁷Letaief et al., (2008:33) explicate that in “federal states, federated states define the content of local government system and its administration” as a result methods of local government set up often vary profoundly while “in Unitary states the organisation of local governments is usually the same throughout the national territory. However, the actual powers granted to local officials are, again, influenced by the administrative tradition inherited from the colonial era.”

decentralizing reforms, transfer of executive powers to mayors, and their extension of service term (Letaief et al., 2008:34).

Africa is experiencing a movement of large populations from rural areas to urban areas in pursuit of a modern or better life, basic needs and employment. In most cases urban areas are better governed and the government system is more responsive to the needs of people especially in political capitals where elected principals work. “Many African decentralisation systems classify lower-tier local authorities according to their level of development or urbanization... In South Africa for example classification takes the form of an alphabetical hierarchy with category A, B and C municipalities. Such differentiation makes it easier to identify the most disadvantaged authorities and, through a process sometimes called equalization, to focus on their development with specific support policies” (Letaief et al., 2008:35).

Local governments in Africa face the challenge of erosion and shortage of qualified personnel as a result local management is under-performing. Inefficiency and ineffectiveness are affecting “areas of strategic planning, urban development, economics and social development”; in an attempt to counter poor service delivery, urban governments are outsourcing²⁸ the services of the private sector (Letaief et al., 2008:35). A feeble financial situation within the municipalities contributes immensely to weakness in human resources and skills development within the local governments.

Letaief et al. (2008:42) maintain that a solution to the shortfall of personnel lies with the transfer of senior public officials from central government to local government through “secondment or by granting leave of absence”. However, “secondment and other stop-gap strategies provide for short-term solutions” because the real problem is the lack of a robust financial system and resources to pay highly qualified staff. In some countries certain strategies are employed to attract civil servants to local government by increasing salaries and establishing a territorial civil service because local service is considered inferior to central government (Letaief et al., 2008:42).

In as much as local governments are facing shortages in qualified human resources, their responsibilities have increased in the management and delivery of local and urban services. The goals of decentralisation have increased dramatically in need to provide an effective, appropriate response to the needs of local communities (Letaief et al., 2008:35). In order for local authorities to get legitimacy and stamp their authority in local governance, they are adopting the public sector reforms in which networks and the private sector is engaged in the delivery of public services.

Letaief et al., (2008:36) maintain that “successful decentralisation depends on the manner in which power is transferred to local governments”, however, managers from larger regional and national ministries are irritated and incensed by transfer of authority to the local level, therefore they often resist the transition. In North, West, and Central Africa, “national ministries typically retain control of local services or delegate them to the private sector”, often contracted to the state instead of local authorities (Letaief et al., 2008:36). “The ministries in this region also tend to bypass local governments in implementing long-range sectoral policies. The ministries are often encouraged by their private partners to minimize larger policy discussions with local authorities” Letaief et al., (2008:36).

²⁸Urban governments seek the private sector for management of local affairs, public services and property and information and communications technology services (Letaief et al., 2008:35).

Despite administrative hiccups in other African sub-regions, Eastern, Southern and a few Anglophone countries in West Africa are making progress in local governance. According to Letaief et al., (2008:36) local governments manage to make “changes in staff, budget resources, assets, and decision-making power” especially in Ghana, South Africa and Uganda as sectoral ministries have withdrawn their involvement in execution of local duties. “Central government defines strategic guidelines for sectoral policies regarding health water and education” while local governments concentrate on implementation in these countries (Letaief et al., 2008:36).

Local governments in the African region are yet to be fully endowed with the real executive and operational powers; central government ministries are still holding on to real financial and managerial powers (Letaief et al., 2008:36). Local taxes and the state grants are the main sources of income or finance for local authorities; in some other instances local governments share local tax revenue with the national government which often gives “local governments finances in the form of conditional or unconditional grants and other types of state financial contributions” (Letaief et al., 2008:36-38).

There is a difference between the Francophone and Anglophone countries. Anglophone countries have more “taxing powers and greater freedom to set service rates and other indirect local tariffs; such as real estate tax in Ghana, South Africa, Tanzania, Zambia and Zimbabwe” while “Francophone tax revenue systems are generally centralised”, and diversification of local taxation system exist in theory rather than in practice,” taxing rates are set out in the law or imposed by central government” (Letaief et al., 2008:38).

In as far as local political system is concerned; there is a tendency amongst Africans to reject candidates from an outside constituency to stand for election in their locality. In places like “Senegal, electoral law requires candidates to have party affiliation in local elections. This affiliation with established parties increases the risk that standing for election will have more to do with national party politics than with the needs and preferences of local voters” (Letaief et al., 2008: 44). In many African countries political parties monopolize local and national politics, however, the majority of countries in this region “allow independent candidates in local elections(Mozambique, Benin, South Africa and Mauritania)” while in Ghana political parties are prohibited from taking part in local elections (Letaief et al., 2008:44).

Public participation has dramatically increased in Africa. Local people take part in open discussions about the local issues; in order to open avenues for local representation, “countries such as Ghana and Niger, Uganda and South Africa have been developing instruments to bring social, economic, or cultural forces into local councils, ensuring that all sociological components of the local community are involved in the local governance system” (Letaief et al., 2008:46). Quotas have been put in place by many countries in order to strengthen the representation and participation of women in local elections ²⁹(Letaief et al., 2008:46).

According to Letaief et al. (2008:46) local administration in Africa depends entirely on two basic tenets:

“A deliberative body, the council, and an executive body comprised of a mayor assisted by one or more deputies. Such local bodies exercise their functions under the control of the state. These features are the norm in all African countries where decentralization is on

²⁹ “In Mozambique, the representation of women within local bodies has risen from 23% after the 1999 elections to 28% in 2004. South African legislation favors a minimum of 50% female candidates on competing lists. In Uganda, the law requires that at least one third of local council seats should be occupied by women” Letaief et al., 2008: 46).

the agenda. The differences lie in the way local bodies are appointed, and the degree of freedom allowed by the state, which controls local government bodies and their actions. In West and Central Africa, state oversight of local governments is being relaxed. However, in North Africa central control over all the activities of local governments persists with little change”.

Mutual interests, capacity-building services and protection, view and opportunities of individual members of local governments are promoted through the associations in almost all African nations. “Mayors and deputy mayors, municipal executive or the local governments as institutions” on the other hand have a limited access towards membership within the associations (Letaief et al., 2008:47). The associations play a huge role in stimulating and decentralization implementation, however associations lack sufficient resources, they have no office or permanent staff especially in West and Central Africa and local government associations depend on contribution of their members for their operations (Letaief et al., 2008:47).

In promoting and strengthening decentralisation process in Africa, African leaders set up a political body at continental level known as the African Conference on Decentralization and Local Development (CADDEL) in a meeting held in Windhoek, Namibia in May 2000 (Letaief et al., 2008:48). The African Union was appointed or selected as the reference body for the new platform in these meetings where the following objectives were set for CADDEL according to Letaief et al., (2008:48);

- “Persuade governments to list decentralization among their priorities and push for greater awareness on the part of both leaders and citizens of the central role played by decentralization in the economic development process;
- Keep decentralization and local development on the national policy agendas of member states, and at continental level within the African Union;
- Make sure that African states maintain their commitment to the decentralization process;
- Act as liaison between the organization of African local government associations and their central governments for all issues involving decentralization and local development;
- Mobilize resources from development partners in order to implement decentralization and local development programmes”.

2.6.3.4.1. Summary of key lessons

There are key lessons from African experience which Lesotho can use or avoid to improve its decentralisation. The majority of these lessons are taken from negative backgrounds or situations in African decentralisation. Since the colonial era decentralisation in Africa was implemented as an administrative technique in order to secure centralised power and that legacy prevails in some African countries to date. African states feared decentralisation even after independence. Governing elites tightened their grip on reins of power in the name of modernisation, economic development and national unity. Nowadays decentralisation policies in African states are enshrined in the national constitutions or other lower level laws. Less than 40% of African constitutions recognise local governance as a specific level of governance.

North African countries have had decentralisation policies since the colonial era. They went through the territorial and constitutional reforms. Despite the long experience with decentralisation, North African countries continue to deny local governments their autonomy or local self-governance. Decentralisation policies are yet to be implemented in North Africa. In West and Central Africa decentralisation exist more in theory than practice because heads of state are reluctant to decentralise powers, resources and functions to the local level. In East and

southern Africa decentralisation is taken as a priority for reconstruction and sustainable development. However, some African states have disregarded planning and implementation of decentralisation policies to the extent that UCLGA made a requests for countries to include local governance in the good governance criteria selected by peer Review Mechanism of NEPAD.

African local governments have set up networks to promote a decentralised cooperation. They have formed national local governments association to bolster their role at central government. The associations represent the interests of local authorities while UCLGA is the umbrella of other associations. Despite the firm grip of powers by some African national governments some states are refraining from imposing or giving local governments directives and the bottom up approach by many countries is being adopted with many countries granting local governments their autonomy.

Following the British administrative legacy, some African states appoint or elect the executive bodies. The executive personnel is contracted from a year to three years while in the Francophone countries elected officials hold office for similar terms. In the majority of African states mayors are given a ceremonial role to play in local governance while executive powers are given to Town Clerks or Chief Executive Officers who are often appointed by the Minister of Local Government.

Africa is experiencing a migration of rural populations to the cities or urban areas in pursuit of better conditions of life, basic needs and employment because urban areas are more responsive to the needs of people than rural areas which take people's needs and concerns more lightly due to ignorance of central governments. Local governments in Africa face the challenge of erosion and shortage of qualified personnel. Inefficiency and ineffectiveness affect areas of strategic planning, urban and social development and economics. The solution lies in the transfer of senior public officials from central government to local government and the adoption of secondment and grant of leave of absence as a strategy towards the shortage of qualified staff. In as much as there is shortages of qualified human resources, responsibilities in the field of management and service delivery have increased in local government. Goals for decentralisation and public reforms associated with decentralisation are also increasing.

The other challenges facing Africa include resistance towards decentralisation. Managers from central ministries are irritated by the transfer of authority to the local level. In North, West and Central Africa, central governments retain control of local services or delegate them to the private sector. Central government ministries tend to bypass local governments in implementing sectoral policies. Local governments in African regions are yet to be fully endowed with real executive and operational powers; central government ministries are still holding on to real financial and managerial powers. There is however a difference between the Francophone and Anglophone countries whereby the Anglophone countries have more freedom towards setting service rates, indirect local tariffs and enjoy more taxing powers while the Francophone revenue systems are centralised.

In as far as public participation is concerned, Africa is making dramatic progress by which countries like Uganda and South Africa for example, are developing instruments to bring social, economic, or cultural forces into local councils. In promoting and strengthening decentralisation process, African leaders have set a political body at the continent level known as CADDEL in a meeting held in Windhoek (Namibia) in May 2000. The African Union was appointed as a reference body for the new platform in which objectives were set for CADDEL to provide oversight and persuade African governments in aligning themselves with the decentralisation and development agenda.

2.7. Decentralisation Related to Local Economic Development (LED)

Because local governments are given a developmental role, Local Economic Development (LED) is given primacy in the rationale for decentralising to stimulate the business activity, economic growth and employment creation. “Local economic development refers to the process in which local governments or community-based organisations engage to stimulate or maintain business activity and/or employment opportunities in sectors that improve the community using existing human, natural, and institutional resources” (Blakely and Bradshaw, 2002:xvi). LED is at the centre of local government which is development oriented since the community needs and global forces necessitate economic conditions that are responsive while decentralisation is the only vehicle which is most appropriate and effective for delivering different goals.

According to Giloth and Meier (1989) in Blakely and Bradshaw, 2002:55), “No matter what form it takes, local economic development, has one primary goal: to increase the number and variety of job opportunities available to local people. To perform these activities, local governments and community groups need to assume an initiating rather than passive role”. With the decentralised type of governance job opportunities are created and the pressure on government to provide jobs is reduced. This is possible only when governments pave the way for developments to take place through the creation of environments that are conducive to economic growth and investor attraction as well as decentralisation over natural resources.

Blakely and Bradshaw (2002:56) explicate that “from a development perspective, resources are often underused and this is where the local capacity comes in. The varied types of capacity a local community has, the greater its ability to turn resources into development opportunities”. Natural resources are pivotal “for local livelihoods (subsistence and income generation) and are the basis for significant wealth for governments and national elites” whom the struggle has always existed between them and the rural people (Ribot and Larson, 2004:4).

Ribot and Larson, (2004:4-5) stresses that “With decentralisation natural resource transfer is a great opportunity for increasing the relevance of local authorities to local people, yet it is simultaneously a threat to central authorities and elites who fear loss of income or patronage resources. For example, there has been considerable political conflict and resistance associated with redistribution of power and resources that, by definition, accompanies decentralisation. Nevertheless, given their local importance and historical local uses and claims, local knowledge and input are highly relevant to their management”

Decentralisation that is related to DLG requires that the natural resources or environment be managed by the local populace and local authorities. “Larson argues that natural resources are particularly amenable to decentralisation from below, at least in part because they are already physically located in the local arena, and within a particular history and tradition of everyday resource use and management” (Ribot and Larson, 2004:10). In reality, “the democratic decentralisation of natural resource management is barely happening” in most developing countries due to the resistance by central governments which are reluctant to make power transfers to local entities (Ribot and Larson, 2004: 5).

“The key to effective decentralisation is increased broad-based participation in local public decision making. Theorists believe that downwardly accountable or representative authorities with meaningful discretionary powers are the basic institutional elements of decentralisation that should lead to local efficiency, equity and development (Mawhood (1983); Ribot, (1996); Romeo (1996); Crook and Manor (1998); Agrawal and Ribot (1999); Madondo (2000); Smoke (2000); in Ribot, 2003:53-54). According to Ribot (2003:54) “effective decentralisation concerning powers

over natural resources requires these same elements. However, when examined in detail, community-based and decentralised forms of local natural resource management often lack representation, downward accountability and/or sufficient powers”.

Ribot (2003:54) maintains that “natural resources provide a lens into decentralisation and the development of local democracy. Substantively, democracy is about the accountability of leaders to the people. Some degree of democracy – a locally accountable local institution – is the first element of effective decentralisation, discretion over natural resource use and management then becomes the power that makes that representation meaningful”.

The natural resource management and utilisation plays a significant role in the sphere of “decentralisation and local democracy because they are a source of revenue and power, and therefore they are of potential legitimacy for new local government authorities” (Ribot, 2003:55). The utilisation of natural resources in collaboration with the local populace makes local government to be developmental because the sense of ownership within the communities is enhanced, resulting in sustainability in meeting the social, economic and material needs of the citizens.

2.7.1. Developmental Local Government

Pieterse and van Donk, (2008:52); Maserumule, (2008:437); Vyas-Doorgapersad, (2010:46) define Developmental Local Government as a “local government committed to working with citizens and groups within the community to find sustainable ways to meet their social, economic and material needs and improve the quality of their lives”.

Development is always at the centre of local government and it calls for decentralisation in pursuit for human development. “Development is not just a higher standard of living, but is a process that allows poor communities to take control of their situations, identify their most critical needs, and work together to find solutions,” (World Vision, 2008). The World Bank (2008) stresses that development is about reaching a reasonable standard of living for all the people. The main aim of governments nowadays is to improve lives of the people and upgrade their incomes. The development should be never ending and its efforts should be maintained in a sustainable manner.

Rodney (1982:3) stresses that development has the individual level leading to improved skills and capacity, accountability, creativity, discipline, freedom and material well-being. The other level according to Rodney (1982) is the society level in which the focus is put on economy. The society is economically developed if it is able to use its environment and this utilisation according to Rodney (1982:4), calls for a deeper understanding of science and technology. The local area develops or grows economically if the available local resources are used and science and technology is effectively utilized for economic outputs and results.

In developmental endeavours, sustainability is put in the forefront and it is defined by Wikipedia (2008) and Draper et al (2008:4) as the capacity to consistently maintain certain processes for a very long time. Sustainability and sustainable development should have economic, political, cultural, social and ecological integration (Kates et al., (2001) and Gallopin et al., (2001) in Gallopin, 2003:7).

“Sustainable development is based on three pillars namely economic growth, ecological balance and social progress” (Maserumule, 2008:437). “Sustainable development is about enhancing human well-being and quality of life for all in particular those most affected by poverty and

inequality. Resource use efficiency and intergenerational equity are the core principles” (South Africa, 2007:11). “The Brundtland Commission Report defined sustainable development as development that meets the needs of the present without compromising the ability of future generations to meet their own needs” (Boyd, Jalal and Rogers, 2008:22). Sustainable development is taken to mean achieving a quality of life that can be maintained for many generations because it is socially viable, economically viable and ecologically sustainable. Production itself is another determinant of sustainable development, and things that should be considered apart from economic benefit are ecological and social benefits- profits, planet and people (Altomare and Natrass in Boyd et al, 2008:71).

Development, (especially local economic development) is at the centre of local government, and it means that all countries should reach a reasonable standard of life for the local people. Development must emanate from the grassroots level, and local governments are a critical platform for development. For a country to be developed it does not imply that it has to be rich and all rich countries are not necessarily developed. Development aligns itself with good governance and efficient use of resources for the betterment of life for all people.

2.8. Summary

From the literature discussed it is clear that decentralisation is a multi-faceted phenomenon explained and comprehended through different approaches, models and processes which are influenced by traditions and history of a particular nation. Political will by central governments is pivotal for successful implementation of decentralisation. The rationale for decentralisation also plays an important part in successful implementation of decentralisation while the public participation aspect is inherent in decentralisation whether it is a political, administrative or market decentralisation. This public participation is also promoted through technological advances (ICTs) which present an appropriate platform for local governments and local populace. Decentralisation is based on a principle of subsidiarity and local self-government and other decentralist theories. Different types of decentralisation; devolution, delegation and deconcentration are used by both unitary and federal states to achieve their mandate.

Selected international examples that are developed and developing, Asia Pacific, Latin America, Europe and Africa show the decentralisation processes within which major changes and developments have taken place. There are lessons drawn from these continents which can assist Lesotho in developing an appropriate model for decentralisation and help improve its young decentralisation dispensation. Decentralisation that is related to developmental local government concerns the devolution of functions and powers so that the natural resources could be used for creation of employment, economic growth and poverty reduction. This decentralisation affects the environment as a medium of development and sustainable development. Local economic development is at the centre of local governments as a process that stimulates the business activity using the local human, natural and institutional resources, thus local governments are given a developmental role leading to “Developmental Local Government” coined by the Republic of South Africa in 1998.

The chapter concludes with an overview of local economic development within local government (that has developmental aspirations), and the participation of citizens in finding sustainable ways of meeting their social, economic and material needs to uplift the standard of their lives. The next chapter looks into the process of decentralisation and state of local government in the Kingdom of Lesotho.

Chapter 3: Decentralisation and Local Government in the Kingdom of Lesotho

3.1. Introduction

In the previous chapter the concept of decentralisation was explored in terms of decentralist theories, principles, approaches and models associated with decentralisation and local government. The rationale for decentralisation and decentralisation processes as well as some international applications were put into perspective.

It is thus crucial to provide an overview of decentralisation and local government in the context of the Kingdom of Lesotho (KoL). The salient points of discussion stretch from the historical account and challenges undergone by the mountain Kingdom in its endeavour to make a successful transition within the local governance spectrum. The policies, legislation and regulations of local government in Lesotho are elucidated; the policies are expounded in the form of National Vision 2020, Poverty Reduction Strategy (PRS), Public Sector Improvement Reform Programme (PSIRP), and HIV/AIDS while legislation emanates in the form of Local Government Act 1997 (LGA), Local Government Elections Act 1998 (LGEA), Local Government Service Act 2008 (LGSA) Local Economic Development (LED) and Land Act 2010 (LA).

The institutional framework and structures comprising of the Ministry of Local Government and Chieftainship (MoLGC), Decentralisation Action Plan (DAP) under Decentralisation Department, Prime Minister's office, steering committee of principal secretaries, inter-ministerial working group, office of the minister of local government, District Planning Unit (DPU), District Development Co-ordinating Committees (DDCC), district, urban and community councils' structure with their public officials in executive positions are put into perspective and explicated. The local economy and resources that constitute local government deemed developmental are also discussed.

The chapter is concluded with comparative explication of Developmental Local Government (DLG) in South Africa because South Africa is one of the countries in Africa which has a well-defined and designed DLG strategy. South Africa has a vast theory or literature on DLG, and it made noteworthy progress in development initiatives in some of its provinces like Gauteng, Western Cape and Kwa-Zulu Natal to mention a few. Some developments made by South Africa in DLG are worth being recognised and they make it eligible to be cited as an appropriate example on what is expected and could be achieved by DLG.

3.2 Local Government in the Kingdom of Lesotho: The context

Lesotho is a constitutional monarchy which operates a Westminster parliamentary system. It is a landlocked country surrounded by the Republic of South Africa. It is classified as one of the Least Developed Countries in the world, and it has an area of 30,350 square kilometers and a population of about 1.88 million. "Seventy six (76) per cent of the people of Lesotho stay in the rural areas and about 56.7% of the people live below the poverty line while the country itself ranks 138 out of 177 countries (2007) in terms of Human Development Index. Life expectancy, which in 1990 stood at 59 years, has declined and is estimated at 42.2 years (2006). The declining population rate coupled with high prevalence of HIV and AIDS (23.2 per cent), means that Lesotho's limited human resources are steadily being depleted. Lesotho, Swaziland, Namibia and South

Africa also form a common currency and exchange control known as the Common Monetary area (CMA)” (APRM, 2010: 2-3).

The King of Lesotho uses his executive powers through the elected officials who represent the people and the institutions determined by the Constitution. It is the responsibility of the King to appoint the Prime Minister who becomes the head of government, the cabinet and the functionaries of government. The Prime Minister also leads the majority in the National Assembly. The King appoints the Ministers through the advice of the Prime Minister. The government ministries including the Ministry of Local Government and Chieftainship Affairs are established by the Prime Minister (*see appendix 1*).

It is the function of the executive to run every day business within the public spectrum. The executive implements the laws approved by the parliament and use the resources or budget approved by parliament for the benefit of the people.

The Parliament consists of two houses being the National Assembly and the Senate. The parliament has portfolio committees which have power to solicit public views on the Bills or any policy matter related to the ministry to which they are assigned. Portfolio committees have power to summon officials to answer before them. The Senate has the power to amend the Bill which has been passed to it before returning it to the National Assembly. In the event that the National Assembly does not agree with the Senate, the decision of the National Assembly shall prevail. The Bill becomes the law or an Act after it has passed both houses of Parliament, and has been taken to the King for Royal Assent. Constitutional amendments need two-third (2/3) majority support in each house. Apart from making the laws, the legislature approves the national budget, makes policies and monitors their implementation.

Within the judiciary setting, it is the responsibility of the King to appoint the Chief Justice, acting on the advice of the Prime Minister. The King further appoints other judges by the advice of the Judicial Service Commission. It is the function of the judiciary to interpret the law, ensure the reigning of justice and to limit excessive powers of the government over the citizens. The citizens on the other hand have the responsibility to democratically elect the government that they need and want. Through local government elections people are able to govern themselves through other elected representatives responsible for their local needs.

Local government in Lesotho was started as far back as 1945 during the colonial era. The British colonial government established elected District Councils (DCs) in which the chieftaincy system became a decentralised form of government. The chiefs were ex-officio members primarily playing an advisory role and had a limited influence in matters of local governance (Sperfeld, 2006:38). In 1960 the district councils gained limited fiscal autonomy and were given ‘power to make the bye-laws’ (Sperfeld, 2006:38). 1960 is the year when Lesotho held the pre-independence local elections which were won by the Basotholand Congress Party (BCP). In 1965 the multi-party elections were held and contested by Basotholand National Party (BNP), BCP, Marematlou Freedom Party (MFP) and MTP. The BCP also won the 1965 elections.

Lesotho gained independence in 1966, and two years later in 1968 district councils were abolished to be replaced by Basutoland National Council (BNC) which represented Basotho citizens (*see appendix 3*). When district councils (DCs) were disbanded, the chieftaincy system continued to exist parallel to the new system and local governance was left in the hands of central government, assisted by traditional chiefs (Sperfeld, 2006:38; LGNSP, 2009:19-20).

District Councils (DCs) were re-established in 1970 after Lesotho had held the first post-independence elections which were annulled by BNP when it sensed defeat by BCP. BNP

declared itself a legitimate government, and this was the beginning of the civilian dictatorial rule. The BNP government re-established elected DCs on the village level as advisory bodies to chiefs. In 1983, the Urban Government Act was passed leading to the establishment of urban authorities.

The period 1986-1993 marks a seven year epoch of military dictatorship as the civilian BNP dictatorship was toppled by the military. Under the military government, development councils were established on village, ward and district levels and chiefs became the chairpersons of these councils (Sperfeld, 2006:38). The councils corresponded to each chief's territory and were assigned a task of facilitating the process in which powers could be shared. The multi-party democracy was reintroduced in 1993 after twenty-three years of civilian and dictatorial rule and a new Constitution was developed. The Constitution established the principle of local self-government through the creation of local authorities.

Under the leadership of the Minister of Home Affairs and Chieftainship, the Ministry of Local Government and Chieftainship (MoLGC) was established in 1994 with a mandate of overseeing institutionalisation of a new local government system. Two years later in 1996, a white paper on local government was developed while the following year in 1997, the Local Government Act, 1997 (LGA) was developed with the assistance of donor agencies, and the government formed an inter-ministerial technical committee.

In 1998, the Local Government Elections Act, 1998 (LGEA) was passed and the First-Past-The-Post electoral system was used in the national elections of Lesotho. Lesotho Congress for Democracy (LCD) won the elections. The LCD victory was challenged by the opposition parties through protests. The protests were followed by the mutiny by junior military officers resulting in the destabilization of the country. Property was destroyed and there was looting within the capital town, Maseru and the SADC was called upon to put the whole situation into a semblance of order. These events halted the process of decentralisation until in 2002 when the electoral code was amended, leading to the introduction of a proportional representation system.

The Mixed Member Proportional (MMP) electoral system 2002 is credited with enhancing open dialogue, achieving a more inclusive and broader political representation in the National Assembly, generally bringing the related peace that prevails in Lesotho (APRM, 2002: 4). The 2002 election were won by the LCD and the minister who is directly responsible for local government was appointed in 2002 when interim-councils were established. In 2004, an amendment to Local Government Act (No. 6 of 1997) and to the Local Government Elections Act (No. 9 of 1998) was made symbolizing a new dawn for local governance.

The history of democratic governance in Lesotho has always had been chequered. The challenges revolved around political uncertainties and violent contestations during and after elections since Lesotho gained its independence from Britain in 1966; central government has always been hesitant to devolve power and functions with the fear of losing popularity, credit and support of the electorate to councillors. The KoL has always been characterised by instability, conflict, coups and 23 years of undemocratic governance and the epoch of fragile democracy of 1993 to 2002 (APRM, 2010:33). With the military coups the electoral politics were always suspended. All this factors affected the smooth transition into local governance.

The 21st century is marked by an improved epoch in the politics of the Kingdom of Lesotho; the new local government elections were held in 30th April 2005 following relentless pressure from the donor agencies. 139 local governments were established which comprised of one municipal council in the capital town, Maseru, ten districts councils and one hundred and twenty-eight community councils.

With the local government general elections of the 1st October 2011 local governments through the legal Notice NO.1 of 2011 were reduced from 139 to 86 across the country of Lesotho. 128 community councils (CCs) were reduced to 64 while 12 urban councils (UCs) were created and one Maseru municipal council (MC) and 10 district councils (DCs) throughout the country.

3.3. Local Government in the Kingdom of Lesotho: The current policies

As mentioned in chapter two, countries pursue decentralisation for different reasons and for the same reason that local government is a representative institution that is closer to the local populace to respond to their needs. “United Nations Development Programme has been supporting local governance and decentralisation processes for the last 30 years”. The demands for United Nations Development Programme (UNDP) to help countries with the local government reforms are increasing due to the realisation that the reforms bring about the difference into the lives of people; men and women, those who are worse off, the marginalised and disadvantaged communities (UNDP, 2010:viii).

Since 2000, UNDP intensively increased its support for decentralisation and local governance (UNDP, 2010:viii). The first multi-year funding framework (MYFF 1) for 2000-2003 stresses three corporative objectives to local governance; the second MYFF 2 for 2004-2007 sees local governance as one of seven service lines through which to foster democratic governance together with decentralisation and urban/rural development. According to the UNDP (2010:viii) the UNDP strategic plan 2008-2013 internalizes local government priority in the following way:

In its section 1, [UNDP Strategic Plan 2008-2013] underscores the importance of civic engagement and using local government “capacity and resources to deliver effective economic and social policies that promote human development and manage the public services that citizen expect” it identifies several priority areas for UNDP support, including capacity strengthening of national and local authorities to undertake participatory planning processes, assessment and adoption of effective service delivery systems. It also affirms the need to restore the foundations for local capacities for development, planning, management, and conflict resolution.

Lesotho is one of the beneficiaries of UNDP and United Nations Capital Development Fund (UNCDF)³⁰ in local governance and decentralisation. The Government of Lesotho (GoL) in partnership with European Union (EU) launched the Local Governance and Non-State Actors Support Programme (LGNSP) to cover the district of Leribe, Mokhotlong and Botha-Buthe in November 2008. The German Agency for Technical Cooperation (GTZ) covered the districts of Mafeteng, Mophale’shoek Quthing and Qacha’snek in 2006 through Decentralised Rural Development Programme (DRDP) while the central districts of Lesotho Thaba-Tseka, Berea and Maseru were covered by UNDP through Lesotho Local Development Programme (LLDP). The development partners (EU, GTZ and UNDP) divided themselves amongst the ten districts of Lesotho to help the mountain Kingdom establish a well-functioning decentralised local government system.

When elected local government in Lesotho was first established in May 2005, the concept paper *‘Official working Paper of the Government of Lesotho on the Establishment of Local*

³⁰UNDP and UNCDF are development partners supporting Lesotho in institutionalizing mechanisms for sustainable reduction of poverty through institutional Development and Capacity building for poverty reduction, enhancement of the capacity of national, district and local institutions in their pro-poor service delivery functions through development of decentralisation systems, establishment of Local Development Fund and policy impacts of interventions (Lesotho, 2006:4-6).

Government’ was adopted by the Lesotho Cabinet in February 2004, explicitly stating that Lesotho’s local government was to be based on political devolution and a decentralisation of staff, functions and finances within the framework of unitary state (Van Hoof, 2009:17).

As part of the decentralisation process LGNSP (2009:20) state that GoL in 2005 adopted a twelve-year decentralisation implementation programme comprising of three phases:

- Phase 1: A two-year transition phase (2004-2005), culminating in the elections of District Councils and Community Councils, and the devolution of some functions.
- Phase 2: A five-year development phase (2006-2011), where additional functions are decentralised.
- Phase 3: A five-year consolidation phase (2012-2016), where operation of local government is refined, and efficiency and effectiveness are improved.

The national policies of the KoL are linked to successful implementation of local government; Lesotho vision 2020, PRS, PSIRP, NPM, national policy on HIV and AIDS and LED. Decentralisation in the KoL is given centrality in almost every goal and developmental endeavour. This is symbolised by the interdependence and connectedness of major and important policies associated with successful implementation of decentralisation. National vision 2020 and MDGs are the policies which other goals or policies pursue through a successful decentralisation which is instrumental towards the development of the KoL.

3.3.1. National Vision 2020

Vision 2020 is seen as being formulated at the right time when Basotho people need a rallying point; a unifying dream that will galvanize their energies and harmonize their efforts; along term vision to help in the allocation of meagre resources and for these reason people were tirelessly consulted to compile the document for Vision 2020, to serve as a beacon of hope for Basotho communities (Mosisili in Lesotho, 2004a:vi).

The Minister of Finance and Development Planning in Lesotho (2004a:Viii) states that the Vision 2020 document takes note of seven pillars of development as being democracy, unity, peace, education and training, economic growth, management of environment, and advancement of technology. The document identifies political commitment, foreign direct investment and public sector management as pivotal for development in Lesotho.

Lesotho Vision 2020 (2009c:4) statement is presented as follows:

“By the year 2020 Lesotho shall be a stable democracy, a united and prosperous nation at peace with itself and its neighbours. It shall have a healthy and well developed human resource base. Its economy will be strong; its environment well managed and its technology well established. In addition, Lesotho will have a well-established system of local governance with full ownership and participation of the majority in decision making and local development. The country will have a clear direction in policy development, strategic thinking and foresight and programme planning. Lesotho will be known for good governance driven by effective and visionary leadership”.

The Lesotho vision 2020 strives for good governance, media freedom and recognises decentralisation and citizen participation as inherent in achieving a stable democracy while becoming prosperous and attaining human development. Local development and economy are also aspects that the vision emphasizes for the GoL. The GoL envisaged PSIRP, PRS and Performance Management System (PMS) to be successfully implemented with requisite vigour

thereby making it easy for Lesotho vision 2020 to be implemented; but this is yet to happen because there has been lack of political will to implement Lesotho Vision 2020 (Lesotho, 2004a:26). With the limited implementation of PSIRP, PRS and PMS local government in Lesotho became a major focus for policy implementation; local governance is at the centre of developmental initiatives and policies that are pursued by the KoL.

The GoL sees the establishment of local government as a “pivotal strategy to implementing the Poverty Reduction Strategy and thus the realisation of the National Vision” (Sperfeld, 2006: 41). This means that local government is seen by the GoL as a strategy of governance through which poverty reduction interventions and developmental initiatives could be planned, implemented, monitored and evaluated.

Decentralisation in Lesotho could be seen as a policy of high priority and be used as a tool for citizen empowerment, a platform for good governance and sustainable development, an instrument for democratisation, participation, equity, political, economic and managerial governance. The GoL will also realise her vision through the main objectives of decentralisation which are:

- To provide for good governance, ownership and accountability in matters of public policy;
- To facilitate democratic control over the development planning process;
- To move decision making, resources allocation and local level development planning into the hands of the people;
- To provide for equitable distribution of human, institutional, infrastructural and financial resources across the country;
- To enhance the effectiveness of developmental activities by creating opportunities for elimination of duplication of effort;
- To facilitate sustainability through matching development decisions with local conditions;
- To facilitate greater speed and flexibility of decision making as a result of reduced central direction and control; and
- To facilitate mobilisation and maximisation of local resources, technologies and skills (Sperfeld, 2006:41, Shale, 2004:6 and Matlosa, 2006:66).

Decentralisation has a strategic importance within the Kingdom of Lesotho as it has become a platform at which the national vision is realised and implemented and so is PRS. Lesotho has always aspired to eradicate poverty but its efforts have been in vain until local government came into the picture as pivotal for the implementation of PRS.

3.3.2. Poverty Reduction Strategy (PRS)

PRS was prepared as a first step towards the implementation of Lesotho’s vision 2020; PRS is nationally driven and was prepared after consultative and participatory processes that involved the local populace, the national assembly, government ministries, the private sector, civil society organisations, academia and development partners such as Development Cooperation of Ireland (DCI), Department for International Development (DFID), UNDP, UNICEF and EU which supported PRS technically and financially (Lesotho, 2004b:i-ii). All the stakeholders and the United Nations (UN) agencies and local and international development partners collectively stand for and support the poverty reduction initiatives in making sure that the Lesotho national vision is achieved.

UNDP is one of the international agencies that cherish and support the view that the achievement of Millennium Development Goals (MDGs) can only be attained through the local level actions-in villages and towns, provinces and regions (UNDP, 2010:14). UNDP is committed to successful decentralisation which would deliver on the MDGs so that Lesotho less developed and developing countries brings about the difference to the rest of humanity in the world.

Lesotho (2004b:i) points out that the PRS document “presents a determined plan in pursuance of high and sustainable equity-based economic growth. It contains medium-term objectives and strategies to address major challenges facing the KoL including HIV/AIDS which is adversely affecting the human resource base. HIV/AIDS is a major threat that keeps endangering development initiatives that would help the country of Lesotho attain economic growth and meet its objectives and other national strategies. It can be understood that due to the pandemic’s threat, the GoL opted to attach HIV/AIDS policy to other high priority policies to be implemented through a decentralised reform.

“The PRS outlines the national priorities and strategies for promoting economic Growth and reducing poverty,” (Lesotho, 2004:viii). PRS is seen as an ongoing process which should be periodically updated while its successful implementation will be constantly monitored through a monitoring system which involves key stakeholders (Lesotho, 2004b:ix).

“The overarching development goal of PRS is to provide a broad based improvement in the standard of welfare for the current generation of Basotho, without compromising opportunities for future generation” (Lesotho, 2004b:ix). The goal of PRS in Lesotho is based upon the Brundtland Commission’s definition of sustainable development which is the development that meets the needs of the present without compromising the ability of the future generations to meet their own needs.

According to Lesotho (2004b:x) PRS is prepared upon the following three inter-connected approaches:

- a) Rapid employment creation through the establishment of conducive operating environment that facilitates private sector-led economic growth;
- b) Delivery of poverty-targeted programmes that empower the poor and vulnerable and enable them to secure access to income opportunities;
- c) Ensuring that policies and legal framework are conducive to the full implementation of priorities, that bureaucratic constraints are removed, and that the productivity of the public sector improves.

The three approaches dependent on local economic development because it is through LED that the environment is made attractive to the investors and that job creation is achieved through efficient manipulation of local resources. SMMEs are enabled and contribute meaningfully to economic development and poverty reduction. This necessitates the management of local resources by the local communities and the improvement of service delivery.

According to Lesotho (2004b:xi-xx) eight key priorities of the PRS include the following;

- employment creation,
- improvement of agricultural production and food security,
- development of infrastructure,
- deepening of democracy, governance safety and security
- improvement in access to health care and social welfare
- improvement of quality and access to education

- management and conservation of the environment
- Improvement of public service delivery

According to Lesotho (2004a:26) evidence shows that the slow implementation of PRS deprives the KoL “of the opportunity to reduce inequality in the distribution of assets and opportunities”.

More emphasis is put on decentralisation in the PRS document where it fits well. Decentralisation is taken as an instrument to achieve democratic participation in governance corresponding to the fourth objective of PRS, and decentralisation is taken as a means to improve service delivery within the provisions of LGA in accordance with the eight PRS objectives (Lesotho, 2004b:xvi-xx and Sperfeld 2006:42).

With full decentralisation or DLG, all the key priorities of PRS can be achieved more successfully. A move towards a full decentralisation is a right step for sustainable socio-economic and political conditions in Lesotho. Another move towards a clear local economic development approach is vital for a successful PRS. There is also a significant interdependence between PRS and PSIRP because poverty reduction will not happen in a vacuum. PRS needs an environment in which there is good governance, improved financial management and budgeting, improved public service and human resource management which are all inherent in PSIRP.

3.3.3. Public Sector Improvement Reform Programme (PSIRP)

PSIRP is a programme designed to improve efficiency in the public sector. It identifies decentralisation as the main framework for improving service delivery. PSIRP is the main drive behind the public sector reforms in Lesotho and it outlines the outcomes that serve as guidelines and clarifies the roles and functions and seek to build capacity of local authorities. The public sector reforms are planned strategically to inform the decentralisation process in Lesotho.

The World Bank, Development Cooperation Ireland (DCI) and Department of International Development (DFID) have shown interest in supporting the PSIRP as the government of Lesotho (GoL) put it in place to improve service delivery to the people including the poor (Lesotho, 2006:30). PSIRP is considered by the GoL to be instrumental towards improving the public Sector and assuring investor and donor confidence (2004b:xi). It is envisaged to result in an “enhanced national capacity to manage development programmes, formulate development policies and facilitate private sector investment programmes” (Lesotho, 2004a:24).

Lesotho (2004a:10) stresses the importance of PSIRP as follows:

“PSIRP represent the government’s framework for public sector improvement and reform in: Good governance, financial management and budgeting, human resources management, administration of justice, restructuring and rationalisation of ministries, departments and agencies, decentralisation and local government, and delivery of services. The first phase of the programme focuses on three areas, namely, improving financial management and accountability, and improving public service management, and decentralisation of service delivery”.

Sperfeld (2006:42) stresses that the implementation of the decentralisation programme is interlinked with PSIRP. “The debate on good governance and its requirements provided the impetus for new approaches to public sector management reforms” (Lesotho, 2007:1). Good public and “financial management and accountability beyond the sphere of local governance the PSIRP elaborates and provides budgets for single tasks in the framework of decentralisation

programmes such as local capacity building measures and internal policy harmonisation requirements in central government” (Sperfeld, 2006: 42).

Prescriptions of good governance in Lesotho centre on public sector management reforms as a cue towards market and private sector approaches to public sector management under the ambit of NPM (Lesotho, 2007:1). Administration and bureaucratic capacity and efficiency are some of the fundamental principles of good governance which the GoL aspire to achieve. It should be understood that in order to achieve the abovementioned principles in the KoL, responsibilities in managing the public sector and tackling the financial and human resources has been devolved to managers through setting performance goals and indicators.

In an effort to avoid the poor spending of the taxpayer’s money, embezzlement of funds and poor service delivery, so prevalent within the public sector, the GoL felt compelled to move away from traditional public administration and, like other developing countries in the world, adopt NPM under PSIRP. The GoL emphasized accountability and transparency in its daily public business and seeks to hold managers responsible for results instead of being administrators following directives of elected officials.

NPM describes a management that put the citizen or customer at the centre of service delivery while accountability for results is also cherished (Lesotho, 2007:1). Value for taxpayers’ money is one of the driving forces behind NPM; NPM concentrates on results and on assessing performance and impact because the public service workforce is expected to respond to the needs of the people (Bourgon, 2007: 13-14). Key to NPM is the introduction of market principles in the management of the public sector. “The rationale behind NPM is to replace the excessively rigid and bureaucratic traditional public administration with the fast-moving form of public management so as to achieve high levels of efficiency, effectiveness and economy in the delivery of public goods and services”. Tambulasi, (2009:173); Hood and Jackson, (1991), cited in Bale and Dale (1998:119) state that NPM approach:

Is a move away from input controls, rules and procedures toward output measurement and performance targets- the accountability framework; the devolution of management control with improved reporting and monitoring mechanisms; a preference for private ownership, contestable provision, and contracting-out of publicly funded services; the adoption of private-sector management practices in the public sector, such as short-term labour contracts, performance- linked remuneration schemes, the development of a mission statement, greater concern with corporate image, and the development of corporate strategy and action plans; an emphasis on efficiency, often referred to as “value for money.”

The goal of NPM has always been to improve performance- “making government more cost-conscious, efficient, effective, responsive, customer-oriented, flexible and transparent” (Pollitt and Bouckaert, 2003:28). NPM is characterised by alternative service delivery mechanisms which include decentralisation, outsourcing corporatisation, joint ventures, partnerships and alliances, regulations assistance and privatisation. Public sector reforms involve the personnel who should not only be more competent, but they should be healthy in order to become productive in a sustainable manner that is why it the GoL is wary of HIV/Aids within its population and human resource. With decentralisation local governments are taken as the gateway to fighting HIV/Aids.

3.3.4. HIV and AIDS

Community councils (CCs) in Lesotho are supposed to rank their top three priority interventions listed under the five objectives, and According to UNAIDS, Lesotho and the Federal Republic of Germany (2006: 1) the interventions were supposed to link directly to the National HIV and AIDS Strategic Plan 2006-2011 being:

- prevention through change in sexual behaviour
- prevention of Mother-to-Child transmission
- access to HIV testing and health services
- support for orphans and vulnerable children
- support for people living with HIV and AIDS

GTZ and UNDP provided funding for MoLGC to introduce the gateway to fighting HIV and AIDS approach which embraces all interventions in HIV and AIDS. The gateway approach uses the CCs as the entry point for all development issues, ensuring grassroots participation and providing a platform for the stakeholders including the National Aids Commission (NAC) to successfully implement their strategies against HIV and AIDS (NAC 2007:2-21). The gateway approach is used by the government as a deliberate effort to improve service delivery to the marginalised, and it aims to empower and make the local authorities and other local leaders HIV and AIDS competent and to promote a demand-driven support system at local, district and national levels (MOLGC 2006:31 and National AIDS Commission (NAC), 2007:2-3). There is a clear mandate for local government to respond to the challenges posed by HIV/AIDS. HIV is seen to undermine the development process of Lesotho, thus Lesotho developed a comprehensive approach to effectively mainstream HIV/AIDS treatment into local government core functions.

Walker (2002:5) stresses that “the deepening health, social and economic crisis spreading throughout the region (Southern African Region) as the result of the HIV/AIDS pandemic, which is at its most advanced in sub-Saharan Africa and is threatening to wipe out those social and economic gains that have been made. It is now widely recognized that all spheres of public policy, including land, have to be rethought in relation to the Aids crisis; given the disproportionate degree to which women are affected by the spread of the virus in sub-Saharan Africa, both in terms of infection rates and as primary caregivers to AIDS sufferers, the need for such policy interventions to be gendered is especially critical”. According to Collins and Rau (2000: 1; in Walker, 2002: 29) “55% of the infections in Sub-Saharan Africa occur among women” and this makes the SADC region “the only region in the world where female infection rates are higher than among men”.

HIV/AIDS has had a negative impact on the economy and resource base of Lesotho. It (HIV/AIDS) has exacerbated poverty giving the GoL no alternative but to resort to local government as a platform to fight the pandemic. The gender equity on the other hand and as a broad developmental goal, is put at the forefront of local governance through the adoption of national, SADC and international policies on gender as explicated in the next section 3.5 whereby Lesotho reserved a third of council seats for women in empowerment. This is because in Lesotho or Sub-Saharan countries the national development rests heavily on shoulders of women who happen to be mostly marginalised and discriminated against.

The GoL undertook several approaches to main-stream addressing of HIV/AIDS in the national development planning process. The three major developments include the mainstreaming of HIV/AIDS treatment at the district and community council level and the *know your status campaign* intended to “scale-up the HIV testing and counselling as the entry point to awareness

creation and referral to other post –test services and activities on HIV/AIDS such as prevention, treatment, care, support and impact mitigation” (NAC, 2006: xiii).

In 2006 another major step was taken by the GoL when the labour code No.5 was amended to include HIV/AIDS management in the workplace, obligating every employer to meet the given standards, in terms of policies and programmes in the place of work. The GoL recognises HIV/AIDS as not only a health problem but a multi-sectoral development issue that has social, economic and cultural implications. “Combating the further spread of HIV/AIDS therefore continues to be one of the biggest challenges that face the country” (Lesotho, 2004a: xii). Legislation is therefore crucial within the democratic dispensation to enable a smooth implementation of policies and laws that safeguard the rights and improve the livelihood of local citizenry. These rights of the people are enshrined in the Constitution of the Basotho nation.

3.4. Local Government in the Kingdom of Lesotho: The legislation

Lesotho as a multi-party, representative democracy has a Constitution, 1993 as the supreme law of the country. “The Independent Election Commission (IEC) was established after a constitutional amendment in 1997. It is responsible for the administration of elections for the National Assembly and local government and for the administration of referendums” (APRM, 2010:14).

Decentralisation and local government in Lesotho is enshrined in the 1993 Constitution³¹. Section 106 of the Constitution spells out that “parliament shall establish such authorities as it deems necessary to enable urban and rural communities to determine their affairs and to develop themselves. Such authorities shall perform functions as may be conferred by an act of Parliament” (Lesotho, 1993: 61).

Local government is governed by the Local Government Act 1997 (LGA) which has an amendment of 2004 and 2010, Local Government Elections Act (No. 9 of 1998) (LGEA) which has an amendment (No. 4 of 2011), Local Government Elections (Declaration of Electoral Divisions) Notice, 2011, Statement of Objects and Reasons of Local Government elections (Amendment) Act, 2011, Local Government Service Act (No. 5 of 2008) Land Act and Statement of Objects and Reasons of the Land Act, 2010. There is also a supporting Local Government Regulations, 2011, and a Local Government Service List of completed documents. Within a democratic local government dispensation, laws and regulations play a significant role because developmental goals are protected by legislation as well as the powers, resources and functions that are decentralised. With the guide and existence of legislation obedience is enforced and the moral fibre of the local communities safeguarded as well as the democratic rule and developments that make a difference within the people’s lives. The main provisions of different acts are highlighted in order to gauge the level of response and alignment towards their prescriptions which guide full decentralisation of powers, resources and functions to the local level.

³¹ The 1993 constitution institutionalises the Monarchy as a revered head of state based on the historical values and customs of Basotho; the constitution also means that Basotho recognise and accept that their traditional form of governance must coexist with the colonially bequeathed system of governance; and the Prime Minister is appointed by the King as a head of government while the King on the other hand is the head of state (APRM, 2010: 3).

3.4.1. Local Government Act, 1997

The Local Government Act, 1997, (LGA) is the backbone of decentralisation and local government in Lesotho. It is the central legislation, complimented by other legislation for functionality and administration of local governments and the success of decentralisation. The enactment of the LGA by the GoL meant the repeal of existing local government legislation, namely the Local Administration Act (No 13 of 1969), Urban Government Act, (No. 3 of 1983), Development Councils Order 1991, Development Councils (amendment) Order 1992 and Development Councils (amendment) Act, 1994 respectfully. This repeal was done due to the fact that local government in Lesotho was entering a new era of local governance within which public participation, service delivery, accountability, transparency, predictability in the public arena are valued as the tenets of democracy and good governance.

LGA sets out the institutional and operational framework for the new local government system in Lesotho. It has been “promulgated to develop an institutional framework conducive to accelerated growth and improved service delivery” (APRM, 2010: 8). The Act makes provision for community councils (CC) consisting of not less than 9 elected members and not exceeding 15 with 2 gazetted chiefs while urban councils (UCs) consist of 9 elected members, not exceeding 13, with 2 gazetted chiefs. Municipal councils (MCs) consist of not less than 11 elected members and no more than 3 gazetted chiefs while district councils (DCs) consists of not less than 37 elected members, while not exceeding 45. The chairperson of each CC and a member of a CC elected by community councillors is included in district membership as well as the two chiefs who are members of CC and elected amongst the chiefs who are members of the CC.

In constituting any council under the Local Government Act, 1997, local government elections are held under the Local Government Elections Act of 1998 (LGEA), the appropriate law to elect the councillors. The constitution of councils follows the issuance of directives by the Minister of Local Government Chieftainship and Parliamentary Affairs through Notices published in the Government Gazette. According to the LGA, the minister appoints by Notice, the term of office commencement on such a date which shall not be later than 28 days from the date of declaration of election results.

With the advent of the new council boundaries and the fresh local government elections of October 2011, a number of councillors within CC increased and it considerably exceeds the maximum of 15, totalling a maximum of 29 councillors. The number of councillors within district councils (DCs) has dropped to a maximum of 14 which includes the two chiefs elected by other chiefs in each respective district in order to represent all CCs in the district. The municipal council (MC) and urban council (UC) also have the same membership as the DC, meaning that community councils (CCs) have the largest representation of the electorate within the Kingdom of Lesotho (KoL).

The term of office of each elected councillor is a period not exceeding five years from the date of election. However any councillor may resign, refuse or vacate office upon a written communication. Any councillor, who without leave of the council fails to attend three consecutive general meetings of the council, shall ipso facto vacate his/her office, and the chairperson shall send a written communication to the director of elections to arrange a by-election to fill the vacancy (Lesotho, 1997:401).

The Local Government Act, 1997, directs the minister convene by notice the first meeting of the council as soon as possible after the commencement of the new term of office. At this first meeting on the date set e by the Minister, MC and urban councils (UCs) shall elect one of their

members as mayor and one as the deputy mayor. In the case of DCs and CCs a chairperson and vice chairperson shall be elected. All the councillors, including the mayor, deputy mayor, chairperson or vice chairperson take oaths administered by officials at the first meeting. The mayor, deputy mayor, chairperson or vice chairperson may be removed from office by council resolution upon abuse of office, corruption, incompetence, misconduct, failure or refusal without justifiable reason to implement council decisions and in the case of the chairperson or the mayor failing to call a council or general meeting for more than three months without reasonable cause. General meetings of a council are held once a month, other than that a mayor or chairperson may convene a special general meeting whenever he may consider it desirable or when requested by members of the council to do so. Such special meetings shall not be held more than twice a month (Lesotho, 1997:404).

When seeking the removal of the mayor or chairperson a the written notice signed by at least than half of members of council is submitted to the Town Clerk (TC) or Council Secretary (CS) setting out grounds for such a removal of mayor, deputy mayor, chairperson and vice chairperson. The TC or CS shall acknowledgement receipt of such notice within 14 days and arrange for the meeting at which the council intends to remove a member from office. The TC or CS presides at the meeting for the removal of a Mayor, deputy mayor, chairperson or vice chairperson who shall be given an opportunity to defend himself before a vote is taken on a resolution by the council. Following numerous incidents in which the chairpersons were removed from the office, the Local Government Act, 1997, was amended in 2010 for a mayor or chairperson to serve for a period not exceeding one year, while remaining eligible for re-election. This means that the mayor or chairperson shall be elected at the first meeting of each year and where the deputy mayor or vice-chairperson is elected mayor or chairperson; elections for replacement of the deputy or vice chairperson will be held.

The TC or CS shall “exercise, perform and discharge all the rights, privileges, powers, duties and functions vested in, or conferred or imposed on the council, the mayor or the chairperson or deputy mayor or vice-chairperson by this act or any other written law” as it may deem necessary (Lesotho, 1997: 404).

According to Lesotho (1997:405), every council shall elect by ballot at its first general meeting in each year a standing committee on finance and planning, social services and land and technical services. The council elects other committees from time to time when it deems necessary. These committees include the special and joint committees. Every standing committee other than finance committee shall at its first meeting elect by ballot its chairperson. The chairperson of the standing committee on finance is the mayor or chairperson of the council and she/he takes this position by virtue of his or her status. These committees may at any meeting have access to the books, deeds, contracts, accounts, vouchers and other documents and papers of the council or councils as the case may be.

It is the responsibility of a standing committee on finance and planning to submit development plans and schemes for projects to the District Development Co-ordinating Committee (DDCC) for their consideration in drawing up the District Development Plan (DDP). The LGA prescribes for the establishment of the District Planning Unit (DPU) which consists of planning and public officers of any ministry within the administrative district.

For further developmental purposes DDCC is instituted under provisions of LGA to consider draft development plans for the district prepared by each council and to coordinate such plans into a composite district development plan and to approve such plan.

The LGA provides that DCs, MC, and UCs should perform the functions of the 1st schedule while CCs should perform the 2nd schedule functions (*see appendix 8*). DCs, MC and UCs provide services of large scale even though they differ in that DCs have a huge geographical area while MC and UCs have a small but more densely populated area. The CCs have a huge geographical area but their services are best performed because they are small in scale and CCs are closer to the citizens than DCs.

The administrative boundaries of councils are reviewed by an administrative boundaries commission which is appointed by the minister through a Notice published in the Gazette whenever she/he deems it necessary to do so. “The commission receives and considers any proposal from the public for the revision of administrative boundaries which may be made or referred to them; the commission shall demarcate new administrative boundaries, having regard to the interests and identity of local communities, to secure effective local governance and development...” Some administrative boundaries may be awkwardly demarcated thereby compromising the services to the public, for example the council offices serve those people under their boundaries and jurisdiction therefore people belonging to another council may be located to a certain council office which would otherwise provide speedily services due to accessibility. The villages of the same chief may be divided by boundaries of council, thus complicating matters in as far as service delivery is concerned.

All councils constituted under the LGA are bodies “corporate with perpetual succession and a common seal and shall have powers to acquire, hold or sell property, and may sue or may be sued... The council of each local authority shall: a) within its administrative limits exercise, discharge, or perform all or any of the functions or duties in regard to the subjects as are specified in the schedules hereto; and b) exercise, perform and discharge any power, duty or function delegated to the council by” the Local Government Act, (No. 6 of 1997). The Minister of local government and chieftainship has powers by regulation to amend or vary schedules. Every council shall have its own office for transaction of business; to perform its duties and exercise its powers (Lesotho, 1997: 407-408).

The Minister in consultation with the prime minister appoints by name a person to be the District Administrator (DA). The district administrator represents the interests of central government, coordinates duties and functions of all public officers in the district other than those employed in the local authorities, and he is responsible to the minister of local government (Lesotho, 1997:410). This means that the DA is responsible for ensuring that government ministries align themselves with the central policies in executing their tasks or duties.

The Local Government Act, (No. 6 of 1997), prescribes that every council shall have power to make bye-laws, the chairperson shall have power to compound offences and the minister is the one to approve bye-laws and they (bye-laws) shall be published in the gazette; these bye-laws made by a council may provide the penalty of a fine or imprisonment for any contravention thereof (Lesotho 1997:410-411). The absolute powers of local authorities lie in central government which provides the monitoring of local government activities.

In as far as financial matters are concerned; every council shall establish a council fund and all the moneys received are to be lodged with the bank in the fund, and the council secretary shall sign all orders or cheques for payment of money out of the fund; it shall be lawful for the council to borrow on the security of rates and taxes and to apply for grants in order to implement its developmental programme; the council shall have power to impose and levy rates and taxes (Lesotho, 1997:412-417). The mayor or chairperson shall cause a statement of receipts and disbursements on account of the council fund from close of the previous term up to the close of

the month preceding that on which the meeting takes place to be submitted to the council. Such statement shall be caused at each general meeting of the council, and the statement together with council minutes shall be forwarded to the minister of local government and chieftainship affairs.

In each respective district, there shall be a tender board which provides tender services to the local authorities. The tender board shall consist of at least six members appointed by the DC and one member being designated as chairperson by the council. The LGA provides for at least one third of members of the tender board to be women and at least one member disabled. The LGA provides for inclusivity of the minority groups and does not condone gender disparity.

The LGA further directs that the accounts of every council shall be audited once in each financial year by the government auditor or by such other professionally qualified auditor as may be appointed by the minister. For the purposes of auditing, books, deed, contracts, accounts, vouchers and any other documents may be required and upon failure to produce them any person is guilty of offence punishable by a fine not exceeding one thousand *Maluti* (Rand) (Lesotho, 1997:417). The minister may at any time cause to be examined or audited the accounts or records of any council.

The Minister has power to suspend or dissolve any council or appointment of local government administrator upon refusal, failure or inability to discharge all or any functions; She/he (the minister of local government and chieftainship) may appoint an officer from the local government service or public service to be the local government administrator of that council and has the power to make general rules of procedure (Lesotho, 1997: 417-418).

Local Government Service Commission (LGSC) which is a body corporate with perpetual succession is established upon the appointment of its members by the minister of local government and chieftainship. LGSC is given a mandate by central government under the Ministry of Local Government, Chieftainship and Parliamentary Affairs (MoLGCPA) to work with issues related to human resources for all local authorities in Lesotho. It is prescribed within the LGA that LGSC has powers to declare posts or officers of a council which are deemed to be executive posts and determines all matters relating to methods of recruitment and conditions of employment, promotion, appointment, transfer, dismissal, retirement, interdiction or punishment of members who hold executive positions within local government service.

The LGSC is also responsible for determining the salary, allowances and conditions of service of executive officers of the councils. The public officers on the other hand may be seconded by the government to the local government service and they (seconded officers) shall decide within a period of two years whether to remain with the local government or revert to their substantive posts in the public service (Lesotho, 1997:409).

3.4.2. Local Government Service Act, 2008

The Local Government Service Act, (No. 2 of 2008) (LGSA) prescribes the terms of services, the procedures within the service, conditions and conduct and structures within which local government is governed. The LGSA is strengthened by a number of provisions within the Local Government Service Regulations, 2011. Pursuant to sections 25 and 33 of the LGSA the minister of local government and chieftainship, makes the regulations to govern the public officials within the local government service. The LGSA and the Local Government Service List of completed documents strongly support LGA.

The local government service list of completed documents is comprised of the functional structures, job descriptions, local government conditions for unskilled and technical staff, 2004, local government conditions of service for administrative and managerial staff, recruitment and selection policy and principles, human resources transfer policy, disciplinary policy, dispute resolution policy, training and development policy of employees, retrenchment policy and proposed performance management system for local authorities. This document proposes the introduction of performance management systems to local government, as a tool to ensure developmental local government in Lesotho. This list of completed documents point the way towards a decentralised system in which powers, functions and resources are based at the local level. These laws and policies can be used as an indicator for a functioning decentralised system within the KoL.

Decentralisation of resources includes management of human resources which should be managed accordingly, in order for local governments to achieve their developmental goals. Legislation for an orderly work environment is therefore important to enhance morality within the workforce. Commitment and dedication of the human resources help bring about development within a decentralised sphere of government.

3.4.3. Local Government Elections Act, 1998

The Local Government Elections Act, (No. 9 of 1998) (LGEA) was passed to enhance participation, transparency and accountability in a local, democratic dispensation. In a decentralised system citizen participation in decision-making, including the right to vote, play a significant role since the local electorate are able to elect candidates that advance local governance to a developmental state. The political inclusion of women and minority groups is of utmost importance in a democratic dispensation. “The Local Government Elections Act, 1998, defines the rules, regulations and procedures for local government elections and more importantly it guarantees 30 per cent representation for women in the elected councils” (Matlosa, 2006:66). The Local Government Elections (Amendment) Act, (No. 6 of 2004) is an Act to amend LGEA and to provide for matters incidental thereto. The Local Government Elections (Amendment) Act, (No. 6 of 2004) was enacted by the parliament of Lesotho.

The Local Government Elections (Amendment) Act, (No. 6 of 2004), is followed by the Local Government Elections (Amendment) Act (NO.4 of 2011). The Government Notice (No.6 of 2011) amends LGEA ‘to make new provision for one third quota for women within councils, filling in of vacancies in respect to special council seats for women, form of ballot papers, manner of voting and for related matters’. The Local Government Elections (Amendment) Act, (NO.4 of 2011) on the other hand articulates the responsibilities of political parties in fielding the candidates and setting the functions of presiding officers.

Pursuant to section eight of the LGEA, 1998, the IEC declared areas set out in the schedule to be the electoral divisions for purposes of nominating candidates and to elect members to serve in the local authority areas established under the local government (Declaration of Councils) Notice, (No. 84 of 2011). Participation within a decentralised and democratic system is significant therefore the LGEA plays a pivotal role within local governance.

The total number of electoral divisions within the KOL is nine hundred and fifty (*see appendix 6*). The electoral divisions constitute the community councils whose main tasks include the allocation of land as one of the factors of production and means towards development of the individual citizens and the country of Lesotho as a whole. This land allocation is supported by appropriate legislation in the form of the Land Act passed by the parliament.

3.4.4. Land Act 2010

The Land Act, (No. 8 of 2010), (LA) supports the Local Government Act, (No. 6 of 1997), where the local authorities play a pivotal role in the allocation of land. Land is one of the factors of production which lead towards envisaged development. The economy of any country and livelihood of local people depend on land on which they should be granted powers and resources to manipulate it in a sustainable manner. The Land Act, No. 8 of 2010, repeals and replaced the existing law relating to land –the Land Act, (No. 17 of 1979) which also adopted by the new local government in 2005 as supporting legislation before it was repealed by the LA. Before the establishment of the new local government in 2005, allocation of land was administered by chiefs in terms of the customary law which had its customary rights converted to common law right with the advent of the LA. “The enactment of the Land Act, (No. 17 of 1979) has enabled women and allowed them to have equitable access to land. Generally there is a strong political will to promote gender equality in Lesotho” (APRM, 2010:13). Before the promulgation of Land Act 1979 and eventually the LA, women were discriminated against in as far as land rights were concerned because women were taken as minors before the law. The LA ‘introduces reform in land administration and land tenure security with the view to promote efficiency in land services and enhance use of land as an economic asset in Lesotho’ (Lesotho, 2010:437).

The LA “provides for the grant of titles to land, the conversion of titles to land, the better securing of titles to land, the expropriation of land for public purposes, the granting of servitudes, the creation of land courts and the settlement of disputes relating to land; systematic regularisation and adjudication; and for connected purposes” (Lesotho, 2010:387). Most of the local authorities’ daily business, or councillors’ most demanding work arise from the allocation of land and conflicts involving land issues.

Before the promulgation of the LA, Land Act 1979 was the supporting legislation to the LGA for allocation of land by local governments both in urban and rural areas. “The land act of 1979 has two facets; the first being that it is exclusionary because in terms of access to urban housing land, it discriminates between individuals on the bases of their socioeconomic wealth and access to those who wield state power. The second facet is that Land Act 1979 is ostensibly empowering, as it has permitted urban residents who have acquired urban housing land through informal delivery processes to challenge state attempts to appropriate their land without compensation” (Luduka and Sets’abi, 2008:24).

The LA is supported by the Land Administration Authority Act (No. 9 of 2010). Land Administration Authority Act, (No. 8 of 2010), provides for the establishment of a Land Administration Authority Act, No. 9 of 2010 (LAA). LAA is a body corporate with perpetual succession and common seal, and it can sue and be sued, hold or otherwise acquire and dispose any moveable and immovable properties for purposes of or in the course of executing its functions. LAA is the agency of the government of Lesotho and it is responsible for land administration and operates under general supervision of the minister. It administers the land registration system and maintains an accurate and complete data base containing information on land holding in Lesotho.

Also supporting LA is Land Regulations, Legal Notice No. 21 of 2011. The Lesotho legislation discussed above will only become functional under an appropriate, designed and well-planned institutional framework under determined political leadership and bureaucratic dedication and understanding of both local and national mandates, first by elected and public officials, NGOs and lastly by the beneficiaries which comprises the electorate.

3.5. Local Government in the Kingdom of Lesotho: The Institutional Framework

Within central government, the MoLGC is vested with powers to be responsible for four sectors, being local government, land, housing and chieftainship (LGNSP, 2009:25). The MoLGC has the responsibility for the decentralisation process, but this role is prone to end once the process is complete. MoLGC (2008) in LGNSP (2009:25) states that the MoLGC has the drafted Strategic Plan (2009-2013) which recognises its role during the transition period:

“In the transition period leading to the establishment of a fully functional decentralised local government system, the ministry will play a more direct role in development activities at the district and community levels... Hence, although the ministry in principle is a policy making body, at this stage of the evolving process, part of the ministry’s strategies will be to engage directly in key aspects of decentralised management at the district levels. These areas include civil construction, development planning, and facilitating the participation of chiefs and local communities in development”.

With the view that over the years, the government made considerable efforts without any guiding plan of action, in 2009, it mandated MoLGC with the responsibility of preparing the Decentralisation Action Plan (DAP) for 2009/10 and 2010/11 fiscal years in order to coordinate and plan its activities (MoLGC, 2009:ii).

The DAP and the MoLGC’s Strategic Plan has the direct link “as issues to be focused on by DAP are responsive to the outlook of the strategic Plan” (Lesotho, 2009c:12). The key issues for the DAP are based on the following assessment:

- Strengthening oversight and coordination of the reform based on clear policy direction and political leadership.
- Strengthening the systems and structures of the councils for the transfer of the devolved functions.
- Improving financial resources and systems of financial management and administration at the Council level.
- Strengthening participation of Basotho in local development processes and improving local governance.

The institutional arrangement of the DAP is as follows: “the overall oversight and leadership responsibility of DAP lies with the Prime Minister (PM) to provide the needed political direction and ensure buy-in from all ministries. This is also to ensure that the DAP is dealt with at the highest level of government. The PM will be supported with information from the minister of MoLGC and Government Secretary (GS). The committee of principal secretaries chaired by the GS is responsible for providing the forum for addressing operational issues as well as monitoring implementation of the DAP. It is also responsible for overseeing the operations of the Inter-Ministerial Working Group (IMWP). The IMWP addresses specific operational issues of implementing the district administrator (DA) on a regular basis. Coordination of implementation of the DAP is the responsibility of MoLGC under its Department of Decentralisation” (Lesotho, 2009c: 27-28). (See figure 3.1)

thinly distributed CCs resulting in over stretched management, monitoring and performance evaluation.

The reduction of councils curtailed the number of community councillors, increasing responsibility for new councillors with an extended number of villages constituting the electoral divisions in their care. All local government service public officers Grade F, who held positions of Community Council Secretary (CCS), were laterally transferred to the newly created position of Assistant Administration Officer (AAO) Grade F and their terms and conditions of employment were varied to pensionable terms. They retained their salary rights and there was no retrenchment of any former CCS whatsoever.

The CCSs and Town Clerks (TC) are third in command of the district; second in command are District Council Secretaries (DCS) with District Administrators (DA) first in command of a district. Between DA, DCS and CCS no position is subservient to another. CCSs and TCs are the chief executive officers of their respective councils and are closer to the electorate because they live and work in the council and are responsible for the implementation of council policies. The successful implementation of all developmental initiatives, the implementation of policies and coordination between the other government ministries, NGOs and the business community rests upon CCS or TC shoulders.

The DCSs, CCSs, and TCs are responsible for administering and coordinating the implementation of council policies, activities and council resolutions and in maintaining such functions as public relations, compliance with all relevant laws and instructions, public participation, security of fixed and immovable assets and management of communications between councils. The main duties are as follows: a) coordination of the implementation of local government service policies; b) controlling of council overall operational resources and expenditure; c) management of council administration, d) ensuring efficient and effective performance of the council; e) development and supervision of Council staff; and f) securing public participation in community development planning.

Before the October 2011 elections, the CCS and DCS were responsible to the chairpersons of councils. With the new changes, CCS, TC³² and DCS are directly responsible to the DG³³. CCS, TC and DCS have the same job descriptions even though there is a dramatic difference in their remuneration and benefits.

DCS is the head of all public officers who fall under the district council; operationally all local government service public officers in their respective district report to the DCS. Directly responsible to the CCS is the community council administration staff while the urban council administration staff are directly responsible to TC. The job descriptions and responsibility for CCS, TC and DCS is the same and other tasks were added with the reform of local government structures. DCS, TC and CCS are responsible to the director general who is based in the capital town, Maseru, and in MoLGC.

The District Administrator (DA) is responsible to and appointed by the Minister of local government and chieftainship in consultation with the Prime Minister, and he or she represents the interests of the central government through the decentralised ministries at the district level.

³² Town Clerk is the chief executive officer of the UC and head of all public officers who fall under the Urban Council.

³³ Director General is a head of the local government service. DG is directly responsible to the centrally based Ministry of Local Government and Chieftainship.

The responsibility of the DA is to coordinate duties and functions and supervise all public officers in a district except those who are employed by local authorities. The office of the DA also works closely with the office of the principal chiefs. Unlike in other countries which learnt the power of traditional authorities, Lesotho's traditional leadership has been incorporated in local governance structures but remain accountable to the principal chiefs whom by virtue of their position form the house of the Senate in the National Parliament. The office of the DA as a representative of the national government, works with the office of principal chiefs who are in the house of senate in national parliament. The two offices work together under the umbrella of local government.

The DA also works as a secretary to the District Development Co-ordinating Committee (DDCC). The DDCC is comprised of a mayor or chairperson of the council and two elected members of the council, an officer representing District Planning Unit (DPU), "such other public officers as may be determined by the minister, to represent ministries that are operating within the administrative districts", persons from NGOs and disadvantaged groups as may be determined by the minister of local government and chieftainship (Lesotho, 1997:423; Lesotho, 2004c:398).

The chairperson of the committee is elected amongst elected representatives and calls a meeting of the committee from the office of the DA once in every three months. "The function of the DDCC is to consider draft development plans for the district prepared by each council; and to coordinated such plans into a composite District Development Plan (DDP) and to approve such plans" (Lesotho, 1997: 424). The standing committee on finance and planning from the councils is the one that "submits development plans and scheme for projects to the DDCC for their consideration in drawing up the DDP" (Lesotho, 1997:407).

At the council level, whether community, urban, district or municipal, the standing committees are elected by ballot at the first general meeting of every council every year. The committees consists of members not exceeding seven and each committee performs, exercises and discharges such powers, duties and functions as are delegated to it by the council, or otherwise conferred or imposed upon or vested in it. There are three standing committees within councils being social services, land and natural resources management and technical services and infrastructure or finance and planning committee (*see appendix 2*).

A council however "may, from time to time by appointment from amongst the councillors, form the special committees consisting of such number of members as it deems fit for the purpose of inquiring into or reporting within such period as the council may determine, upon any matter relevant to the affairs of the council... For the purpose of any matter which any council is jointly interested with any other council, it may make arrangements by mutual consent with such other authority for the constitution of a joint committee, for such period as it may determine, for the councillors upon such joint committee and for the delegation to such joint committee of any of its powers or duties, other than the power to raise any loan, to levy any rate or to impose any tax" (Lesotho, 1997:406).

"For each administrative district there should be the district planning unit made up of planning officers and such other public officers of any Ministry, who are engaged in performing their functions or carrying out any work within administrative district in respect of their ministries" and their number to constitute DPU is determined by the Minister of local government (Lesotho, 1997:407). Lesotho (1997:407) states that the DPU is the backbone of development planning within the respective district and its prescriptions as provided as follows:

- (a) to provide planning services for the councils within the district;

- (b) to consider draft development proposals submitted by councils and to formulate and prepare an annual district development plan incorporating all or any such proposals and submit such plans to the DDCC;
- (c) to finalise the district development plan having regard to the recommendations made by the DDCC and submit such plans to the ministry, and
- (d) to ensure that the DDP conforms reasonably to the overall National Development Plan formulated by the ministry responsible for economic planning.

The DPU is responsible for Integrated Development Planning (IDP) within districts to enable the local economic development and includes all the stakeholders in a participatory planning. The development committees prescribed by LGA, government departments and ministries, councils, NGOs, the local populace etc are key to the constitution of IDP.

The Proposed Performance Management System for local authorities, 2004 (PPMS), explicates that “IDP budgeting and performance management are powerful tools which can assist councils to develop an integrated perspective on development in their area. It will enable them to focus on priorities within an increasing complex and diverse set of demands. It will enable them to direct resource allocations and institutional systems to a new set of development objectives” (MoLGC, 2004:2). IDP is the leading instrument of local planning as it aligns budgeting with strategic priorities and facilitates the participation of the people.

The proposed performance management system for local authorities’ document also adds that “in involving communities in developing some council’s key performance indicators (KPIs) increases the accountability of the council. Some communities may prioritize the cleanliness of an area or the provision of water to a certain number of households. Whatever the priorities, by involving communities in setting KPIs and reporting back to communities on performance, accountability is increased, and public trust in the local government systems is enhanced” (Ministry of Local Government and Chieftainship, 2004: 2) The communities at the grassroots are respected and their basic needs and service delivery is directed towards their satisfaction because through local elections, they are the ones whom the government of the day is responsible to.

3.6. Local Government in the Kingdom of Lesotho: The Developmental Perspective

Local government in Lesotho is entrusted with the developmental perspective as a closer institution to the local populace. “Decentralisation and the establishment of local government across the country put in place a framework for coordinating local economic efforts” (Lesotho 2006:32). Development in Lesotho is premised on well managed natural resources and performance management systems that thrive to upgrade developmental local standards. The policy framework in Lesotho as has been observed in previous sections, is built upon the framework of vision 2020, MDGs, PRS, PSIRP, HIV and AIDS, Local Economic Development (LED), Integrated Development Planning (IDP), budgeting and performance management as powerful tools to drive local governments into a developmental perspective and orientation. The combination of the abovementioned policies provides “a framework for planning, accelerated and sustained growth, private sector development and poverty reduction... The Medium Term Expenditure Framework (MTEF) put in place the means to improve links between budget processes and the overall development strategies such as the PRSP and Millennium Development Goals (MDGs)” (APRM, 2010:7).

The centrality of development in Lesotho rests upon local government to upgrade the economy through LED which necessitates appropriate skills, resources and other attractive developmental

initiatives that draw investors and open the global markets for local populace thereby uplifting the economical standards of the country. ‘The purpose of Local Economic Development (LED) is to build the capacity of the local area to improve its economic future and quality of life for all by way of a process by which public, business (private sector) and NGOs sector partners work collectively to create better conditions for economic growth and employment generation. LED is about communities continually improving their investment climate and business enabling environment to enhance their competitiveness, retain jobs and improve incomes’ (Lesotho, 2006:31). This means that the purpose of LED is to cultivate the developmental initiatives within the local environment. LED is designed to attain sustainable development and it is meant to strengthen the developmental aspect of local government through citizen participation, poverty reduction, employment creation and economic growth.

Lesotho (2006:31) stresses that “local communities respond to their LED needs in many ways particularly along four main clusters:

- a) Improvement of competitiveness of local business through ensuring that the investment climate is functional for local businesses; supporting of small and medium sized enterprises, encouraging the formation of new enterprises; supporting informal and newly emerging businesses and supporting the growth of particular clusters of businesses.
- b) The attraction of inward investment by drawing external investment (nationally and internationally).
- c) The upgrading of human capital and labour skills through investing in soft infrastructure (educational and workforce development, institutional support systems and regulatory issues) and targeting certain disadvantaged groups.
- d) The upgrading of local infrastructure through investing in physical infrastructure and targeting particular parts of the local area for regeneration or growth (area based initiatives).

In pursuit for LED, Lesotho has the legal and regulatory framework governing business activity in the form of the “following statutes: the Trading Enterprises Order (1993); the Trading Enterprises Regulation 1999; The Financial Institutions Act (1999); the Money Lenders Order (1989); the Companies Act (1967 as amended in 1984 & 1989); the Partnership Proclamation (1957); and the Insolvency Proclamation (1957). The tax regime is regulated by three pieces of legislation, namely the Customs and Exercise Act (1982), the Income Tax Act (1993) and the Value-Added Tax (VAT) Act (No. 9 of 2001). The effectiveness of the above statutes is hampered by the antiquity of most laws” (APRM, 2010:9). Some laws are too old and do not relate to or address the present challenges, and when some new laws that align themselves with the modern situations are promulgated they clash with the old laws. This clash of laws happens in most cases where old laws are not repealed when the new legislation is promulgated. The clash of laws is prevalent in a case of local government legislation whereby the centralised ministries have the laws or acts on the same issues as local governments and because the ministries are not decentralised, with both parties applying laws in a parallel way at the local level.

LED is a crucial component or function of developmental local government because almost all aspects that are needed in local government are weaved together in local economic development. It is enabled only if there is full decentralisation of all types; fiscal, political, administrative and market decentralisation.

“The major issue in LED is that the major thrust of PRS is poverty reduction through economic growth and employment creation and decentralisation i.e. deepening democracy.” The thrust involves the inclusive decision-making in local politics and economic development (Lesotho, 2006:32). In as far as LED is concerned there is a need for greater participation of the poor,

NGOs, private sector and the general public in LED. From a developmental perspective LED is given a major thrust by citizen participation inherent in LED as communities take charge of their lives. The strategic district and Community Councils' plan requires the inclusivity of all issues such as infrastructure, LED, HIV and AIDS, natural resources management, human resources capacity enhancement, and the financing of development by communities themselves (Lesotho, 2006:32).

The local economic development prescribes that communities must market their resources in order to gain competitive advantages to create new firms and maintain their existing economic base through the utilisation of current human, social, institutional, and physical resources (Blakely and Bradshaw, 2002:53). Robinson (1998) in Blakely and Bradshaw (2002:55) describes the two distinct views of local economic development as being 'the corporate approach, which emphasizes urban real estate development and industrial attraction, and alternative approach which attempts to steer economic development activities to local disadvantaged residents.'

Local economic development in the different forms it may take has the critical goal of increasing the job opportunities for the local populace whereas the local governments and community groups need to be proactive and avoid passiveness in their roles (Giloith and Meier (1989) in Blakely and Bradshaw, 2002:55). Blakely and Bradshaw (2002:56) explicate that from a development perspective resources are often underused, necessitating local capacity to come with the varied type of local capacities to turn resources into development opportunities. The resources should be meaningfully and responsibly manipulated to improve the lives of local communities and to accelerate the economic growth and bring about development in a local area.

The development perspective of local government is also closely associated with the decentralised management of natural resources in Lesotho; "The LGA in its first and second schedules allocates responsibilities for the control of natural resources and environmental protection to district and community councils. The district and community councils with their standing committee on land and environmental management is responsible for management of natural resources "(Lesotho, 2006:33). Decentralisation enables the reshaping of infrastructure and management of environment and natural resources in accordance with local preferences, and these resources tend to be a source of revenue for developmental growth. It can also be attested that legislation concerning environment is critical because environmental problems can be traced back from the institutional failure and poor governance, therefore decentralised governance addresses land issues, thus paving the way for sustainable development and poverty reduction.

In the Kingdom of Lesotho, "environmental management is spearheaded by the National Environmental Secretariat (NES) that was established in 1994 with support of UNDP under the office of the Prime Minister. Its function is to advise the government on all matters related to environment management... the NES is the body responsible for environmental management, with advisory, supervisory and regulatory functions. It is also responsible for coordinating environmental management across the sector ministries, at all levels, national, district levels, research institutions, private sector and the public" Lesotho, 2006:33). According to Lesotho (2006:33) there is no clear linkage between local government structures with the existing the NES provided in the Local Government Act (No. 6 of 1997) which does not mention any connection with the NES whatsoever (Lesotho, 2006:33). It can be deduced that the above-mentioned linkage is important since local governments are able to enhance democratic governance which is flexible in incorporating environmental governance crucial for management of natural resources, provided environmental governance is about how societies deal with problems of environmental nature. Environmental governance entails the substantial degree of decentralisation of natural resource management functions to local NGOs, CBOs and other local agents.

The Environment Act (No.15 of 2001) which is to be fully implemented, guides overall direction of natural resources while the environment management is guided by a variety of laws passed over the years (antique laws of Lerotholi, the land act and environmental policy of 1998 (Lesotho, 2006:33-34). Environmental management and natural resources are legislated because they form an integral part of development; in order for local governments to be responsive to social, political and economic needs of the citizenry, environment in which natural resources emanate should be well regulated so that sustainability in development is achieved.

3.6.1. South Africa as a comparative example of developmental local government

Rogerson and Nel (2005:15) assert that South Africa is one of the countries in Africa whose comprehensive attempts were made to promote pro-poor LED which in broader process is referred to as developmental local government. A lot of literature about Developmental Local Government is found in the Republic of South Africa. “The term ‘developmental local government’ was coined in the Local Government White paper in 1998”, and its genealogy “can be traced back to the civic struggles against apartheid of the 1980s” (Powell, 2012:13). The term ‘developmental local government’ is enshrined in the South African legislation, and it comprises developmental perspectives within which are entailed local government is an agent of development.

The South African developmental role is assigned to local government as agents of economic development (South Africa Yearbook (2003), Maserumule (2008) in Vyas-Doorgapersad, 2010:44). “The South African White Paper on Local Government (1998) states that developmental local government is that type of local government committed to working with citizens and groups within the community to find sustainable ways to meet their social, economic and material needs and improve the quality of their lives”.

Developmental Local Government as stated in South Africa (1998:38-42) is characterised by four development imperatives:

- Maximising of social development and economic growth;
- Integrating and co-ordinating development activities of a variety of actors;
- Democratisation of development by empowering communities to participate meaningfully in development; and
- Providing leadership, promoting the building of “social capital”, and creating opportunities for learning and information sharing.

According to section 152 (1) of the Constitution of the Republic of South Africa, 1996, local economic development is one of the roles and functions of developmental local government (Sefala, 2009:1161). Local economic development is given centrality in development endeavours of local government, and interesting lessons are yet to be taken out of far advanced countries around the world.

The main purpose of developmental local government is to promote the economic and social development of the community (Van der Waldt: 2007:19). According to Van der Waldt (2007: 19) “developmental local government means strong leadership; clear vision, and maximum participation by the community, the private sector and all the stakeholders to meet the basic needs of all and build solid foundations for growth and lasting prosperity”. Developmental local government encompasses the citizen participation in the upliftment of sustainable economic and social development.

3.7. Summary

From the context of decentralisation and local government in Lesotho, it is evident that the KoL has never had a smooth transition into a fully decentralised system. The democratic history of the KoL is characterised by political upheavals and coups both by the civilian and military. The history of councils has always been chequered as they had been established and disbanded since the colonial era and post-independence. With the dawn of the 21st century Lesotho experienced peace and tranquillity as UNDP effectively rallied to support decentralisation and local governance in developing countries of which Lesotho was no exception. Lesotho established local government and decentralisation reform in 2005. Local governance is seen as a solution towards political, social and economic ills that besiege the mountain Kingdom. The current policies; national vision, PRS, LED, NPM, PSIRP, (supported by DCI and DFID), IDP (which integrate the efforts of different spheres of government), ICT and e-government (which engages transparent measures and participation of the citizen) HIV and AIDS (which is seen as a major threat to peace and prosperity of Lesotho), all have a point of integration; they are woven in a decentralised system of governance to help in the achievement of developmental aspirations of the Kingdom of Lesotho. With local government, Lesotho is achieving its aspirations of eradicating marginalisation of the poor and women who bore the heaviest impact of HIV/AIDS; The KoL is attaining the gender equality in spheres of governance as well as equity in access to land by women.

Decentralisation is enshrined in the 1993 Constitution, Local Government Act, (No.6 of 1997) and all its supporting legislation. Structures exist to synergise the efforts of government ministries, NGOs, the electorate and elected officials. The Decentralisation Action Plan was created for planning and coordination of stakeholders' activities and the leadership responsibility and overall oversight lies with the prime minister of Lesotho as the head of his Majesty's government.

The chapter concludes with the institutional framework and developmental perspective giving local economic development centrality in making a difference in the lives of the local populace while creating employment opportunities, opening global markets and increasing the economical standards. In the next chapter a review of findings and analysis on DLG in the KoL is made to observe the current state of affairs. The next chapter examines local government in the Kingdom of Lesotho from a developmental local government perspective, with the focus on the findings and analysis.

Chapter 4: Local Government in the Kingdom of Lesotho from a Developmental Local Government Perspective: An Analysis

4.1. Introduction

Around the world countries pursue the decentralised form of governance because local governments are able to respond to the needs of the local people, the marginalised, the youth, women and children. This is the rationale of donor agencies in committing themselves towards decentralisation processes in developing countries to influence the agenda for political, administrative and economic reforms through funding of local elections, and the supporting of the decentralised process itself.

The resources are directly channelled through local authorities because donor agencies aspire to improve local capacity for participatory planning. The other reason for the interest of donor agencies and NGOs in local authorities is aligned to paving the way for local authorities and citizens to become more competent in articulating their needs as well as efficient managing of those resources that upgrade the developmental standards of their lives.

The Kingdom of Lesotho like many other developing countries pursues development through a decentralised form of governance. Lesotho reclaimed its democratisation process in 1993 after ending the civilian and military coup and enacted the 1993 constitution with the 1997 amendment. The 1993 Constitution is seen as the supreme law of Lesotho and provides for establishment of local government. The Kingdom of Lesotho has a number of legislative frameworks for local governments being the Local Government Act, (No. 6 of 1997) and its supporting legislation, namely the Land Act, (No. 17 of 1979) which was replaced by the Land Act, (No. 8 of 2010), the Local Government Elections Act, (No. 9 of 1998), Local Government Service Act (No. 2 of 2008) and other legislation.

The legislative and policy frameworks are integrated in a decentralised dispensation to constitute a developmental local government which is termed “a gateway to fighting HIV/AIDS pandemic”. This legislative and policy framework has been put in place to enable the local populace to effectively participate in social, political and economic settings. Despite the availability of the legislative and policy frameworks, the agreement of elected and public officials, academia, supporting agencies and development partners, decentralisation and developmental local governance implementation is yet to fully materialise in Lesotho.

Decentralisation of local government has been a buzzword in almost every developmental endeavour within the Basotho nation. “There are however, significant challenges to decentralisation of powers, functions and resources; the inadequate capacity of the stakeholders, from councillors to council staff and line-ministries at the district and community level. There is poor fiscal decentralisation; lack of resources for the development of district and community infrastructures, such as minor roads, bridges, village water supplies etc.; There exist also unresolved tensions between the newly created councils and the traditional chiefs, especially in the area of land and site allocations” (APRM, 2010: 15-16).

In order to meet the study objectives in understanding decentralisation and developmental local government, especially within the context of the Kingdom of Lesotho (KoL), research based efforts are aimed at analysing local government in its developmental phase with an evaluation of the current reality. It must also be noted that local government in Lesotho is guided by the Local Government Act, (No. 6 of 1997) (LGA) and supporting legislation for its full operationalisation,

The findings in this chapter are structured to cover the main strategic and operational aspects relating to the nature and function of developmental local government, namely the current reality based upon researching resources, governance, civic participation, service delivery, monitoring and evaluation.

A structured questionnaire covering decentralisation and developmental local government is used for interviews. The method of assessment is comprised of implementation and outcome evaluation, aggregate programme or project data and the desk review (*appendix 13*). The questionnaire has also been used in this study. This questionnaire was used since 2010 and more intensively in 2011, 2012 and 2013. The questionnaire was administered to executives officers of the councils, NGOs, public and elected officials from both the decentralised and central ministries as well as members of communities. The social media was also utilised resulting in a lot of insight obtained from ordinary people of all walks of life. Some observations and notes have been made since the establishment of local government in 2005 to the present. The workshops, conferences and meetings that took place since the establishment of local government until 2013 also provide more information on the decentralisation processes, developments, progress, loopholes and flaws.

4.2. Current reality on Developmental Local Government in the Kingdom of Lesotho based upon research.

4.2.1. Current reality

Lesotho is a Constitutional Monarchy with a bicameral legislature comprising of a Senate and a National Assembly elected since 2002 under a mixed first-past-the-post and proportional representation system. Elections are held at the end of a five year term, and four consecutive democratic elections have been held to date with LCD maintaining power for the first three elections. With the 26 May 2012 elections, the coalition parties comprising of All Basotho Convention (ABC), Basotholand National Party (BNP) and LCD maintained power over Democratic Congress (DC) which became the main opposition after breaking with the LCD in February 2012 before elections.

The Kingdom of Lesotho is a unitary state which uses the two-tier model of decentralisation. It is made up of the foot hills, Senqu valley, low and high lands which constitute ten districts ³⁴which have District Councils (DCs) as the upper tier government while one Municipal Council (MC) located in the capital town, Maseru, twelve Urban Councils (UCs) and sixty-four Community Councils (CCs) existing as lower-tier governments (*appendix 6 and 8*). The tiers within the local authorities are classified according to their level of development or urbanisation. Community councils are rural and more often underdeveloped, urban and municipal councils govern more developed, and highly populated areas with a small territory remaining which has public and private sector offices with numerous facilities.

The ten DCs of Lesotho as the upper-tier body encompass the largest geographical area consisting of the towns which are also referred to as ‘*camps*’³⁵. DCs are the amalgamation of community

³⁴ The districts exist namely as Maseru, Berea, Leribe, Botha-buthe, Mafeteng, Mohale’shoek and Quthing (which are considered the urban areas of Lesotho – ‘*Mabalane*’) Mokhotlong, Qacha’snek, and Thaba-Tseka (which are in the mountain area and called the Maluti districts of Lesotho).

³⁵Camps are the names that were given by the colonial masters during the colonial era because these were places where the British resided in administrating each respective district within the then ‘Basotholand’ and

councils and urban councils, and they are responsible for provision of region-wide services characterised by economies of scale, externalities and redistribution. However, DCs are made up of members of CCs who are elected by CC members to represent CCs at the district level. DCs carry out their business throughout the whole district and the functions that they perform are restricted to CCs, for example allocation of land for commercial purposes in the community councils is done by DC through its Land and Planning Committee. DCs however work with the UC or MC through voluntary cooperation, while UCs or MCs retain their autonomy in every aspect of local governance.

The MC in the capital town of Lesotho co-exists with Semonkong Urban Council which is located in the rural part of Maseru. Leribe district has two urban councils located in the urban area, namely Hlotse urban council and Maputsoe urban council while the other nine urban councils are situated in towns of every district (*see appendix 6*). The municipality and urban councils embody a small geographical boundary covering the whole urban area. The urban area is composed of towns and townships. The MCs and UCs are charged with urban governance and a single local government provides the full range of local or public services. The UCs are formed by annexation; they are located in places which previously belonged to town community councils before these CCs were repealed in 2011 barely seven years after their first establishment in the KoL. The one-tier towns make a uniform provision of services and there is appropriate accountability and efficiency complemented by a better service co-ordination.

CCs are autonomous bodies made up of a larger geographical area consisting of villages constituting electoral divisions. The lower-tiers of government, MC, UCs and CCs have the responsibility of responding to the services of a local nature. MCs and UCs provide the full range of services because they have manageable small areas. They respond to public needs through the centralised and decentralised ministries. CCs perform those functions as prescribed through LGA, and the rest (first schedule functions) are left to the jurisdiction of DCs (*see appendix 8*).

Local government elections in Lesotho were first held in April 2005 and a second in October 2011. The KoL uses a Mixed Member Proportional representation system (MMP)³⁶ in local elections, this system allows more political parties and independent candidates to participate in local elections. The study noted that within this system political parties got more involved in local elections, especially in 2011 elections, however their involvement compromised participation of the majority of independent candidates contesting the election. Respondents pointed out that an element of public choice was reduced in the local elections since independent candidates were threatened by elected officials of the then ruling party, the Lesotho Congress for Democracy (LCD)-(this was prior to its splitting in early 2012); the citizens were discouraged from voting or electing independent candidates. The electorate was misled by some prominent and influential members of parliament and ministers into believing that the GoL excludes such candidates from articulating the developmental needs of the people. As a result people felt compelled to elect party candidates suspected to be involved in corruption, unethical practices and those who had proved incompetent during the first term of local governance.

In May 2005 when local government was established in Lesotho, local governments were 139 consisting of 128 community councils and 10 district councils and one current municipality. With

after the 1966 independence of Lesotho, this term was adopted for towns throughout the Kingdom of Lesotho.

³⁶With MMP each voter is given two votes for which the first vote is for the political party to increase its total number of seats and the other vote is for election of the candidate. The candidate who gets most votes then wins the election in an electoral division or constituency.

the legal Notice No.1 of 2011 local government the local governments were reduced to 86 across the country being 64 CCs, 11 UCs and one municipality as explained above. It must be noted that before the declaration of councils of 13th January 2011, the UCs did not exist. The intention for the reduction of councils according to MoLGC was to have a manageable size of local government councils which is cost effective administratively rather than thinly distributed CCs resulting in an over stretched management, monitoring and performance evaluation. The other reason was to cut the recurrent budget and increase the capital budget (*see appendix 10*).

4.2.2 Assessment of current reality

The unitary state model used by the KoL is appropriate following the way its districts are structured, size and the terrain or topography of the country. The history of Lesotho is influenced by the way the political, administrative and social issues are addressed. The upper-tier government has a better position to offer the region wide services and redistribution. The district councils (DCs) are responsible for provision of numerous services prescribed by section five of LGA and among those functions there is the promotion of economic development while the lower tiers of government, the community councils (CCs), are restricted to seven functions of the second schedule provided by section 5 (2) of LGA (*see appendix 8*). Some other functions are not clearly spelled is therefore difficult for CCs to perform.

DCs have been informally assigned the responsibility of holding and managing funds of CCs as well as the donations from development partners. Central government is still hesitant to grant CCs financial, political, administrative and economic autonomy. However the LGA provides for autonomous CCs. The DCs also work with UCs and MCs through voluntary cooperation hence MCs and UCs provide a full range and uniform services within their small but largely urbanised and densely populated geographical area.. The UCs and MCs are the lower-tier bodies but with all the characteristics of a single-purpose mode, thus deemed one-tier local governments belonging only to urban governance. The councillors in UCs and MCs have a right to choose the Mayor and deputy mayor while within DCs and CCs they choose the council chairperson and the deputy chairperson.

With redistribution, central government is able to collect all the national wealth from different localities and distribute it indiscriminately to the offices of District Administrators (DAs) within the ten districts. The DAs issue quarterly warrants to DCs which would in turn distribute finances to CCs. DCs provide services of large scale due to bigger financial responsibility bestowed upon them. The problems that often arise concern the absence of accountability, participation, transparency and predictability. Citizens are not able to hold DCs accountable and there is often the confusion over roles in provision of services. Communities are not able to participate in the daily operations and planning of the upper, DC, tier of government since only a few councillors from different CCs are eligible for membership of DCs. These members are supposed to be four per CC within each and every district. These four members include, ex officio, the community council chairperson while two chiefs are chosen by other chiefs. The four councillors on the other hand are chosen by other councillors per CC. Duplication of efforts is prevalent in this two-tier model since all the functions of CCs are also performed by DCs in their area of jurisdiction. DCs are a step further away from the local people since district councillors do not directly account to the local people just like the members of parliament in the national government.

Local people on the other hand ought to be free to choose the local representation that they want within the local governments and this political representation should be directly accountable to the local population. The freedom in participation and elections is important in order for people to live according to their choices which are determined by their independent decision-making.

Freedom in participation and transparency are principles of good governance and elected officials are able to account for their activities. In a democratic setting, politicians are punished by not being elected if they disregarded the needs of people or if they are involved in unethical practices or during their term in office therefore the party or political leaders in government should not threaten or mislead the local populace in times of elections.

Downs and Hankla (2010: 767) maintain that the PR system used in elections represent divergent interests or groups and leads to multi-party councils but candidates elected under these systems are responsive to dictates of national party leaders, and sometimes national political concerns come to dominate local elections. The national interference in local election seems to bear bad fruits especially in the least developed and developing countries like the KoL; the electorate is misled by political principals, citizens are divided along political lines even in service delivery after the elections (people with different political affiliations to those in power are denied services by fellow community members). Sometimes elected officials and public officials seem to be deeply involved in politics and consequently fail to remember that their public standing and office is representative of the whole community regardless of individual political inclinations. The minister and assistant minister of local government however have been working tirelessly throughout the districts of the KoL, warning public officials against bias while employed in or performing their public duties.

The community councils' boundaries are marked in accordance, or based on, national constituency boundaries, thereby making it easy for CCs to be administered at lower cost. These boundaries however have negatively paved the way for elected officials from national government to openly and effectively influence and take over the limited powers the councillors have at local level. Councillors and public officials are therefore increasingly dictated to, in delivery of services to the local populace.

The reduction of CCs in number and increase in their geographic areas on the other hand has also deepened recentralisation within decentralisation since the majority of citizens are not able to access council offices or services due to an awkward terrain, unavailability of means of transport, scarce financial resources or heavy travel expenses towards council centres.

4.3. Resources

4.3.1 Physical Resources

Findings

The offices of the community councils were initially located at the centre of every CC. With the reduction of 128 CCs to 64, the centre or council office was determined by the Community Council Secretaries under the auspices of MoLGC staff along accessibility lines and strategic positioning which serve a larger geographical area of CCs. In response to a question of accessibility of offices, local people and other public officials within each respective CC expressed the view that the offices are hardly accessible especially in the rural areas or Maloti or mountainous areas where the boundaries are large due to the clustered villages that constitute community councils. The difficult terrain and limited minor and national roads present a huge challenge in accessing the offices for services. The repeal of the other 64 councils (half of the previous councils) aggravates the bad communication conditions in the rural areas.

It is discovered that in the southern districts of Mafeteng, Mohale'shoek, and Qacha'snek except Quthing the infrastructural conditions are better. These districts work with the government of Germany through its GTZ agency. Through its funding numerous offices were erected. After the

repeal of some CCs, the offices are still functioning as satellite offices to head CC offices. The service delivery conditions are better in these districts because they are facilitated by the satellite offices. In the urban areas of Maseru, Berea and Leribe the accessibility to offices is better because the local governments in these areas have geographically small areas with high population density and a constant availability of transport owing to numerous and better roads.

In Maseru, Thaba-Tseka and Berea work with a UN agency, UNDP in developmental issues while Mokhotlong, Botha-Buthe and Leribe districts work with the European Union and unlike GTZ, these donor agencies did not take the office infrastructure as the first priority, they undertook other developmental initiatives. Accessibility to community council offices is good and not better because the reduction of 64 CCs meant that offices were now far removed at the centre. The local populace feels that within these districts community council services have been re-centralised since there are no satellite offices closer to the local communities. One southern district, Quthing, is caught up in the same situation as the abovementioned districts. CCs in these districts have no buildings of their own and resort to renting buildings which sometimes have a limited space and are too crowded for staff efficiency and effectiveness.

The community council offices in the district of Qacha'snek, Mafeteng and Mohale'shoek have a conducive environment for council staff, elected and public officials' efficiency. The local population is able to hold meetings, workshops, public gatherings (*lipitso*) and other training sessions for empowerment in the offices which have spacious halls for public functions. Some of the offices have clinics for HIV/AIDS issues like the VCT and medicine collection for patients. Therefore the social services committees and HIV/AIDS committees are able to work efficiently. However the VCTs are yet to become operational and be staffed by the health personnel.

The UCs in the three districts of Qacha'snek, Mohale'shoek and Mafeteng inherited the offices of the repealed CCs therefore they work in an environment conducive to efficiency. The MC in Maseru has its own administrative buildings while the other nine UCs use the other ministries' offices for performing their functions. Similarly the DCs use the other government buildings for execution of their daily operations. These DCs include the three other DCs of Qacha'snek, Mafeteng and Mohale'shoek because the GTZ in collaboration with the government of Lesotho did not erect office buildings for DCs.

The GoL through MoLGC also made important developments by building the offices for traditional leaders within the KoL. The offices are located in the area of principal chiefs in every district. Unlike many other African countries, chieftainship is incorporated into local governance in Lesotho and there are two chiefs who represent other chiefs within councils as there are principal chiefs who constitute a House of Senate as part of legislature (*see appendix 1*).

Equipment

There is a huge demand for land allocation in which the physical planners play a role in developing the residential, commercial, recreational, industrial and agricultural sites. The modern equipment and technology that is used for land allocation is limited and costly. This situation calls for physical planners to congregate in the DCs for the sake of sharing this equipment in executing their functions throughout the districts. Physical planners are compelled to stay in the district councils and not in their respective councils as it should be the case. Some community councils' functions are as a result centralised to district councils and the accountability of these officers is lost between community councils and district councils' management and administration.

The community councils have no vehicles for conducting council business, urban councils have one per district while district councils have no more than three vehicles of their own. Community councils depend on limited availability of vehicles belonging to district councils to perform the fieldwork. The standing committees suffer most, with appointments with the citizens being cancelled when district councils happen to have urgent business of their own.

Within all districts, the council management staff has laptops. The majority of council offices have desktops, photocopiers and printers. Community councils which have their own offices, urban councils and district councils have office furniture, desktops, cell phone and airtime allowances, 3G modems and internet access even though councils do not have websites of their own or website addresses. Councils have no recording equipment, no video cameras, no bulletin or newsletters, no community libraries, and on a positive note, there is one community radio station in Mafeteng district.

Analysis

With regard to office facilities, Mafeteng, Mohale'shoek and Qacha'snek CCs and UCs are able to operate efficiently because of the space provided by the offices which are electrified, have office furniture, computers (both laptops and desktops) photocopiers, printers and others. This office environment is conducive to efficient service delivery. In offices that have the Voluntary Counselling and Testing (VCT) sections require health staff while huge storage room is needed to keep other council property, including collections from the satellite offices. The satellite offices also provide the local governments with revenue from rentals even though this money is taken to central government agency (Sub-Accountancy).

Just like in a single tier government, satellite offices are used for payment of some fines, collection of revenue from council projects, applications for old age pensions, for allocation of land and other services. As for some other local cases like water maintenance, there exist community committees within community councils which collect moneys for addressing urgent problems which would otherwise go unattended to due to official neglect. Contacting the council offices is difficult due to distance or working day factor. On weekends public officials do not work and this means urgent matters wait until Monday to be attended. In response to emergencies or urgent problems community committees do intervene.

The amalgamation of old community councils into geographically large community councils has necessitated the harmonisation of service level across the new CCs. However, issues that need to be attended by council office rather than a satellite office may not be done timely unless a customer or citizen has other means to go straight to the council office. It must be understood that in councils that have no satellite offices citizens are forced to go to the single council office within the community council. Within the urban areas however, there is no problem of distance and transport because the geographical area is small but highly populated and there are proper roads, unlike in the rural areas.

The DCs are yet to erect their own buildings which will have all the decentralised ministries offices in one place. At the moment DCs use other ministries offices and there are no problems with efficiency because just like CCs and UCs they have all that is necessary for an office to perform effectively. Urban councils in other districts and municipal councils in Maseru have a similar situation as the district councils. Only the urban and community councils in Maseru, Quthing, Berea, Leribe, Mokhotlong, Botha-Buthe and Thaba-Tseka the rest of the districts have no offices of their own. They have rent small offices which provide small space for furniture, equipment and others to fit in for daily operations of the offices. In most of the buildings that they

rent, the officials themselves are overcrowded leading to inefficiency and ineffective local government. This situation results in demotivation of the council staff.

For all Community Councils (CCs) there is a need for vehicles to help the CCs in delivering the services to the people. The issue of vehicles has however affected service delivery in the CCs for quite some time since senior officials from the Decentralisation Department (DD), are reluctant to respond positively when CC councillors need vehicles or transport facilities. The director of decentralisation maintains that only District councils (DCs) will serve CCs with vehicles regardless of problems that face the communities at the grassroots level. The attitude of the DD compromises service delivery but even if the new coalition government would want to bring about some changes, the same attitude of senior officials from the Ministry of Local Government and Chieftainship (MoLGC) prevails. This is because the same officials who were instrumental in the failure of decentralisation during the final term of the last government seem still to be calling the shots, giving directives and dictating to councillors, DCs and CCs. Based on the meetings and discussions between the local authorities' management and the management within MoLGC, the Ministry of Local Government, Chieftainship and Parliamentary Affairs is also not prepared to commit to the autonomy of community councils in as far as financial matters are concerned.

The CCs are the local government closest to the citizens in every way but they are ignored in as far as the property or assets that facilitate service delivery are concerned. The development partners (UNDP, EU, GTZ, UNCED and UNCDF) have always been keen to help the CCs with resources and funds but most of the time they are discouraged by central government or MoLGC or DCs who would take these donations and divert them from their intended purposes.

4.3.2. Human Resources

The reduction of community councils has curtailed a number of community councillors and increased responsibility for new councillors with an extended number of villages constituting electoral divisions in their care. The functioning and successful implementation of developmental local government however depends on the Community Council Secretaries, District Council Secretaries and eventually Town Clerks. With the reduction of councils, all local government service public officers Grade F, who held positions of Community Council Secretary,³⁷ were laterally transferred to the newly created position of Assistant Administration Officer (AAO) grade F. Their (AAO) terms and conditions of employment were varied to pensionable terms with effect from a date the Local Government Service Commission approved. They retained their salary right and there had been no retrenchment of any former Community Council Secretaries whatsoever.

Seventy-five positions of council secretaries grade G, sixty-four for new community councils and eleven for new urban councils were created. The former Community Council Secretaries went through a comprehensive competency based selection assessment prior to short listing for a competency based interview by Local Government Service Commission (LGSC). The assessment scientific tools were intended to remove any doubt of unfair selection and to bring on board the spirit of fair competition of which the expected outcome was to have highly competent, experienced candidates for CCs and UCs. The findings indicate that the assessment was not completely transparent because some candidates were considered appointed on political grounds

³⁷CCS is the chief executive of the CC and is closer to the electorate because she/he lives and works in the CC, and is responsible for the implementation of council policies. The successful implementation of all developmental initiatives, the implementation of policies and coordination between other government ministries, Non-governmental organization and the business community is upon CCS's shoulders.

or affiliations. LGSC is the only body responsible for overseeing the employment of management but the study noted that MoLGC has a tendency to employ management staff without their knowledge and consent.

Employment and working conditions

The newly created position of Community Council Secretaries (CCSs) and Town Clerks (TCs) were supposed to be on fixed contractual terms of 36 months. The application for renewal was to be set on 95% outcome of the performance agreement between the candidates and LGSC, compliance and adherence to laws of Lesotho, government policies, strategies and exceptionally proven good code of conduct. Due to the underpayment on such demanding positions the decisions for contractual terms were reversed to permanent employment by MoLGC. The CCSs were not paid their gratuity of three terms and half. Their term was constituted by two contractual years. MoLGC promised to pay the gratuity of CCSs into a pension fund but the study noted that this was not done since CCSs and former CCSs (AAOs) are contributing to the pension fund retrospectively. The reason that was put forward was that the gratuity was not enough to cover the officers who were owed and the newly adopted pension fund.

CCS, TC and DCS are now directly responsible to the Director General (DG) whereas before the reduction of councils and creation of urban councils these officials were theoretically responsible to the council chairpersons while in practice CCSs answered to District Council Secretaries (DCSs). DCSs on the other hand reported to the Principal Secretary. DCS is the head of all public officers who fall under the district council; operationally and administratively all local government service public officers in their respective districts report to the DCS. Directly responsible to the CCS is the community council's administration staff while the urban council's administration staff is directly responsible to TCs. The job descriptions and responsibility for CCS, TC and DCS is the same but their grades are significantly different to the resentment of former CCSs. The majority of CCSs, TCs and DCSs hold university degrees while the minority hold university diplomas.

In 2005 when local government was first established, CCSs worked alone in the community council offices until a year later in 2006 when office assistants, clerical assistants, account clerks, watchmen and messengers were employed. There have been six employees (council staff) per community council. This number was increased significantly after the amalgamation of CCs into 64 CCs; some CCSs were promoted and those who were not promoted were given a new title of Assistant Administration Officers and their conditions of service remain the same. Accounts clerks and clerical assistants hold the Cambridge Overseas School Certificate (COSC) qualifications while the watchmen, office assistants and messengers hold the junior certificate (secondary school) and standard seven (primary school) qualifications. Only Assistant Administration Officers and Community Council Secretaries in community council offices hold higher qualifications ranging from diploma to four year degrees. These offices are yet to acquire qualified staff in other sections which should have been in operation since the establishment of local government. The community councils are deemed to be under-staffed of qualified personnel and people with adequate skills. Positions that have not yet been filled in order for community councils to be independent, efficient and effective also need qualified personnel. The majority of council staff in community councils, district councils and eventually urban councils were employed on political grounds.

Public officers who served in the CCs before the reform process were redeployed to the newly declared councils as per local government (declaration of councils) legal Notice, (No. 2 of 13th January 2011) in their respective district namely, urban and community councils. The study noted that MoLGC needed to get rid of some of the staff whose services were no longer needed

after the reform, but this was difficult since these officials were permanent and pensionable and were therefore redeployed to road construction sites as watchmen and store keepers. The newly constituted councils became the successors of the repealed councils and by the same token, all redeployed officers became servants of the new councils as per section 90 of the LGA.

In the office of DC there is a DCS as an executive officer with his/her staff consisting of the finance manager, administration manager, human resource manager, DCS, procurement officer, executive secretary, AAO, accountant, watch-man, messenger, physical planners, technical staff for road construction and maintenance and a varying number of drivers for machinery used for road construction projects. The office of an UC is comprised of a TC as the chief executive officer, an AAO, procurement officer, accountant, clerical assistant, accounts clerk, watch-man, office assistant and messenger. In as far as HIV/AIDS is concerned, there are no officials employed to test and provide medicine to the local populace even though the clinics exist in some of the CCs' offices.

Findings

Service delivery is accompanied by inadequate skills of local government public officials. The current problem was exacerbated by employment of a majority of local government unqualified staff through political affiliations, nepotism and favouritism. Local governments are characterised by ill-discipline, absence of creativity and innovation. There is a prevalence of delay in payments of salaries for staff and payments of services provided by contractors or local and international businesses. The local government salary structure that is reasonable was disbanded in 2008 because MoLGC staff who consider themselves superior to local authorities, were uncomfortable with the fact that the local authorities staff would eventually earn salaries higher than theirs. The reason which was communicated to local authorities' management was that if they earn more, they would undermine them. MoLGC therefore adopted the public service salary structure for local authorities to avert this threat. The public service salary structure for public officials is inferior to the local authorities' structure and it became the obvious option for MoLGC. Promotion on the other hand is hardly got through competence but it is based more on long service or political affiliation or seniority while secondment is yet to be applied to local authorities' staff. There is lack of career path within local government employment in Lesotho.

Public official interviewees evinced a strong desire to be paid a reasonable salary while those working in the rural areas said their hardship or mountain allowance should be increased from M275.00 to M700.00 due to the hard conditions that they live in. The cost of living in the rural areas is treble that in urban areas in as far as the lack of basic amenities are concerned. There is also a general absence of adequate resources for execution of community services as already stated, and this situation impedes on service delivery mechanisms.

There is a general low or absence of incentives for local government staff and a subsequent general demotivation of staff which affects efficiency and output. There is a perpetual absenteeism of staff from work stations; ninety percent of the CCSs do not work in districts of their birthplace, most of them come from the urban places and therefore they spend a lot of time venturing on their own personal affairs in Maseru or district towns. The other factor which contributes to lack of commitment and dedication by the management of CCs and UCs is the fact that within local governments, they practically have limited executive powers to exercise and those who are overqualified are not remunerated in accordance with either their qualification or performance. The irregularities or outstanding issues within local government culminates in the erosion of competent human resources to RSA and overseas. Local governments are slow to fill vacancies since the hiring and employment of staff is done by the centrally based Local Government Service Commission (LGSC) or the Ministry of Local Government and

Chieftainship which usually overrides LGSC's rightful decisions prescribed by the legislation. When the vacancies are filled the successful candidates are not inducted, coached and mentored.

Councillors do not play a significant role since they have no powers. They are able to attend the council sittings and make decisions which have a limited effect in the lives of the local populace. The functions which they are expected to perform are the functions of the first and the second schedule (*appendix 8*). They fail to effectively perform these functions due to limited powers and resources. The councillors are yet to be given reasonable allowances that they deserve. They are remunerated M30, 000.00 to M36, 000.00 a year on reasons that their work is not yet demanding and that they lack capacity.

The urban councils and the Maseru municipality have mayors which have been elected by other councillors. District councils and community councils on the other hand have chairpersons as heads of councils. Mayors and chairpersons play a ceremonial role rather than an executive one. Local administration rests on an executive body comprised of the politically appointed government officials³⁸, District Administrators and District Council Secretaries. District Administrators are appointed by the minister of local government in consultation with the prime minister while DCS is appointed by the political party that is in power. The councils' management (CCSs, DCSs and TCs) hold executive powers to a limited extent though. Complete powers of local authorities are held by MoLGC and partly by other line-ministries which resist decentralization.

District Administrators (DAs) and District Council Secretaries are employed on two year contracts. CCSs and TCs were worked on contractual basis but the situation was changed in 2011 because local government owed them huge sums of money for gratuity. This money was owed for consecutive terms but it was too much for MoLGC to handle and therefore MoLGC took the easy way out; CCSs and TCs were told that their conditions of employment had been changed from contractual to permanent basis and the money owed to them has been used to pay their pension fund since they were now employed on permanent basis.

Analysis

With the repeal of 64 CCs to be amalgamated into increasing geographical areas of CCs, the responsibility of the CCSs grew. Findings reveal that the CCSs are dissatisfied with earning a net income that hardly exceeds M81, 600.00 a year, yet they are the chief executive officers of CCs who tend to be pioneers in as far as local government in Lesotho is concerned. This study noted that there is a general discontent about the remuneration packages of all the community and urban councils' staff who are not promoted or remunerated any better even after their training from institutions of higher learning. Some employees who first held Bachelor degrees when they were first employed presently hold postgraduate degrees while those who held COSC now hold the diplomas and degrees yet their remuneration has not improved and they are not promoted. This general discontent tends to demotivate public officials and compromises the development initiatives within the organisation while others engage in unethical practices or corruption.

³⁸Certain privileges and opportunities like secondment are often given to those public officials who have a stronger political affiliation while promotion is also made on seniority, long service and political involvement. Because civil servants are eager to advance in their careers, they involve themselves in politics in order to impress the political principals even though it is illegal in terms of public and local government service regulations. There are no disciplinary measures taken against civil servants who participate in political activities unless they belong to the opposition parties.

Some public officials commit their efforts to other means that would improve the standard of their lives to the detriment of public service delivery; some public officials transfer their services to the private sector while others take their expertise and skills to other neighbouring countries which would otherwise value their skills. There exists a general wrestle of local authorities' powers between the councillors and members of parliament, council management officials and MoLGC and centrally based line ministries officials.

The councillors on the other hand are given minimum monthly allowances on account that they lack capacity whereas they are not capacitated by both MoLGC and the national government.. They are also told that their work is not demanding due to decentralisation that has not yet materialised to the extent that they may be given reasonable monthly allowances. Councillors are silent about their unsatisfactory situation due to their political affiliations and loyalty to ruling parties. The central politicians on the other hand are reluctant to decentralise powers, functions and resources with the fear that councillors will steal their limelight. The other fear is that councillors will reach the same level as central politicians, becoming their equals if they get reasonable allowances. The parliamentarians want to stay superior to the local councillors whom they expect to succumb to their directives both within the political parties' spheres, in governance or the professional sphere.

The absence of autonomy, the understaffing, the employment of the under qualified or personnel with inadequate skills by MoLGC also contributes to general dissatisfaction within the organisation thereby negatively affecting the performance of local governments. The MoLGC ended up startled when it dawned upon it that it does not necessarily need the services of the majority of employees after the repeal of councils. Those employees are redeployed where they are not effective and efficient. As a result some of them do not go to work but stay at home while they enjoy being paid without any performance whatsoever within the organisation. The other unpleasant issue is the fact that the majority of the council staff lacks capacity to make meaningful performance of duties, especially within the finance department. This hampers service delivery and the overall performance of local governments as the quarterly funding of councils by central government is delayed with an increase in corruption as well as the embezzlement of public funds.

The work of DCS, CCS, and TC is demanding and can never be efficient when their autonomy is hindered or compromised. The MoLGC should not limit the executive powers of managers so that they may concentrate on effective management while political principals should do away with dictates and directives to the public officials. The positions of the CCSs were previously contractual but the MoLGC reversed the decision when it was supposed to pay these executive officials their gratuities. The reason behind this decision was that it would cost the MoLGC a lot of money to pay gratuities resulting in CCSs being redeployed on permanent basis instead of contractually. This decision of the MoLGC undermines PSIRP, NPM and developmental local government initiatives. The benefits of public officials have been cut, while the organisation does not sponsor staff for training and this undermines the capacity and livelihood of some of the staff who take it upon themselves to pay for their training. The CCSs on the other hand are disappointed by the fact that they do not have complete control or management of finances which is put in the hands of DCs staff, thereby impeding and limiting their innovations and authority as well as lessening the accountability element.

4.3.3 Financial Resources

Findings

This study noted that CCs have not yet received control over their finances. DC staff is responsible for regulating the financial transactions of CCs. This is done due to the insistence of the Ministry of Finance and Development Planning (MFDP) that CCs have no capacity to handle finances appropriately. It has been discovered that CCs only had capital project funds at their disposal in 2006/07 - 2008/09 financial years but that right was transferred to DCs. However, the capital grants were allocated to CCs based on the CC's population which took part in the local elections of April 2005. The allocation was formula-based and it disregarded the proposed project costs.

The capital grants proved meaningless to a majority of projects because the MoLGC gave directives to local governments for projects that should have been allocated to DCs. Most of these capital projects were for the construction of access roads. The capital grants were further not availed in time for project implementation. Access roads were not completed due to delays in transfer of capital funds to councils, inadequate funds and insufficient expertise as well as inadequate machinery and equipment. The other problem is that these access roads are not sustainable since they were poorly constructed by communities using garden tools and equipment (*appendix 12*). Access roads were not gravelled and were easily destroyed by the waters of the rainy and windy seasons, the snowy winters which swept the soil away. It seemed to be a waste of funds and effort to construct roads in this manner therefore this practice was halted by the local government minister. However the worse-off communities were more than happy to be employed as casuals and to have even temporary access to their villages. Eventually in the 2008/09 financial year MoLGC diverted capital grants to the construction of long roads implemented by DCs and for the procurement of a plant pool in each district. CCs were never allocated capital grants since 2009/10 financial year to the present and the responsibility for capital projects has been taken over by DCs.

This study noted that there is a Fiscal Decentralisation Task Team (FDTT) comprised of staff from MoLGC and MFDF. The FDTT has developed a new formula for transfer of grants from central government to local authorities even though capital grants have not been availed to CCs for a long time. Local governments feel the formula is not transparent and the capital grants are insufficient to complete the capital projects needed by communities.

CCs had and still have no control over their budgets; there is no participatory budget planning both at community and district council level; the public officials make budgets independently and neither councillor nor communities or councils, standing committees contribute through the articulation of their needs. Local governments receive all the funding from central government and are tied to central government mandate. Central government makes conditional grants to the local authorities. These grants³⁹ were started to be given to the local authorities in 2007/08 fiscal

³⁹In 2014 District Councils within KoL were given funds from the Local Development Grant (LDG) which is introduced and supported by European Union, UNDP and UNCDF. There was a criterion used to select districts that qualify for LDG, and these include the availability of work plans and enough qualified and availability of DC staff. Some districts fail because the MoLGC does not fill the vacant post within the districts in time yet local authorities have no power to hire, discipline or dismiss their own staff. The three specific objectives of LDG are (1) “to develop the capacity of local authorities to plan, budget and provide resources for local development and basic service delivery; (2) Pilot a discretionary capital fiscal transfer system at the local level; and (3) act as an incentive for decentralisation reforms as the lessons and experiences are documented and systematically fed into the reform process to improve service delivery” (MoLGC, 2013:18).

year and stopped in 2008/09 fiscal year until 2013/14 fiscal year. The budgets (recurrent budgets or capital) that are prepared by the local government management are cut by central government and are always far below the needs of local government. The expenditure of local authorities is more often blocked by centrally based MFDP and MoLGC.

Funds for capital or recurrent are not released to the local authorities in time. Annual capital funds are often released a couple of months before the end of the fiscal year and local authorities are often unable to use them. The recurrent budget is released on a quarterly basis and due to its late release by central government the public officials and councillors are usually not remunerated in time while paying the suppliers to the local governments or other government ministries often takes more than a year.

The other problem that impedes the execution of local government functions is the lack of funds, and financial resources which should complement the local authorities' functions. Local revenue collection that is done emanates from range fines, forest tree selling and others; local governments have no freedom to raise their own revenues and the little that they collect is taken to sub-accountancy⁴⁰ within the districts.

All the councils' bye-laws were drafted by the communities and submitted through the local government in 2007 but have not been approved to date. These bye-laws include taxation bye-laws. Local governments have little spending autonomy. For example, in 2008 Qacha'snek district council made a resolution to purchase a vehicle of its own to cut the costs that were being incurred through hiring vehicles from business people. This hiring of vehicles cost local governments millions of *Maloti*⁴¹ per month throughout the country, but Qacha'snek decision was questioned and the management got into trouble for taking an independent decision and disregarding the consent of central government.

This study noted that there is centralisation within decentralisation which has created a breeding ground for corruption. This means that the district councils and the MoLGC are recentralising powers and resources whereas decentralisation is supposed to take course and three phases of decentralisation action plan be completed. Within the districts powers are concentrated in the district council administration. At the CCSs and DCSs meeting with the Ministry of Local Government and Chieftainship on 6th July 2011 it was revealed that centralisation of powers and especially fiscal decentralisation will not happen in anytime soon. The reason being given was that the MFDP sees the community councils as having no capacity to be financially independent.

With financial powers centralised to the DC administration, corruption has intensified by DC administration. The DC staff takes executive decisions of CCSs concerning funds since the community council Accounts Clerks (ACs) reside and carry out their CC work within the district councils' offices. This is the arrangement that accounts clerks have made themselves while in other districts the decision was done in collaboration with the DC finance department.

CCs do not have the procurement unit of their own in the community councils. They use a single procurement unit in each district based in DC. They make requisitions for services or property and the DC procurement unit does the business on their behalf. The interviews revealed that corruption is concentrated in this unit; there are no transparent procedures taken in the selection

⁴⁰These are the central government branches deconcentrated within the districts by the Ministry of Finance and Development Planning based in the capital, Maseru.

⁴¹ Maloti is the plural of Loti and it is the monetary currency of the KoL; one Loti is equivalent to one South African Rand

of bidders. There was supposed to be a district tender unit consisting of major stakeholders within the district but it has never functioned, thereby opening channels for corruption.

The procurement managers have autonomy over procurement procedures. There is weak political or administrative involvement or oversight over procurements which present a convenient opportunity for procurement officers to take advantage of their discretionary powers to enrich themselves. Feeble legal action is taken against them to ensure transparency and adherence to procurement laws and regulations. The procurement officers define their standards and ways of conducting business. They often have their own contracting agencies or businesses registered in friends' names. The council secretaries eventually followed suit to collaborate with procurement officers through making continuous and sometimes unnecessary requisitions to enable themselves to share the spoils with the procurement officers. Prices for services would be highly increased to enable the officials to have hefty percentages of the shares.

The study noted that there are limited efforts to combat corruption by already limited anti-corruption institutions within the Mountain kingdom of Lesotho; the existing DCEO reveals that there are no resources and infrastructure to implement the practical disclosure of assets and sources of income while the DG of the Directorate of Corruption and Economic Offences is a political appointee who is liable to shy away from stepping on the toes of the ruling party (Public Eye, 2011:8).

To make matters worse within some community councils, councillors are given the role of hiring casual labourers within their respective electoral divisions. Councillors take this opportunity to use favouritism, cronyism, nepotism, or hire political affiliates or people who promise loyalty when election time comes. The situation is exacerbated by the understaffing of the community councils. It presents a perfect opportunity for political principals to play the role of public officials or LGSC which is yet to function in accordance with local government legal prescriptions. Some councillors have taken the opportunity to declare to the communities that hiring or employing people is part of their work. Political principals therefore have gained a huge following because poverty abides in the rural areas and employment opportunities are scarce.

It is noted that within some communities, councillors collect revenue, some collecting revenue for their own pockets. The other role of councillors is to allocate land. According to the councils' reports there are some instances when councillors demanded some "incentives" from the local people before they are allocated land. These incentives came in a form of money or food. The reason for submission by the communities to this unethical conduct is because during the era of the interim councils (*makhotla a nakoana*), councillors were not given any allowances by the government and therefore communities resolved to motivate those who allocate land with food for lunch and money when they had come to the communities to offer their services.

At other instances some councillors would allocate land independently without the land committee sanction whose duty is to allocate land. People or chiefs would have no questions concerning illegal allocations because they have limited understanding of local government and its rules, the Land Act and regulations.

Analysis

The effectiveness of local government in the KoL is delayed by fiscal decentralisation which is lagging behind. Fiscal decentralisation is the core of a functional local government and it should be given a priority so that development could take place. There is inadequate budgetary allocation and basis for investment funding for local authorities. There is a centralised, non-transparent and exclusive system of budgeting while the financial management and accounting system at the

council is weak, exacerbated by non-financial autonomy of local authorities. Funds allocated to councils are spent at the behest of national government and this deems local government to be the extension of central government and therefore there is inconspicuous difference between local government and central government. As asserted by Downs and Hankla (2010:762) the reformers should get the fiscal system right and for local governments to have authority they must at least have independence in the control of their budgets, in spending autonomy, taxation autonomy and should have the freedom to raise their own revenues.

The fact that taxation bye-laws are not yet approved and that local governments depend entirely on central government, undermines the concept of local self-governance. Local self-government is important for the development of the country as a whole because it is considered a prerequisite for national self-government according to some proponents of the law-state theory. Participatory budget planning is pivotal in local governance, and it should include the councillors, communities and other stakeholders to enhance an aspect of ownership. Participation that is initiated by local government results a prosperous state in as far as the law-state is concerned.

Fiscal decentralisation connotes the legal power of local governments to administer budgets in relation to their priorities with their own expenditure and revenues independent of central government interference. In the case of the KoL however, capital project funds have been diverted from control of the CCs, revenues being taken by central government while the MoLGC dictates and selects those projects that it wants to be done by DCs. This means that there is no fiscal decentralisation within the GoL. By not approving the taxation bye-laws now eight years since local government was established, by taking the local revenues and by making local governments to entirely dependent on central government for funding and not allowing the CCs to open their own account at the bank as prescribed by LGA, gives an impression that the GoL is not prepared to decentralise functions and powers or establish local governance to the full. To prove that central government is hanging on to these powers and functions, councils and executive officials of councils are reprimanded for implementing the policies or resolutions of the councils as prescribed by the legislation that govern local government, LGA.

With centralisation of powers and functions to district councils and the MoLGC, corruption has increased. Both the public and elected officials are implicated in corrupt practices. This is further demonstrated by court cases lodged against officials at the apex of the government structures including the government ministers⁴². Some officials engage in immoral, unethical or corrupt behaviour due to their small remuneration even though small salaries do not justify criminal acts or unethical behaviour. According to Ruhiga (2009:1092) 'people are vulnerable to corrupt tendencies because of the inherent desire to meet personal need'. Some officials engage themselves in corrupt practices as a calculated move aimed at self-enrichment or pure greed. The acts of councillors for demanding incentives however, amount to bribery and councillors would be sued or prosecuted if community members were aware of the legislation promulgated for regulating or governing land allocations. This study established that the community councils took

⁴²The issue of corruption and crime is the root of Lesotho's conflict which led to the Prime minister of Lesotho, Dr. Thomas Thabane to flee to South Africa on August 30, 2014 according to Dr. Moeketsi Majoro (2014). Dr. Moeketsi Majoro is a Minister of Finance and Development Planning. This study has established that since Dr. Thabane took reins of power in 2012 from former prime minister, Dr. Mosisili he concentrated on uprooting crime starting from stock theft to corruption within government circles. The corruption watchdog Department of Corruption and Economic Offences (DCEO) has been awakened since the coalition government's rule to perform its duties regardless of the status of individuals involved in corruption. The conflict in Lesotho in which the police and parts of the army are opposing each other is believed to have its roots on corruption by influential political principals. The conflict has influenced the divided political class to agree to hold general elections in February 2015, two years ahead of schedule.

initiatives to discipline the culprits. In Qacha'snek district however some public officials were prosecuted and lost their jobs due to unethical acts and unlawful land allocations.

In March 2010, Prime Minister, P.B. Mosisili⁴³ came under fierce attack from the leader of the opposition PFD, Lekhetho Rakuoane, concerning the delay in the implementation of the law which forces public office holders to declare their assets (Tlali, 2010:2). The law which was gazetted in December 2006, demands that elected officials and public officials declare their assets and directs "the DCEO to investigate anyone in public and private sector whom it suspects to be involved in corrupt financial transactions" (Tlali, 2010:2). Since the leadership of Dr. Mosisili laws and policies within the KoL were made or promulgated but were hesitantly implemented if ever implemented. This implementation problem within the KoL has become the political culture or trade mark.

Urgency needs to be put into the implementation of policies, regulations and laws if local government is to become developmental, a remedy for institutional ills and to hold both public and elected officials accountable for their activities. Corruption impacts negatively in service delivery because successful projects within local government are postponed to the following financial year. On the other hand the costs become higher due to inflationary pressures when the services are postponed to another year. Corruption includes fraud, gross negligence, embezzlement, abuse of power, theft and misappropriation while the awarding of tenders, bribery, favouritism, nepotism, insider trading, extortion and conflict of interest involve the receipt of illegal benefits by elected and public officials in return for favours (Ruhiga, 2009:1091). For the sake of good governance corruption needs to be uprooted within the local governments and the public sector in general. The MoLGC or central government ought to concentrate on monitoring and evaluation and corruption eviction instead giving dictates and directives and under mining the autonomy and authority of local governments.

4.3.4 Local Government Associations

The study has established that there are no local government associations in Lesotho. There have been plans for the creation of associations but all was in vain; the MoLGC was eager to take full control of local government associations thereby defeating the purpose for which the associations were created. The loyalty to the ruling parties by both councillors and council staff play a huge part in the success of associations; there is a greater obedience towards the political principals at the expense of the united voice for the advancement of decentralisation and cultivation of human resources. Within all the regions of the world where local governments were established there are local government associations, established to enhance or strengthen local governance but the Kingdom of Lesotho is yet to establish any functional local government associations.

Analysis

With no local government associations there is no platform on which the concerns of the councillors and public officials could be addressed; there is no promotion of local governance and

⁴³ Dr. P.B. Mosisili has been a prime minister of Lesotho since 1997 to 2012, he was a leader of Lesotho Congress for Democracy (LCD) for 15 years until LCD was disbanded in February 2012 due to internal fighting and he formed his party, the Democratic Congress (DC) which won the May 2012 elections but was not able to form a government because it did not have enough seats to become government. DC had 49 seats whereas to form a government any political party in Lesotho needs sixty-one seats therefore ABC, LCD and BNP came together and made up sixty-one seats and they formed a coalition government which has been ruling since June 2012. Local government was established under the leadership of Dr. P.B. Mosisili until the coalition government took over from him.

interests of both elected and public officials, no promotion of decentralisation and its implementation. The political party involvement plays a huge role in the failure for the promotion of decentralisation reform through advocacy by the association. The members of the political parties feel that they are being disloyal if they can fight for their rights or advocate for means for their welfare or actualization of the decentralisation reform. The local government personnel bask on the romanticized words and promises of their political leaders who are reluctant to giveaway power to its rightful place which is the local level.

4.4 Governance

Nowadays it is acknowledged that governance and corruption come to the forefront of development. Lesotho has signed international treaties and adopted conventions that include prevention of corruption, cooperation on developmental issues, gender development, protection of democracy and corporate governance (*see appendix 9*). The governance programmes seek to promote anticorruption, public expenditure management, civil service reform, judicial reform, e-government, decentralisation and public service delivery.

The dawn of coalition governance saw the Prime Minister of Lesotho, Dr. Tom Thabane put emphasis on corruption. He instructed the Commissioner of Police to investigate each and every individual including ministers on suspected corruption. The Department on Corruption and Economic Offences (DCEO)'s hands were untied and those who embezzled public funds and involved themselves in corrupt practices are brought to account while judicial reforms are showing signs of life.

Rampant corruption which has been mopping up the moral fibre of Basotho society has always remained a challenge while attempts to address it seemed weak, characterised by a poorly resourced anti-corruption unit that has few staff members coupled with weak enforcement capacity. The DCEO as a statutory body has been handicapped by lack of independence. The law gazetted in December 2006 has been mothballed for seven years whereas it gives public officers six months to declare their assets. The law requires public officers, including the prime minister, government ministers, senior government officials, judicial officers and high court judges to declare their assets. It mandates the DCEO to investigate anyone in the public and private domain who it suspects to be involved in corrupt and illegal financial transactions. This corruption has stood before the development and governance of both central and local government.

The coalition government has made corruption its priority. The leader of the coalition government has focused on corruption since he took over from former Prime Minister, Dr. Pakalitha Mosisili. "Any person will be released by courts of law upon insufficient evidence, but arrests and investigations should be made because the coalition government is committed and dedicated to uprooting corruption which is a major ill to good governance and development in Lesotho" Dr. Thabane commented in January 2013. Lesotho ranks number 78 on the corruption perception index which features global statistics. Dr. Thabane's government further promised to decentralise functions and powers to local government level in pursuance of development. The MoLGC itself has also been accused of clinging to the reins of local governance powers and functions.

4.4.1 Institutionalisation and functionality of DLG

Findings

The Study noted that the MoLGC is responsible for giving directives and supervising the activities of local governments throughout the country. In each respective district there is a district administration office which has a mandate to ensure that local governments align themselves with the dictates and directives of the central government. The MoLGC has been mandated with coordinating and planning the activities of local governments but it is sluggish in this part. This coordination includes the consultation of the MoLGC with local government management but it consults only with the DCs' management staff and the CCs management is ignored. The CCs management reveal that they are not taken seriously by the MoLGC and other centrally based ministries and this emanates from the little understanding of decentralisation, resistance towards decentralisation and sometimes a negative attitude towards local governments, councillors and staff.

Decentralisation of Ministries was done in 2006/07 financial year. Transfer of financial resources affected only those ministries whose functions have been decentralised. The ten ministries that are decentralised are Local Government and Chieftainship, Agriculture and Food Security, Forestry and Land Reclamation, Trade and Industry, Cooperatives and Marketing, Public Works and Transport, Education and Training, Natural Resources, Health, Social Welfare, Gender, Youth, Sports and Recreation, Tourism, Environment and Culture, Mines and Social Development. The decentralisation of these ministries has never materialised and it is deemed to be in theory rather than practice. With total failure in decentralising the ministries, GoL took another initiative to start the decentralisation process of ministries one by one. The process started with the Ministry of Health and Social Welfare at the dawn of the year 2012. With the Ministry of Health and social welfare, the clinics were supposed to be under complete control of CCs while hospitals would still be under the central government. The administration of the decentralised staff would be under the supervision of DCs and CCs. This initiative has not materialised yet while the health services are deteriorating throughout the KoL. The other Ministry that followed suit in decentralisation is Public Works and Transport which managed to decentralise physical resources in the form of vehicles and it is yet to decentralise the human resources pending agreement for terms and conditions of services with the LGSC.

With concentration of powers within the Department of Local Government and DCs, there is centralisation within decentralisation in Lesotho. This situation is exacerbated by limited conceptual clarity on policy to be followed, misunderstanding of the decentralisation agenda, and the strong political direction of the decentralisation reform which induced resistance from some of the line ministries who are concerned that the MoLGC wants to become a supra-ministry.

The study noted a feeble collaboration and coordination between different line ministries and development partners and the MoLGC in devolvement of functions. There exists a weak commitment of government to decentralisation reform. The parliamentarians have no understanding whatsoever of the role they should play vis-à-vis the operations of councils. Central government is seen to stand in the way of successful decentralisation, local government and in its daily operations. Councillors at local government level are subservient to elected officials and senior public officials from central government; councillors are given directives and depend on central government for decision making.

The MoLGC controls and gives directives to DCs' administration which in turn give direct CCs administration. The superiority scenario existed even before the CCs' executives could lose their

autonomy to DCs' executives and staff. The district councillors on the other hand deliver orders to the community councillors who in turn deliver directives to the electorate.

There is also conflict over the operational mandate between the office of the DCS and that of the DA⁴⁴. In the majority of councils, community councillors and chiefs clash over their roles because the majority of councillors take powers of traditional chiefs or vice versa. Public officials on the other hand have a limited knowledge about local governance. This study established that the majority of public officials from the government ministries do not even know the difference between the local government officials and councillors; they think public officials are councillors. This lack of knowledge contributes to ignorance and insufficient strategies to sensitise public officials about local governance. Heads of departments and elected officials from central government have a limited knowledge about local government, thereby compromising the decentralisation process. The inter-governmental relations are weak and have not been addressed.

The District Development Coordinating Committee (DDCC) has not been operational throughout the KoL since the establishment of local government up until November 2012 when it showed slight signs of liveliness. The DDCC is the committee that should have been steering the developmental issues. The District Administrator (DA) who is the secretary of this committee should have been instrumental in promoting the process since by virtue of his or her position he or she is the first in command of the district and is a representative of central government. Apart from the DA, this committee is comprised of responsible officials like the mayor or chairperson, councillors, NGOs, disadvantaged groups, Development Planning Unit (DPU) representative and appointees of the minister of local government. With the personnel of this calibre it was not anticipated that this committee would fail. DPU has also been under-performing to the expectation as the basic needs of the people were collected from the CCs, and were not responded to during the entirety of the first term (May 2005- May 2011). The reason for the unresponsive initiative to community action plans is blamed on government departments who pursue their ministerial goals while Integrated Development Planning (IDP) has not been done or activated by the DPU. The result has always been the duplication of efforts and wastage in national funds or tax payer's moneys.

The standing committees from CCs did not work accordingly because they were supposed to follow the processing of submitted development plans by the standing committee on finance and planning. The development plans are submitted to DDCC for consideration by finance and planning committee before District Development Plan (DDP) is drawn. The research established that the overall decision on response towards community basic needs is spearheaded by central government as some of the basic needs fall under advocacy category while some other basic needs fall under the local authorities or local governments as the gateway to fighting HIV/AIDS and the first and the second schedule respectfully (*see appendix 8*).

Projects that fall under first and second schedule and gateway projects were done to a limited extent. These projects are executed by local governments and government ministries within districts. The overall funding comes from national government and development partners even though the coordination is done by the Government of Lesotho (GoL). Advocacy projects are the total responsibility of the national government. However the GoL overlooked gateway projects and projects of the 1st and 2nd schedule and concentrated on those projects that are of the parliamentarians' interest while local governments or councils take the blame for not performing.

⁴⁴The District Administrator is the representative of the Central Government and is appointed to his or her position by the Minister of Local Government and Chieftainship.

Central government has always tended to purposely and otherwise forget that councils have a limited authority or autonomy politically, administratively and financially.

The failure of decentralisation is also attributed to inadequate capacity of both the central and local level public and elected officials; the officials lack leadership and communication skills for guiding decentralisation. The MoLGC has failed dismally to coordinate various developmental activities of line ministries who are involved in decentralisation process (*See figure 2*). The institutional set-up for Decentralisation Action Plan is failing to implement, coordinate, report, advise, direct or consult on decentralisation. Unless the prevailing conditions change sooner, decentralisation in Lesotho will be fully implemented beyond the year 2020 or may as well never be implemented.

This study noted that there has always been doubt whether the Prime Minister from the previous LCD government and by the same token the current Prime Minister for coalition, provides the political direction to ensure the buy-in from all government ministries as it is the responsibility of the Prime Minister to provide leadership in decentralisation. The minister of MoLGC, Government Secretary, the committee of Principal Secretaries, Inter-Ministerial Working Group (IMWG), and MoLGC are deemed to be not fully committed in making sure that decentralisation is fully implemented.

Analysis

The MoLGC has a duty to fulfil in overseeing that local governments have the necessary tools and capacity in attaining a functioning and developmental local government. The MoLGC has however, deviated from its mandate or is failing to apply enough efforts to push the decentralisation agenda. The MoLGC should get involved in coordination and planning of local government activities in seeing that political, administrative, financial and market decentralisation is achieved. CCSs, who are seldom consulted or hold discussions whatsoever with the MoLGC concerning professional issues ought to be attended to in order to make local governments developmental. CCSs are responsible to DG but the MoLGC has failed dismally to hold meetings and meet with them. This study noted that the majority of CCSs know that they are responsible to the DG but they are yet to work meaningfully and report to the DG. The collaboration, consultation and empowerment of CCSs is crucial as they are the chief executive officers of the closest government to the people, the CCs. The involvement of council management and councillor is pivotal for achieving national goals and prosperity for the Basotho nation altogether.

Decentralisation of ministries was done in 2006/07 but it completely failed. The failure was attributed to little or no understating of local governance or the decentralisation mode to be followed. The decentralisation type pursued by KoL is devolution which is a mode of decentralisation that enhances the livelihood of rural people through establishment and empowerment of local resources user groups who are capacitated to manage and sustainably utilise natural resources. The natural resources are located in the rural areas and in most cases rural people do not benefit from these resources, and it is only through local governance that rural people stand a good chance to improve their lives.

During the December 2012 national dialogue conference between councils, government ministries and members of Parliament held at 'Manthabiseng Convention Centre, the principal secretary (PS) of the MoLGC took an initiative to make members of parliament responsible for line ministries to make solemn statement that they will and are willing to decentralise all the resources to local government. The majority of these ministries demonstrated hesitancy to decentralise as yet. Some ministries seemed uncommitted towards decentralisation and took little cognisance of the importance of decentralisation. On the other hand ministries were adamant that

in execution of their functions they would still appoint the ministries' or own political personnel within the CCs. The negative responses from these other ministries were in contention with councillors who showed discontent of the deep central government involvement within CCs which is rather politically poised.

The other contributing factor towards the failure of decentralisation is the resistance of other ministries who think that the MoLGC wants to become the supra-ministry by being responsible for decentralisation. The other ministries or central government think that by devolution of powers and functions to the lowest political units means abdication of their responsibilities. According to Olowu (2003:44) even after decentralisation central government has the responsibility for policy formulation, regulation, monitoring and evaluation and taking charge of certain functions. In actual fact decentralisation modes are often fused together in service delivery; some functions are delegated while some functions are decentralised to the local governments regardless of the devolution mode that should be followed by the KoL. This is because not all the government ministries are decentralised or should be decentralised; some ministries or departments work best under auspices of national government. The ministries that will not be decentralised by the KoL include the Ministry of Home Affairs which already delegated the passport distribution to the community councils which are closest to the citizens (*see appendix 8*).

Clarity over roles between the office of DCS and that of DA, and between the councillors and traditional leaders (chiefs) should be provided or revisited. In most localities chiefs and councillors are clashing over roles and powers while DCS and DA on the other hand wrestle for control of the district. It is however clear that DA's role includes representing central government and overseeing that central government policies are adhered to while DCS works with councillors and decentralised ministries at the district level. The chiefs are responsible for the protection of citizens within their area of jurisdiction as well as the developments that are owned by the people while the councillor brings about the developments and represent the people in the council.

Decentralisation Action Plan (DAP) during the first term of local governance failed to make considerable efforts to decentralise and the coalition government needs to step up efforts to decentralise and make DAP functional because their predecessors have failed and there is no need to repeat the mistakes of the previous LCD government. Even with the coalition government however the political will and attempts to decentralise seem flaccid. The Prime Minister and the minister of local government must take a leadership role in the full implementation of DAP. DAP and the MoLGC' strategic plan should be harmonised as there is a direct link between them. A well-known newspaper columnist and prominent lecturer of development studies in the National University of Lesotho, Dr. N. Selinyane (2011:17) stresses that unless the country of Lesotho starts by enabling laws to "give local government real powers, it is a waste of money to even hold the polls" because the laws for real transfer of powers should be fixed first and eventually hold local and national elections together. Holding national and local government elections together would save the election costs, but the voter education should be intensified before elections are held together because the majority of Basotho citizens are yet to understand the difference between local and central government.

In order for DLG to become a success, all the institutions within local governance should function and perform to expected standards and beyond; public and elected officials standing committees, DAP, DPU, DDCC should harmonise efforts into the decentralisation process. Through the Integrated Development Plan (IDP), duplication of efforts and unnecessary costs will be avoided. The local government will become what it anticipated.

Integrated development Plan is a tool for local government to cope with its developmental role. The IDP covers the council and line-ministries budget, land management and LED. It is a roadmap for execution of duties and activities of NSA, development partners, other spheres of government and the private sector within the local authorities. It informs the council's management and assists in avoidance of duplication of efforts thereby improving efficiency and effectiveness within the public spectrum. IDP is comprised of the Community Action Plans to be implemented, five-year financial plan estimated by DPU, gateway projects to fighting HIV/AIDS pandemic, advocacy projects to be funded by either development partners, NGOs or the national government, 1st and 2nd schedule projects within the financial muscle operational mandate of councils, monitoring and performance management systems and integrated ministerial programmes and projects. IDP will enable councils to achieve their developmental objectives and responsibilities. Councillors however are judged in accordance with the implementation of the programmes and projects that appear in IDP at the end of their five-year term because IDP is comprised of prioritized basic community needs. It is vital that IDP is clearly spelled out within the LGA or any other legislation especially the national constitution due to its importance and developmental nature.

4.4.2. Legislation and its operation

4.4.2.1. Local Government Act, 1997

Findings

The study established that the majority of people at the grassroots level, elected and public officials have a limited knowledge on how to read and interpret the Local Government Act, No. 6 of 1997 (LGA) together with its amendments. Those people and elected officials who are literate cannot read the legislation because it is written only in English, and there is no Sesotho⁴⁵ version of the LGA and other legislation within the KoL. However, people, elected and public officials who are conversant with the English language cannot easily access the LGA and its supporting legislation as well as the other national legislation. This hurdle is created by the fact that Lesotho's legislation is accessed only through the government printing works located in the capital town, Maseru. Even the majority of people who live in Maseru do not know where the printing works is located in Maseru. The people need to know the location of the government printing works because it is the only place where the legislation and regulations documents are sold to the public at the moment. The majority of the electorate and officials do not know the existence of the LGA as a guiding legislation for local government which set the institutional and operational framework. The national, governmental and ministerial policies are also centrally based therefore it is never easier for other institutions and citizens to access.

Within the LGA itself, it is not clearly spelled out that apart from the standing committee on finance and planning, the other standing committees should be annually elected. These standing committees are the social services committee and the standing committee on land and natural resources. This loophole has often led to community councils' failure to change the standing committees if they should feel there is a need to.

⁴⁵Native and official languages of Basotho people in Lesotho. Apart from English language as another official language in Lesotho, there are other minority tribes or groups who have languages of their own namely these languages include Izindebele, Xhosa and Iziphuthi. Xhosa and Iziphuthi are dominant in the southern part of Lesotho especially in Qacha'snek and Quthing districts; unfortunately these languages are not made official languages in Lesotho.

The Local Government Service Commission (LGSC) is not effectively and efficiently utilised as per LGA prescription; it is not given an opportunity by the Ministry of Local Government and Chieftainship (MoLGC) to declare the executive council posts. It is denied the opportunity to determine methods of recruitment and conditions of employment, promotion, appointment, transfer, dismissal, interdiction or punishment of members who hold executive positions. LGSC is further denied an opportunity to determine salary and allowances of executive officers of councils. The study established that the MoLGC takes the role of the LGSC in determining salaries, allowances, appointment, transfer, promotion, dismissal of executive officers. Executive officers sometimes go through LGSC interviews just as a formality because the MoLGC has a last word on who is to be employed, who gets promotion and who is to be denied career advancing opportunities. The study noted that a lot of executive officers are employed by the MoLGC without the knowledge of LGSC. The LGSC is undermined by the MoLGC.

The operationalisation of the LGA is limited because the majority of its clauses are constantly broken; the DPU and the DDCC are less than functioning, as a result IDP has never materialised. The failure of DPU, DDCC and IDP has led to duplication of efforts and funds for projects by government ministries. The CCs funds are yet to be established; councils are yet to make loans, impose rates and taxes; councils are yet to make publication of annual accounts.

After the establishment of local government in 2005, councils passed bye-laws which govern street vending, range management, burial sites, revenue collection, environmental conservation and natural resources management but these local regulations are yet to be endorsed by the minister of local government and chieftainship. Councils drafted the Community Action Plans (CAPs) under the auspices of GTZ and local government has entered the second term yet they still are to be addressed and given priority; the proposed projects in the CAPs were made in 2006 and comprised of gateway projects, 2nd Schedule projects and advocacy projects. With the dawn of the second term of local governance, the basic community needs were not even collected; councillors and management were told to articulate them in meetings held with central government appointees (MoLGC) without the consultation of the citizens.

As per LGA prescription, councils are supposed to have at least one sitting per month, but other councils fail to hold council sittings or standing committees' proceedings at least once every month. The electorate is also supposed to attend the sitting if they so wish to listen, but in other councils it was established that the councillors would not let them attend. The council committees in the majority of councils have been dysfunctional almost as if they did not exist. The HIV/AIDS committees were formed as per prescription of the LGA but they neither met nor function to perform their intended duties and purpose within the local government or local communities.

Traditional leaders, councillors, officers, some political figures and some of the community members in Lesotho and evinced a strong desire to see most of the aspirations of local government and its legislation enshrined in the constitution of Lesotho. This desire was spelled out since 2008 to 2014 when Lesotho decided to create the local government association to articulate or respond to local government needs. The respondents expressed that the constitution does not provide strong or enough emphasizes on local governance. The constitution only gives emphasis to local governance through a single section 106 which spells out that "parliament shall establish such authorities as it deems necessary to enable urban and rural communities to determine their affairs and to develop themselves", and that "such authorities shall perform such functions as may be conferred by an act of parliament".

Analysis

LGA is insufficiently supported by the 1993 National Constitution which spells out through section 106 that there shall be an establishment of local authorities. Besides that section, the national constitution is silent about local authorities; the concept of devolution of powers is not captured in the constitution, the financial support to be given to CCs, separation of powers between the national and local government, the decentralisation of the line ministries is not mentioned neither the LGA nor the National Constitution. There is no section that provides for local authorities to force central government to observe the rule of law in matters that affect them. The unavailability of any section that provides the local governments with autonomy leads line ministries or central government to pay no heed to the right of local governments to be independent and seen to be making a difference within the lives of the community members.

The only thing that local governments have always been able to execute without interference is the allocation of land as provided by the LGA. However the Ministry of Forestry and Land Reclamation tends to disregard the local governments e.g. when this ministry makes the community projects (forest tree planting and horticulture) it does not take into consideration the rule of law thereby contravening land regulations and land act regulated by the local authorities under the guidance of council executives.

One of the functions of the council executives is to interpret the local government legislation and other national laws and this interpretation is limited to the councillors only. Some councillors would otherwise prefer to have their own LGA to read but it is written in a difficult way to read and rely on others to interpret the clauses within the LGA, making little attempt to visit the amendments and being thereby misled by sections that have been repealed or substituted or deleted.

Decentralisation is about bringing services closer to local populace, the legislation of the KoL should not be centralised in one district, it ought to be availed in all the districts and be available in the councils which can distribute or sell it to the communities. The inaccessibility of the LGA and other national legislation discourages people in matters of good governance and as a result elected officials are not easily held accountable by citizens who have a limited understanding of institutionalisation and operationalization of the LGA.

The fact that newly employed public officials and executive officers are no longer given the induction course as it was the case in 2005 when local government was established, compromises the service delivery. The CCSs would not be in the dark with some managerial and administrative issues if they were given induction courses and given an opportunity to learn about the organisational culture of their respective local governments.

The undermining of the LGSC by the MoLGC creates a breeding ground for corruption resulting with the bottlenecks for service delivery. This is because some people are employed on political, favouritism, nepotism and cronyism grounds. The determination of salaries and allowances by the MoLGC and not the LGSC enhances the attitudes that exist between the MoLGC and councils executives especially TCs and CCS who are often considered as not old enough to deserve reasonable living wages or salaries like the DC or the MoLGC staff yet CCSs and TCs are at the heart and centre of service delivery as well as the implementation of both council policies and national policies.

LGA is the legislation that governs local governments and it should function to the fullest which has not always been the case since its establishment. Most of the councils' business is done outside its prescription. The LGA prescribes for establishment of the DPU and the DDCC which for most part of seven years since the establishment of local government have not functioned. In

2012 these institutions have slightly started holding meetings even though they have not yet become effective.

4.4.2.2. The supporting legislation to LGA

4.4.2.2.1. Land Act No. 8 of 2010

Findings

The study established that until the promulgation of the Land Act, (No. 8 of 2010) (LA) land has been administered through the Land Act of 1979. The allocation of land under the Land Act of 1979 was speedy and flexible and this allocation was solely done by councillors and chiefs. However, the land management and administration has been ineffective and inefficient up until the enactment of LA. Still the enactment of the LA is yet to prove fruitful because land allocation is poorer than before. With land allocation there has always been a coexistence of traditional and local authorities' service delivery mechanism which negatively impacts on service delivery performance. The mandate for land allocation is vested in both chiefs and local councils thereby confusing land applicants who highly regard chiefs as the custodians of land. Majority of chiefs still have land records in their custody whereas they had to hand them over to council offices after the establishment of local government.

There is illegal allocation of land in the KoL because acquiring land through proper channels is cumbersome and expensive as it involves surveying fees and issuing of leases in the urban areas. In the rural areas there are no fees required in accessing land but it takes forever to be allocated land because the LA prescribes that there shall be no allocation of land that has not been surveyed, and that the allocation shall be in accordance with an approved development plan. Developing land before allocation takes a long time due to shortages of equipment pivotal for making layouts. The physical planners point out that the equipment used for land development is expensive therefore budget allocations often do not meet the required amount for land planning, surveying and development equipment.

The study noted that CCs have no legal officers of their own therefore this situation compromises efficiency and effectiveness of the organisation. The CCs use a legal officer based in DC for their legal issues. It has been established that most of the time legal officers have a problem in solving CCs' issues which most prevalently are land issues. Contributing factors to inefficiency of legal officers is accessibility to CC and scarce resources in the form of vehicles because legal officer demand CCs to provide them with transport and funds for lunch if they are to serve the CCs. It is declared that CCs fall under the jurisdiction of legal officers in as far as the legal matters are concerned but legal officers are hesitant to respond to local issues thereby compromising the functionality of LGA. In the very same token, the study established that physical planners in the majority of districts were located within DCs and their situation was similar to that of legal officers as well as their demands. They were only brought under the supervision of CCs in July 2013.

The other impediment for ineffectiveness and efficiency in land allocation has been noted as the scarce pivotal resources like transportation. The unavailability of vehicles belonging to CCs add up to a poor delivery of services to the communities. The blame however is shifted to the councillors for poor service delivery in as far as land is concerned. Councillors expressed that they are always wary of holding *Pitso*⁴⁶ because the local communities are always complaining

⁴⁶ Public gatherings

about the poor service in land allocation. Councillors are concerned about their re-election in the next local government elections due to land issues.

The study noted that the allocating authority (being CCs in rural areas) is not allowed to “exercise its power of granting title to land for commercial or industrial purposes unless it shall have first referred the application to the relevant DC which shall for these purpose include a representative from the Ministry of Trade and Industry, a representative from the Department of Lands, Surveys and Physical Planning and a representative of the business community in the area” (Lesotho, 2010:399). This means that CCs have no independent powers to allocate commercial land because commercial application needs the DC’s approval, and the allocation that is not made without DC’s involvement has no effect.

The LAA is centralised in the MoLGC in Maseru. The land administration services are not done within districts except in Maseru; this includes the lease services etc (*see appendix 5*). Allottees for residential and agricultural land for example are supposed to apply for a lease to a commissioner of lands based in Maseru. The issuance of leases is centralised to the MoLGC.

On a positive note, the study established that land allocation made good strides in that women who were previously taken as minors had been enabled to have equitable access to land. The 1979 land act and LA have been instrumental in the recognition of women in land issues but the inclusion of women in governance through local authorities empowered women more as NGOs, women lawyers associations (WLSA and FIDA) and Gender-links promoted gender equality by continually holding workshops with local governments to raise awareness on issues concerning women, youth and minority groups.. Gender-links⁴⁷ has made a landslide contribution in promoting and advocating gender equality economically and otherwise. Gender-links first established centres of excellence with the KoL which initially included nine councils within the mountain kingdom of Lesotho in 2009, increasing that number to nineteen in 2012. It concentrated on gender based violence and conflict resolution, Climate change, Education and Economic development, sexual and reproductive rights, Health and HIV/AIDS

Analysis

The LA was eventually introduced as a reform in land administration and land tenure security with the view to promote efficiency in land services. In the beginning politicians and part of the urban population were critical of the LA because it opens doors for foreign companies or enterprises to have a stake in land allocation. Allocation of land to foreign enterprises or companies is positive as it will attract investors thereby increase job creation and promote the local economic development initiatives.

Land is one of the most important factors in LED and must be managed carefully. Without control, management and administration of land, local development is essentially not viable. “Thus, land management and land deals are forming an important component of any economic development programme. A local or community development plan will be thwarted if suitable

⁴⁷ Gender-links was formed in March 2001 and it is a Southern African NGO headquartered in Johannesburg, South Africa. It promotes gender equality and justice across fifteen countries of the SADC region. It established project sites with field workers in Lesotho, Madagascar, Namibia, Swaziland, Zambia, Zimbabwe and Mozambique in 2009/2010. Gender-links worked with civil society partners in the campaign to elevate SADC Declaration on Gender and Development into a protocol with 28 targets to be achieved by 2015. It coordinates SADC Gender Protocol Alliance that brings together over 40 NGOs at national and regional. It works to ensure that SADC Gender Protocol is ratified, domesticated and implemented. It holds annual work summits and awards from country to regional level.

sites and buildings for selected projects cannot be furnished. Moreover, this management must aim to improve existing land use practices and the appearance of the community, paying special heed to the design standards with the urban space” (Blankely and Bradshaw, 2002:180). The land use planning, development plans, good management and administration of land promote the attractiveness of the local communities and their towns thereby attract investors and increase tourism.

The land management and control systems should not only get the right things to happen but they should prevent the worst things like corruption or illegal activities from happening. With effectiveness and efficiency in land allocation and administration, numerous offences regarding land issues will be averted. These offences include the selling of land by traditional leaders, councillors, public officials and members of the community whereas it is an offence to sell land in the KoL. Some of the abovementioned parties have no right in allocating land therefore they allocated land unlawfully.

To reduce poverty by half within the KoL is one of the Millennium Challenge Goals entrusted to the GoL; in order for poverty to be eradicated land allocation should be effective and efficient because land is the economic backbone on which employment is to be created. Adherence to the international protocols and local legislation is crucial for the prosperity of the KoL. Gender disparity would only bring more harm than good therefore laws, conventions and protocols that firmly ensure gender equality are the integral part of the KoL’s victory against social, economic and political ills.

4.4.2.2.2. Local Government Elections Act, No. 9 of 1998 and Local Government Service Act No. 2 of 2008

Findings

The study established that with the Local Government Elections Act, (No. 9 of 1998) (LGEA) and its amendments (No. 6 of 2004), (No. 4 of 2011), (No. 7 of 2011) and Local Government Elections (Declaration of electoral divisions) Legal Notice (No. 84 of 2011) had been adhered to appropriately. Through the Local Government (Amendment) (Act No. 7 of 2011) one third special seats for women candidates drawn from party lists was determined in proportion to the total number of votes attained by each political party from electoral divisions in the councils. Through the Local Government Elections Notice, 2011, the new electoral divisions and council are officially operating.

The Local Government Service Act, (No. 2 of 2008) (LGSA), Local Government Service Regulations, 2011, and the Local Government Service List of completed documents which support the LGA were not well utilised since there are grievances from the public officials about issues that were not rightly addressed. The superiors, elected officials or the government in general is concerned about the way rules and regulations were broken by government officials. This means that the GoL and public officials have both been wrong.

The LGSA was passed by the parliament of Lesotho in 2008 in order to deepen decentralisation which requires a considerable collaboration of line ministries and other actors. This is because a high percentage of the KoL’s civil servants have always been expected to be transferred to local authorities. However, the LGSA is yet to be fully operational as well as the local government service regulations. The Local Government Service Commission (LGSC) is yet to carry out its responsibilities which include recruitment, induction, staff administration and sensitization as endorsed by the LGA and the LGSA. The problem which has always been overhanging on the LGSC is that the MoLGC does little to create a favourable environment for the LGSC to execute

its duties. Most often it is noted that important information from the MoLGC's lacking concerning its tasks. Remuneration packages, benefits and allowances on the other hand are yet to be unpacked for local authorities' staff while the salary structure is to be returned to local authorities' civil servants from the public service commission.

Analysis

Local Government Act, (No. 6 of 1997) as a backbone of local governance in Lesotho is supported by a lot of local government legislation and national legislation which prescribe fines and penalties for offences but the legislation is yet to be fully implemented. Most of the offences also arise from the procurement unit which should be brought down to a semblance of order through the procurement ethics and integrity. There is procurement manual for the GoL which is the unifying reference for all procurement staff and managers. The procurement manual gives the procedure, guidance and instructions on many aspects of procurement and contracting. Public Procurement Regulations Legal Notice, (No. 1 of 2007) has been introduced by the Ministry of Finance and Development Planning (MFDP) as a cue for the implementation of the procurement reform process to avoid waste and to banish corruption within the public sector and to deliver optimum value for money and improved services

Since the inception of local government in 2005, the organisation has been characterised by corruption and economic offences which pull the DLG down and subsequently the national government. The Directorate of Corruption and Economic Offences (DCEO) should adequately address issues of corruption provided there is an appropriate legislation⁴⁸ for such unaccepted acts of corruption.

The LGA is supported by a lot of legislation which should be utilised and not be ignored as is the case. This legislation includes the Financial Management and Accountability Act 2011 (FMA), Finance Order of 1988 (FO) and Financial Regulations 1973 as well as Local Government Financial Regulations 2006. Ignorance to this financial legislation has led to a lot of corruption within the public spectrum provided DCEO was not enabled to carry out its operation. Positively only in 2013 DCEO is empowered, capacitated and given a green light to do its job and it is making a remarkable progress throughout the country in as far as corruption is concerned.

As a pathway for corruption to be completely uprooted there is a need to harmonize the existing laws with the LGA. This will make local government function accordingly because the national legislation and other laws are expected to function within the context of local governance. The other legislation that needs to be harmonised with the LGA includes the Chieftainship Act 1968, Range management and Grazing control, Mines and Minerals Act 2005, Forestry Act, etc. The LGA itself ought to be fully operationalized and adherence to its prescriptions should be maximised. The supporting legislation also ought to be fully recognized. Offices of local authorities on the other hand, should be fully staffed with their own legal officers, procurement officers, finance managers, accountants, human resources managers and administration managers. The CCs will then become efficient and effective in services delivery, the national and local policies and developmental goals of the KoL: MDGs, international, AU and regional treaties and conventions will be fulfilled and achieved.

The LGSA is meant to complement the Local Government Act , 1997, by enhancing the local government service through motivating, remunerating, sensitizing and giving the direction for

⁴⁸ The existing legislation against corruption and economic offences includes the following: Prevention of Corruption and Economic Offences Act 2006, Prevention of Corruption and Economic Offences (Amendment) Act 2006 and Prevention of Corruption and Economic Offences Regulations 2008.

disciplining the local government employees. It gives the direction needed to be taken which involves members of the Local Government Service Commission as well as the Minister of Local Government. The LGSA is all about the terms of service within the developmental local government.

The LGSA and its amendments on the other hand give the direction on how the election within the local government should be handled and it is making progress since it is effectively used and adhered to, compared to any other legislation supporting the LGA. It promotes citizen participation and more importantly the involvement of women within the local elections and decision-making. Women constitute a higher percentage than men in contributing towards the developmental initiatives within Lesotho and therefore their participation not only in electing leaders but in becoming leaders themselves is important, as realised by the Kingdom of Lesotho. Lesotho has achieved promoting women involvement through the creation of a quota system for women which is working well for the mountain kingdom and for developmental endeavours.

During the Community Councils Leadership Sensitization workshop⁴⁹ which was held at Hotel Mount Maloti in Molepolole district on Thursday 4th July 2013 it was noted that Lesotho has no elaborate decentralisation policy, and for this reason the coalition government was in the process of preparing decentralisation policy in 2013. The formulation of the decentralization policy is hoped to strengthen the LGA which is also suspected to have numerous loopholes.

4.4.3 Current policies

Findings

Twelve-year Decentralisation Implementation Programme

According to LGNSP (2009:20) The GoL adopted a twelve-year decentralisation implementation programme comprising of three phases being the transition phase, development phase and consolidation phase. The study noted that phase 1 (2004-2005) which is a transition phase culminating in local government elections and devolution of some functions was successful because elections were held and some devolution of some functions was done. Phase 2 (2006-2011), was not a success since it is in this phase that additional functions were expected to be decentralised but instead functions were recentralised. With phase 3, (2012-2016), the operation of local government is expected to be refined while efficiency and effectiveness are improved but it seems as though things are falling apart. The government of the day (coalition government) has on the other hand started once again to consult the local people in 2013 and is drafting a decentralisation policy which has been needed since the establishment of local government in Lesotho. In making sure that it would get the policy right, the GoL visited Uganda and Rwanda in 2012 to learn from their decentralisation policies. The decentralisation expert of Uganda was brought to Lesotho in 2013 to assist the MoLGC in policy formulation for decentralisation and its implementation in order to enable KoL to respond to its national goals.

National Vision 2020, PRS and PSIRP

There are limited efforts to address objectives of National Vision 2020 and the PRS. The report of the APRM revealed that poverty in Lesotho has increased adversely. The poverty situation is compounded by high unemployment rates and the prevalent situation of the climate change in which there is severe drought. The raining patterns have drastically changed, affecting the

⁴⁹ The Community Councils leadership sensitisation workshop was chaired by the MoLGC in collaboration with UNDP and UNCDF. The agenda in this workshop was about the deepening of decentralisation programme (DDP).

ploughing season and livestock which die in numbers and fail to reproduce in a consistent manner.

The PSIRP and NPM implementation is limited to the detriment of Lesotho's Vision 2020 which also depends on the PRS, PSIRP and NPM for its success (Matope, 2011:12). PSIRP ended and transcended into PRSP without success. The PRS followed suit in ending without providing the expected outputs and outcomes while the NPM has also become a statistics of the romantic papers that adorn the government barren policy plans. It has been established that during the 33rd SADC Summit held in Lilongwe, Malawi in 2013 SADC leaders pledged to focus on reducing poverty and youth unemployment in 2014. Most often these policies and pledges are continually made by the KoL without being put into practice.

MDGs

“Lesotho, in the APRM report received a red rating under efforts to address poverty, with the civil society doubtful that the country would meet the MDGs on halving extreme poverty by the year 2015”. The goal in which Lesotho is making a progress in MDGs is the universal access to primary education and the promotion of gender equality and empowerment of women. Lesotho has ratified a number of international and human instruments in order to protect and promote women's rights. Lesotho is making progress by including women in decision making and protecting them through the new legislation such as the Legal Capacity of Married Persons Act, (No. 9 of 2006) while Local Government Elections Act, (No. 9 of 1998) covers the inclusion of women in affairs that affect their lives or politics through quotas. “The country's Vision 2020, the Millennium Development Goals (MDGs) and the PRS programme all espouse the need for women's rights and gender equality as a critical requirement for development” (APRM, 2010:82).

With the eradication of poverty and hunger, improvement in maternal health, reducing child mortality, ensuring environmental sustainability and developing global partnership for development, Lesotho is yet to make considerable efforts to meet those goals according to the responses given by experts, councillors and public officials. There is still a need for a supportive environment and considerable efforts to engage all the stakeholders.

HIV/AIDS

Local governments are yet to effectively and efficiently implement policy on HIV/AIDS. The HIV/AIDS committees⁵⁰ and social services committees on HIV/AIDS are not functional. HIV/AIDS continues to adversely affect the economic and social development of Lesotho which is the country ranked third with HIV/AIDS prevalence in the world. According to the statistics revealed by public officials of Baylor hospital in Machabeng, Qacha'snek, on 13th September 2012, Lesotho is also ranked third with HIV/Aids prevalence in the SADC region. The research indicates that one in four people is infected with HIV/aids in Lesotho while 62% of people are infected on daily basis. People who are most dying of HIV/Aids related diseases are females. The sexual behaviour of Basotho citizens contribute a lot towards the infection with 53% of young females aged between fourteen and twenty-four have sexual relations with males who are ten or more years older. As a result of high HIV/AIDS prevalence and the death-rate more households are being headed by children The HIV/AIDS prevalence varies per district of Lesotho and women

⁵⁰HIV/AIDS committee on community and district level is comprised of a Council secretary, a public official from MOHSW, a member of a planning and finance council committee, chairperson of a council social services committee, a member of people living with HIV/AIDS, members of a community support group, a representative of a council of churches, orphans, credit union, youth, traditional doctors NGOs and disabled people representatives.

are the most infected and affected group while on the other hand the responsibility of the household chores rest upon their shoulders (see figure 4.1).

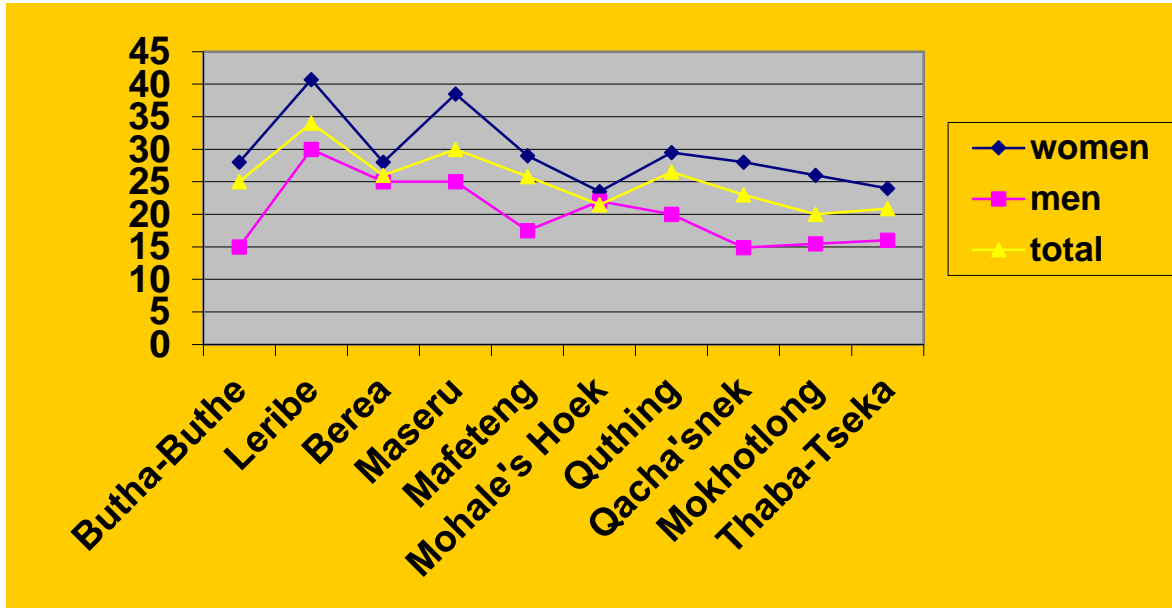


Figure 4.1: HIV/AIDS prevalence by district

Source: National AIDS Commission (2006:4)

Analysis

Twelve-year Decentralisation Implementation Programme

The KoL is lagging behind in alignment and implementation of the frameworks and policies that steer the development process. The twelve-year decentralisation implementation programme was able to gain success in phase one by holding the first elections and devolving some functions to local governments. Phase 2 (2006-2011) was not successful since no additional functions were decentralised and instead this phase was characterised by recentralisation of those functions that were decentralised. Phase 3 (2012-2016) was supposed to be the consolidation phase but instead the GoL is back at phase one where some functions and ministries were supposed to have been decentralised; the GoL is now in the process of decentralising the ministry of health and public works and it seems to be not an easy process because the decentralisation is yet to be practical.

With the decentralisation policy drawn, the Ministry of Local Government, Chieftainship and Parliamentary Affairs have indicated that the decentralisation approach to be taken by Lesotho is a gradual one and not a big-bang approach. This means that the Kingdom of Lesotho is yet to take an endless route in trying to decentralise powers, resources and functions. This gradual approach will start with the decentralisation of less than six ministries in 2016 according to the decentralisation department. It would not be surprising to see full decentralisation happening in 2020 or a later stage than that if Lesotho is going to adopt a gradual approach.

National Vision 2020, PRS and PSIRP

There are limited efforts to address objectives of the national vision 2020 and the PRS. The government of Lesotho often make policies, pledges, sign treaties and conventions which are dismally attended to. The GoL is yet to also account for immense donor support to capacitate the strategic frameworks. The administrative national budget however has no support for policies or capital investments to improve peoples' livelihoods and development achievements.

The KoL is seeing poverty that is increasing and exacerbated by effects of climate change and unemployment. Over 35% of the youth population in Lesotho is unemployed. The migrant mineworkers on the other hand are being continuously retrenched from the South African mines resulting in a decline of remittances while the living standards of miners who are prevalently rural residents are compromised, thereby impacting on the already abject poverty hunger and famine.

This poor situation necessitated the Prime Minister of Lesotho to declare a state of famine within the country and sought donations from UN in September 2012. The research established that there are squabbles and quarrels within communities over who should first get donations in a form of food and who should not. In these quarrels political parties are taking this opportunity to enhance their support and membership over hungry citizens. At the same time divisions are created among people over political affiliations.

The PSIRP, PMS and NPM seem to be crippled by a high prevalence of corruption and unless tremendous efforts are applied and all institutions do their duty the situation is threatening. The DCEO should work hard to uproot corruption and all the stakeholders, political principals and public officials must work together to rescue the KoL. If the situation stays as it is at the moment the country will totally fail to achieve its goals, and Developmental Local Government will never be successful anytime soon.

MDGS

It is also doubtful if the KoL will be able to meet the MDGs. The MDGs were underscored to be the world's time bound and quantified targets for addressing extreme poverty in its dimensions-income, poverty, hunger, disease, lack of adequate shelter and discrimination while promoting gender-equality, education and environmental sustainability. They are also the basic human rights which are encompassed in Lesotho's national objectives. The KoL declared that by 2015 it would have halved the extreme poverty, created job opportunities and employed the youth and promoted gender equality. The achievement of these targets seems distant despite NGO efforts. Gender-links for example is fully dedicated and committed towards the achievement of these targets by local governments within the SADC region. It holds annual country and SADC summits in the city of Johannesburg, South Africa. However, Lesotho is failing and outdone by its peers owing to less or non-decentralised systems in place. The absence of decentralisation excludes communities, minority groups, women, children and the youth from the democratic processes thereby exposing them to poverty and unemployment.

In as much as Lesotho has ratified various international and regional treaties and conventions, it is failing to implement them except those that promote and protect women's rights (*see appendix 9*).

HIV/AIDS

HIV/AIDS continues to affect the economic and social development in the KoL. The study noted that 62% of people are infected with HIV/AIDS every day. The high rate of unemployment on the other hand makes women and youth susceptible to contracting HIV/AIDS. The KoL already has a high number of orphans who have to seek means of livelihood for themselves and their siblings at a younger age. Since 2010 the GoL has been working with the European Commission and UNICEF to issue child support grants worth M360.00 per family of orphans in every quarter. This grant only supports sixty thousand vulnerable and orphaned children in Lesotho. The care for orphans and the combat of HIV/AIDS has been earmarked by government as one of the priorities of MDGs while local government is seen as a gateway in winning the battle against the HIV/AIDS pandemic in Lesotho.

Summary

On a positive note Lesotho is likely to meet goals relating to gender discrimination and inequality and the universal access to primary education by half in 2015. Since 2013 however, the tripartite coalition government of Lesotho has been able to open up the employment market which the previous LCD government had decided to keep growth at zero level by freezing all new positions in 2011. The incentives for competence within the GoL however are yet to meet the acceptable living standards that march the pace of the present day and those of its peers. This alignment of remuneration with that of the neighbouring countries will curb the brain drain and help in the improvement of the national vision and affiliated policies and goals. On the other hand the increase in remuneration has meant that the Government of Lesotho had no choice but to reduce the recurrent budget and capital budget for local governments and other government ministries. This reduction of budgets is affecting the service delivery which is anticipated. Corruption and embezzlement of public funds is also affecting the developmental initiatives within all tiers of government and this has led to the fall of the coalition government two years before the end of its five-year term in office.

The Lesotho National vision 2020 recognises seven pillars of development as being democracy, unity, education and training, economic growth, management of environment and advancement of technology (Lesotho, 2004a:vii). These pillars call for good governance; good governance is constituted by accountability, predictability, citizen participation and transparency. All these principles are attainable through developmental local governance which must be strongly pursued, provided the KoL has all that it takes to become developmental. As a result of the failure of vision 2020, the Government of Lesotho (GoL) plans to include vision 2020 as a long-term development framework, the National Strategic Development Plan (NSDP) 2012-2017 as a medium-term plan to achieve accelerated and sustainable economic and social transformation and The Public Sector Improvement Reform Programme (PSIRP) in the decentralisation policy for Lesotho

The development partners (DCI, DFID, EU, GTZ, USA etc), UN agencies (UNICEF UNDP, UNAIDS, UNHCR, WFP, UNFPA, ILO, UNODC, UNESCO, WHO, WORLD BANK) and NGOs have been and are still supporting the KoL's and therefore the GoL needs to be instrumental in leadership to achieve the national goals. All that is needed is the government that puts people first with citizen participation being critical in attaining sustainable development and outstanding delivering services.

The overarching problem of the government of Lesotho is the poor implementation of policies owing to shortage of staff, limited human and financial capacity, attitudinal factors that are detrimental to productivity, poor planning, lack of monitoring and evaluation of programmes and projects, cronyism, nepotism, poor budgets and misuse of available resources as well as a failure to decentralise powers, functions and resource to the local level where policies could be dealt with or managed effectively under central government oversight over implementation.

4.4.4 Developmental perspective***Findings***

The research noted that natural resources such as water and diamonds are in abundance in Lesotho. The consumption of these resources is however low. The local authorities are yet to be endowed with natural resource management as should be the case. Natural resources are at the centre of the LED because it is through natural resources that poverty is reduced, markets are created, employment is created and revenue is collected leading, to economic growth. Licensing is centralised to central government in the KoL. Licensing it is not only centralised but licences

for businesses or employment generation initiatives can only be accessed in the capital town of Lesotho, Maseru.

Abundance of minerals in the Kingdom of Lesotho draws the attention of both the developing and the developed world. This study noted that the KoL is known for high quality diamonds. The Lihobong diamond mine has drawn interest from investors in the North and at the moment it is being developed. Evidence shows that a 494 carat diamond was found at Lets'eng diamond mine in 2007 and the diamond was positioned 18th in the world while these discoveries place Lets'eng mine as one of the richest mines in the world. The largest diamond was discovered in August 2006 and the diamond was ranked 15th in the world (Public Eye, 2007:5).

In August 2011, Lets'eng diamond Mine in the district of Mokhotlong discovered the 553 carat type II D colour world's 15th largest diamond which is worth around M150, 000 000.00. According to the London-based Gem Diamond Company this diamond is the fourth⁵¹ historic diamond recovered from Lets'eng Mine in recent years (Lekhetho, 2011:2). The Gem Diamond Mining Company owns 70% of Lets'eng mine in partnership with the Government of Lesotho which owns 30% of the total profits of the Mine. Diamonds of the mountain Kingdom are high in quality and this is the indication that Lesotho has the mineral potential that will place it in a competitive local and world market.

“The areas ear-marked for alluvial mining are likely to be around the river beds of Pitseng, Khubeli, Qaqa, Matsoku and Mokaolibane rivers” (Maleleka, 2007:9). There is evidence that within localities and around the river beds diamonds are found. In places like Ha Mohlapiso, Mosaqane, Makhoareng in Qacha'snek, communities use their spades to dig for diamonds even though the GoL has forbidden the locals from mining. The geological studies also reveal other exploitable minerals like coal and uranium. The sand stones that are good for erection of remarkable buildings are available throughout the country. Only in the northern part of the country this sand stone is mined in a meaningful fashion by both the locals and Chinese companies.

Water is a major natural resource in the KoL, and in 1995 and 1997 there were intense construction activities involving Lesotho Highlands Water Project (LHWP). Lesotho made a very impressive performance and the GDP growth rate made Lesotho one of the top ten performers in Africa at that time (Lesotho, 2009b:1). The LHWP was initiated in 1986 and the KoL exports mega litres of water to SA's Free State and Johannesburg which have large concentrations of South African industry, population and agriculture. Lesotho generates \$24 million annually from the export of water to SA. This is an indication that water is in abundance and enough to improve the local investment climate in which projects like water bottling, fisheries, irrigation schemes and others can be made for employment creation.

The dawn of 2012 saw Lesotho in the achievement and development projects concerning water with the Lesotho Lowlands Water Supply Scheme (LLWSS) being kick-started. The LLWSS is a giant water project aimed at addressing the domestic, industrial and agricultural water needs of the lowlands districts of Botha-Buthe, Leribe, Berea, Maseru, Mafeteng, Mohale'shoek and Quthing. Within the scheme is the fast-tracked Metolong Dam project intended to augment water supply to Maseru and the semi-urban areas around it. The lowlands water scheme unit was

⁵¹ The 15th largest white diamond is the fourth recovered diamond after 603-carat Lesotho promise which sold for \$12 million in 2006, 494-carat Lets'eng legacy which sold for \$10.4 million while the 478-carat light of Lets'eng fetched \$18.4 million (Lekhetho, 2011:2).

established in April 2002 within the department of water affairs. The donor involved is the EU while the project is a bilateral cooperation between the KoL and RSA.

Just like the LHWP, masses of local population have been employed in construction of the LLWSS. The study noted that another multi-million water project is about to be started at Polihali⁵². These developments show how much water as a resource is abundant in Lesotho.

The GoL has also signed an implementation agreement plan for Lets'eng wind farm which will harness 25 to 30 megawatts of power to the national grid which produces 72 MW of electricity from 'Muela hydro-power station (Keketso, 2010:9). Lesotho has also made an agreement with the EU to generate power from wind which will harness 6000MW of electricity (Monyane Moleleki⁵³, 2011).

Analysis

Local Economic Development (LED) is inherent in developmental local government. DLG targets to promote economic and social development through maximum participation of the community, the private sector and all stakeholders to meet the basic needs of all in pursuit of growth and prosperity (Van der Waldt, 2007:19). The study noted that the KoL is already making huge developmental strides through natural resources. There is no elaborate LED approach in Lesotho despite the fact that the natural resources are found in abundance. The local governments should be allowed to manage natural resources and increase their consumption. "The main argument in favour of local resource management is the information and monitoring advantages of local people who make use of a particular resource" because if local people gain management and control rights, advantages are easily recognised (Beckmann et al., 2009:694).

In as far as water is concerned, there is an ample time for the local populace to effectively manipulate this resource by having drinking water within their homes especially in the rural areas where water services are scarce. Clean water sources are located almost in every electoral division in Lesotho yet most communities are yet to access drinking water. The installation of water within family households stands to lighten the heavy load on the affected and infected by terminal diseases especially HIV/AIDS. The old people, the sick, women and the youth who are struggling due to the HIV/AIDS scourge would have a reasonable standard of living while those that are already ailing would experience some kind of social justice. This water will then be utilised in the small community gardens and eventually big agricultural projects will follow which will need the local governments to install the irrigation system. It has been noted that around Katse and Mohale dams there is aquaculture culture and fisheries. Fish is bottled at Katse dam and taken to European markets. This is the culture that ought to be practised throughout the KoL to eradicate poverty. Horticulture which is in its primal stages and agriculture would make a huge impact on local livelihoods.

Towards the end of 18th century Lesotho made history by becoming the granary of Southern Africa by responding to the demand of wheat as many people all over Southern Africa came to Kimberly, South Africa to find employment following the discovery of diamonds and therefore the commercial prowess of Lesotho made it very attractive (Prime Minister of Lesotho in Lesotho, 2004a:vi). With global warming affecting the global and agricultural markets negatively the KoL can turn this situation into a local business opportunity because it has water for

⁵² Polihali is another water project (dam) which is under construction in the Mokhotlong district.

⁵³ Monyane Moleleki has been a minister of natural resources since the inception of LCD until April 2012 when he was no longer a member of the LCD and his newly found party, the DC, was defeated in national elections held in June 2012.

irrigation. Sugar, corn and wheat are crops that can be used in the production of Bio fuels⁵⁴. Ethanol is considered an important replacement for petrol because petrol prices are unstable, and as a result undermine the global economy (Oxfam, 2007:1).

Rapeseeds or palm oil can be used to produce Biodiesel and replace diesel. The EU is seen as a big customer for developing countries to consume a lot of Bio-fuel. Southern Africa is seen as a place full of potential to supply global markets with bio fuel (Oxfam, 2007:2). Lesotho is in Southern Africa and stands a better chance to enrich itself than most of its counterparts because it has sufficient water for irrigation schemes.

The research noted however that communities living around the mega-water projects do not have water within their homes, no irrigation systems and most importantly no electricity while the power grid is installed past the homes of the poor and rural communities to urban areas. This situation needs rectification through local representation. Lesotho needs to embark more on renewable energy projects like hydro-electricity projects; wind should also be harnessed more to generate electricity. Because of the topography or terrain, there are lots of winds in Lesotho that need to be utilised. At the moment the KoL is producing insufficient electricity for its citizens and it is buying more electricity from South Africa which relies on coal for electricity production. The KoL is also importing electricity from Mozambique whereas it should be the one exporting clean energy to its neighbours. Excess water should be exported throughout the SADC region as it is the case with South Africa and it should also be bottled to world markets.

As for diamonds, uranium, coal and other minerals mining companies need to be opened and a lot of Basotho locals who have been retrenched from South African mines should be employed because they already have skills or experience. Education within the mountain Kingdom should be aligned to the environment in which people live therefore the GoL should sponsor more people to study environmental sciences, geology, agriculture ICT and engineering. On a positive note the Lesotho Diamond Academy (LDA)⁵⁵ has been finally accredited by the government in July 2013 after two years since its establishment. The Harry Oppenheimer School of Training in South Africa has also accredited this academy in 2013 as a new partner for LDA, and eventually there is hope because the LDA is focusing on enhancing the economic standard and the social development of the Basotho nationals.

Third world countries like Lesotho ought to effectively manipulate their natural resources to improve their economic growth. This effective consumption will upgrade the human development within the country and region alike therefore natural resource management should first be in the hands on local authorities a to be effectively and efficiently utilised, to eradicate poverty and create markets. Consumption complements the well-being of communities by adding value; the opportunities and choices of the electorate are increased while the future of the generations to come is preserved when at the same time the present live up to a desired standard (UNDP, 1998:1).

⁵⁴ Bio-fuels are liquid fuels manufactured from organic matter in the vast majority of crops.

⁵⁵ The Lesotho Diamond Academy was officially opened on February 22, 2011. it struggled to register with the Ministry of Education and training until July 2013. LDA was solely initiated by Michael Molefe who is its director. He sought foreign investors and successfully partnered with Israeli investors to its born day. It registered with the Ministry of Education and Training on July 18, 2013 and its registration number is 474.012. it went further to be accredited with the Harry Oppenheimer School of Training institute which assessed the capabilities of LDA's lessons and all its students graduated and received their certificates in November 2013. It is currently holding negotiations with National Manpower Development Secretariat (NMDS) and other financial institutions for the sponsorship of its students.

It is the local people who should take charge of their lives through the management and reasonable consumption of local resources. It is through LED that poverty is reduced and employment created. “LED has different strategies including focus at the local level, bottom up approach, with reasonable amount of flexibility through local control and clear focus on exploiting the developmental policies of each area and its strengths,” (Lesotho, 2006:4). The centralising of services to central government and Maseru is impeding on economic growth and helping corruption to escalate.

The centrality of development in Lesotho rests upon local government to upgrade the economy through LED which necessitates appropriate skills, resources and other attractive developmental initiatives that draw investors and open the global markets for local populace thereby uplifting the economical standards of the country. “The purpose of LED is to build the capacity of the local area to improve its economic future and quality of life for all. It is a process by which public, business (private sector) and NGOs sector partners work collectively to create better conditions for economic growth and employment generation. LED is about the communities continually improving their investment climate and business enabling the environment to enhance their competitiveness, retain jobs and improve incomes” (Lesotho, 2006:31). This means that citizen participation is pivotal in local economic development and manipulation of resources in an attempt to achieve political, social and economic ends.

In September 7th, 2014, the Decentralisation Department stressed that decentralisation would assist the government in exploration and sustainable exploitation of natural resources in different localities, and ensure that the proceeds from such resources (water, minerals and unique landscapes) benefit the local populations. The local development infrastructure which include ICTs, roads and expanding markets will open avenues for local livelihoods; the inclusion of local people in manipulation of natural resources (minerals, water), promotion of public-private partnerships and engaging private capital investment especially in the rural areas where the wealth of natural resources, poverty and a large population is based.

4.4.5. Civic participation and service delivery

As mentioned in chapter three, section 3.3, the UNDP has increased its support for decentralisation and local government. The UNDP’s strategic Plan 2008-2013, underscores the civic engagement and the using of local government capacity and resources to deliver effective economic and social policies that promote human development and management of public services that are anticipated by the local populace. The areas that are given priority include capacity strengthening of both national and local authorities to undertake participatory planning processes, assessment and adoption of effective service delivery systems.

4.4.5.1. Civic participation

Findings

Through the interviews with traditional leaders, elected officials, community members and local government employees the study noted that civic participation in matters of local governance is very low throughout the country. Seventy per cent of the people interviewed throughout the country have shown a limited understanding of local governments and do not know that they (citizens and not local governments) are the ones who should be making the decisions that affect their lives. The majority of councillors themselves indicated that they have a limited knowledge about local governance, and suggested that they need more training and sensitization on local governance. Twenty per cent of councillors are conversant with the operations of local governments as a result they take advantage of the prevailing situation of limited understanding

by dictating terms to the electorate while a few of them adopt to an honest approach in dealing with their communities.

The prevalent condition within the communities is that the local population think that councillors should be making the decisions for them. This emanates from the fact that the majority of councillors deliver orders like a whiplash and dictate terms to the local populace, be followed and adhered to, and remaining worse off.

The council decisions have a limited public input. In other local councils, the electorate does not have a say in matters of local government; the people do not even attend the council sitting even if they would like to. It was found that the majority of local councils do not distribute or give the electorate access to council minutes. The interviewed members of the communities stressed that they are discouraged by councillors to attend sittings or get the information from the council about its business. In the making of bye-laws, the councillors in some other places did not consult with the people or people did not make the bye-laws themselves and therefore did not identify themselves with decisions of the council.

The people have great expectations that councillors would make huge projects for them and take decisions that would improve humble conditions politically, economically and socially. Councillors are reluctant to explain matters of local government to the electorate and sometimes this situation works against them (councillors); in several instances councillors' houses were torched due to frustrations when people were not paid in time for casual labour. This was because councillors would tell people that they are the ones who offer and create jobs for people, and that they are responsible for paying the people. The councillors often misguide the electorate to get popular and win their support while in actual fact, councillors in Lesotho have no powers yet to implement projects and create jobs because such powers are centralised. The central government and the parliamentarians hold the local government powers and they hardly deliver to the locals.

Apart from the limited understanding of decentralisation process or knowledge of decentralisation type followed by the GoL or the progress made in decentralisation, the Non State Actors (NSA) have limited or no participation in local government. The contribution of NSA⁵⁶ in local government is not yet fully realised or appreciated by the GoL. This ignorance of NSA is despite the fact that "if a national government, however, does exclude NSA from participation, the EU has the possibility to sanction bad governance by reducing its funding through the review process" (Tangney, 2010:14). This study has discovered that Lesotho is a signatory of the African, Caribbean and Pacific states- European Union agreement which is known as the Cotonou agreement⁵⁷. The benefits that Lesotho governments get especially in the northern countries where European Union agreement applies are limited because the government of Lesotho has not yet fully embraced decentralisation of powers, resources and functions.

⁵⁶ NSA are organised elements of societal voice that are not part of government; they include the private sector, CBOs, women's groups, human rights associations, NGOs, religious organisations, farmers' cooperatives, trade unions, universities and research institutes, the media (Tangney, 2010:7).

⁵⁷ Cotonou agreement was concluded for a twenty- year period (2000-2020) in Cotonou, Benin; It finances EU aid programmes and projects and it is concerned about critical issues such as: reduction of poverty, social development and employment policies, avoidance of conflicts and wars, establishment of trade between the ACP and the EU, private sector improvement for exportation of goods and services, promotion of democracy and human rights, strengthening of cooperation between ACP and the EU in as far as migration is concerned and promotion of regional cooperation and integration (Tangney, 2010: 13).

Local Government Elections, Quotas and Mixed Systems

Public participation in the electoral process has improved in the 2011 elections compared to 2005 April elections. Major improvements are noticed in the rural and impoverished areas which are desperate for services to improve their humble conditions as opposed to urban areas where people are better off.

The 2011 elections saw an increase in registered voters and independent candidates. The political parties performed far better than the independent candidates in the elections. According to the members of the communities who attended the public gatherings held by central government political principals prior the elections voters were ordered to choose certain individuals selected by political parties. The better performance of the parties is due to the influence of the central government elected officials who discouraged the electorate from voting for independent candidates. The elected officials misguided the voters in stressing that if the people did not vote for party candidates, they would see no developments or positive changes because independent candidates would have no government or backing for development endeavours; the voters therefore opted for party candidates even though they knew that they were weak or corrupt leaders. The statements of the elected officials went against what voter educators from the IEC preached, namely that people are free to elect those individuals that they trust to bring about the difference in their lives. The voters opted not to be disloyal to their parties even though they had the option of electing strong, bright and dedicated candidates and the party of their interest in the elections.

This study noted that the other reason was the fact that the central government used the vote-buying strategies in which targeted populations were given donations and were casually employed to help the local candidates related to the influential parties. People who did not show support for councillors are often not given casual employment or when certain benefits are availed, they would be sidelined.

This study noted that the consolidated LGEA repealed by the Local Government Elections Act (No.42 of 2008) and came into effect changed what the IEC spokesperson believes brought a positive political and public reaction towards participating in local government elections.

Out of 24 political parties that are fully registered with the IEC in Lesotho, 19 political parties were represented in the local government poll. Parties that were represented are the following: ABC, BNP, PFD, MFP, NIP, LPC, LCD, BAC, BBDP, BCP, LWP, Basotho Democratic National Party, United Party, Lesotho Education Party, Senkatane, Sefate Democratic Congress, All Democratic Corporation, Kopanang Basotho Party and New Lesotho Freedom Party.

The IEC managed to register 932 030 voters. 5156 candidates were nominated in seventy seven Council wards. The CC consists of between 7 and 20 electoral divisions, the UC consists of between 7 and 9 electoral divisions and the municipal council consists of between 7 and 13 Eds. There were three thousand and ninety seven (3097) male and two thousand and fifty nine (2059) female candidates in the 2011 elections. The independent candidates made a total of two thousand, five hundred and thirty two (2532). Women who were elected as councillors on 1st October 2011 made a total number of 49 percent as opposed to 58 per cent in 2005 local government elections (*see figure 2*).

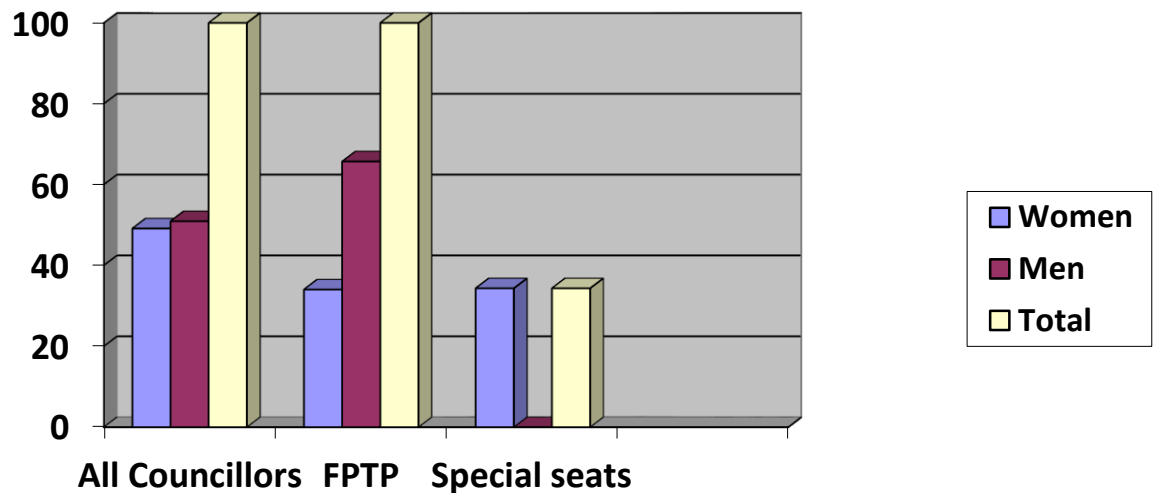


Figure 4.2: Local government election results of 1st October 2011

In the 2005 elections, some political parties were not happy with the allocation of some electoral divisions for women. The Local Government Elections Act, (No. 4 of 2004) stipulated that out of every three electoral divisions, at least one had to be contested by female candidates only. The Gender Policy was in line with international declarations regarding non-discrimination against women, the Beijing platform and SADC's Gender and Development Declaration. Some political parties took legal action against that LGEA provision claiming that it encouraged unfair competition and the marginalisation of male contestants. Due to the political leaders' condemnation of the section that provides 30% quota for women, the new laws came up with a different formula for the allocation of special seats for women to the satisfaction of the political parties.

The new law stipulates that special seats be allocated to a party which has at least managed to field candidates in one third of the total number of electoral division in a council. In explanation of the new law for special seats for women, the IEC spokesperson elaborated that if for instance the community council had 20 electoral divisions, it would mean that for a political party to qualify for extra special seats for a woman in the council, it should have fielded at least, seven candidates in that area.

Through the "*Party List System*" on the other hand, the electorate elects the political parties which would secure seats based on the total number of votes each party had gained. Election candidates individually get seats in accordance with their standing on the party list. In a closed list system, each political party sorts out the standings or position of its candidates on the party list. The registration of twenty-four political parties which contested in the 2011 elections improved the participation of citizens in elections.

On a positive note the previous 30% quota for women helped to increase the number of women councillors in matters of local governance to more than any other country in Southern Africa (*see figure 4.3*).

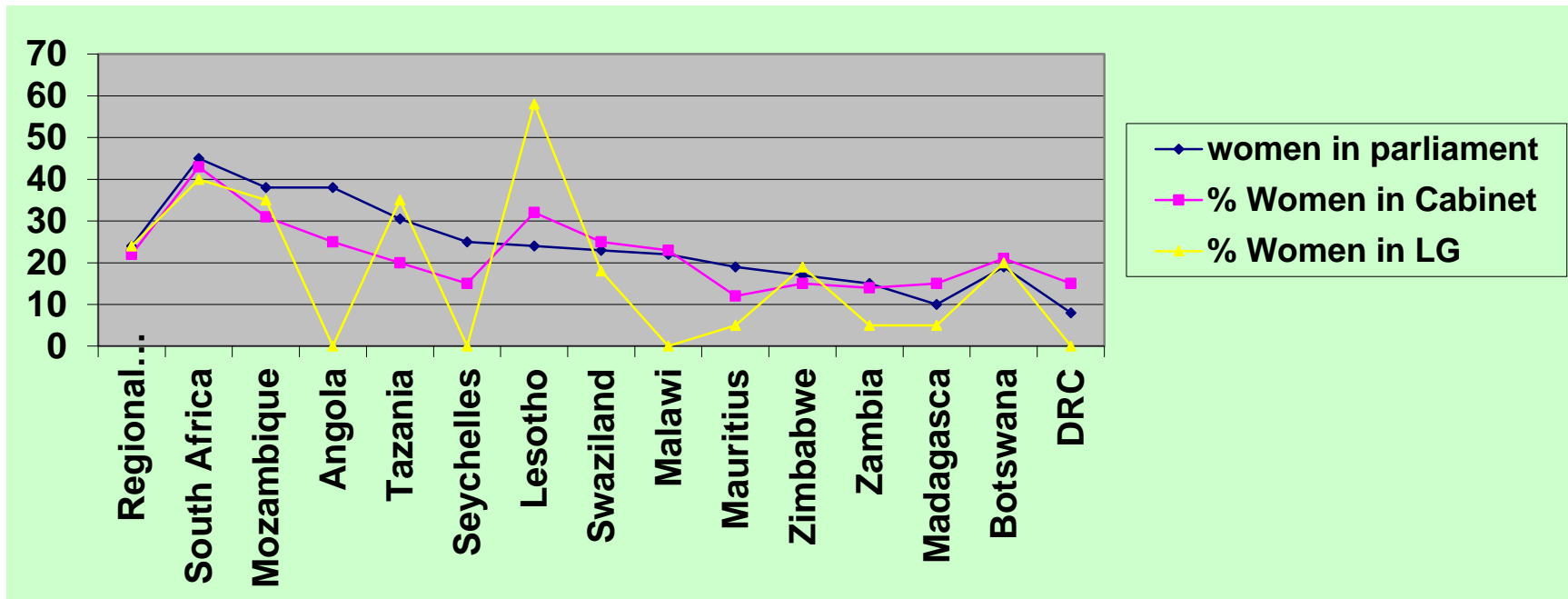


Figure 4.3: Women in decision-making in SADC

Source: Gender Links

One of the key targets in the SADC protocol on gender and development is 50% women in all areas of decision making by 2015 (Gender Links).

E-governance

E-government systems in Lesotho are limited, thereby impinging on principles of participation. People in the rural or mountainous areas are able to access the state radio which has limited discussions about local government while in the urban areas there is multiple radio stations in which people effectively participate. However, people in the rural areas participate in elections and cast their votes more effectively than those people who reside in the urban areas.

In as far as the local governments are concerned, transparency and access to information by local populace is limited and people are not participating fully in the decisions that affect their lives. The structures within local government units are weak and do not support the participatory system.

The study noted that Lesotho signed and ratified a litany of international instruments providing for information accessibility to all people. These instruments include the Windhoek Declaration of 1991, the African Charter on Broadcasting, the SADC Protocol on Information Dissemination and SADC Declaration on Information and Communications Technology (2001) (*see appendix 9*). Numerous international treaties have been acceded to and ratified to provide for citizens' access to information. However, the KoL is yet to effect domestication of these instruments.

The Government of Lesotho (GoL) denies citizens of crucial information concerning its operations. There is no legislation allowing citizen to access government held information. In 2000, the GoL presented in Parliament, the Access to and Receipt of Information Bill which was meant to give citizens a right to access government held information. This Bill was stalled for five years until 2005 when it was presented in the National Parliament for debate for the second time but it was shelved till the present date. The media communities like the Media Institute of Southern Africa (MISA) unsuccessfully exerted pressure on parliament to pass the bill into law.

Citizens and civil society organisations who seek information either for advocacy purposes, accountability or transparency, are deemed to be opposing the government and therefore are considered a threat to national security and stability.

Public officials are sworn in against the release of government held information under the Public Service Act as amended in 2005 (PSA). The information under which civil servants are employed is classified and includes the public servants' salaries. The GoL considered salaries to be personal and are held secret and sacred by government, and the public therefore remains in the dark about how elected and public officials are remunerated.

Public officials are forbidden by law to divulge information held by the state and are liable to being penalised through suspension, disciplinary hearing or dismissal. The prohibition of divulging the government held information is also enhanced through the Official Secrets Act of 1967.

Institutions like the Central Bank of Lesotho (CBL) publishes quarterly reviews while the government newspaper '*Lesotho Times*' and the state radio '*Radio Lesotho*' disseminate information which portrays the government activities from a positive angle. The CBL releases monthly bulletins that provide the public with the performance of the national economy and annual reports on how the economy fared. However, the research established that there is no critical analysis on CBL's report because it is the chief advisor to the government. The Economic Departments of the National Institutions of Higher Learning, NUL, CAS, Lesotho Institute of Accountants and the Lesotho Chamber of Commerce and Industry fail to publish anything

concerning the national economy. There is no platform for debate and dialogue on national policies. The ICT policy on the other hand was formulated and developed but it is yet to be implemented. Government institutions and local governments have no websites, and only the national government has a website which is shallow on information and rarely updated. The CCs and national government have no ICT departments to strengthen and enhance IT or e-government systems.

Analysis

Citizen participation is one of the tenets of democratic and good governance and it should be given high value. Citizen participation starts by the involvement of people in elections in which they make a decision about who should lead them in their developmental endeavours and affairs that affect them daily. This study noted that citizen participation is yet to be entrenched or enshrined in the National Constitution of Lesotho. The participation of citizens in matters that affect them should be respected. Participation puts people at the centre of decision making and development therefore citizens need to be notified and be educated about their rights to information. They must be given access to council minutes, and should be allowed to attend the council sittings and proceedings of the standing committees. Citizen participation is an open (transparent), accountable and democratic process of engaging people, deciding, planning and playing a pivotal role in the development and operation of services that affect people's lives (Mafunisa and Xaba, 2008:454).

The GoL should open avenues of information and communications and become more tolerant to different views in order to enable citizens to be dedicated to national interests, participate and gain experience and knowledge about government processes and matters. Secrecy on the government-held information promotes unfair treatment of both the citizens and public officials who are often underpaid and tend not to complain about their common grievances. This secrecy of information promotes disparity between the rich and the poor even if people are employed while corrupt practices are advanced.

“Citizens demand more information on how public goods are managed, and they want to know how their tax money is spent. They expect better services, and they want to participate in developmental processes and in making decision that will affect them. Citizens further more progressively demand more interaction with their local government, accuracy of information, reduced processing times, less duplication of work, access to municipal structures, increased transparency and greater access to public goods... to participate, citizens need to obtain information about how municipalities work, how decisions are made and how civil society is organised. They must know mechanisms and instruments for participation...” (Van der Waldt, 2007:26).

The Chairperson of the Public Accounts Committee Mr. Moeketse Malebo on 27th June 2013 urged the community councillors to petition Parliament whenever their problems and those of the local populace were not being addressed, and cited the National Assembly of Lesotho Orders Chapter 11 which provides for public participation in the business of parliament. Mr. Malebo reiterated that after elections voters are taken lightly whereas they have all the right to know how their interests and needs are being handled. He stressed that it is his duty as a chairperson of Public Accounts Committee in Parliament to ensure that public funds are utilised as budgeted for and according to the needs of the electorate. It is the responsibility of the citizens to hold the political principal accountable and this is can only be done through meaningful citizen engagement in both local and national issues that affect them.

Citizen participation will also contribute to reducing corruption within the public spectrum because people will demand explanations of the way local governments carry out their business, holding both councillors and public officials accountable. This means that participation is a deterrent of unethical practices within the public sphere. The peoples' knowledge and understanding of local governance is increased by their involvement in governance and therefore the prevailing condition of misconception or misunderstanding of local government in Lesotho could be history.

Not only citizens should effectively participate in local government affairs, NSA or NGOs should also be engaged in governance. NGOs' involvement should not be curtailed for the simple reason that development partners like the EU reduces its funding when NGOs are excluded. NGOs should be engaged because involving them constitutes democratic and good governance. At the moment the involvement of NGOs is limited in Lesotho's local governance.

The meaningful participation of women and political parties in 2011 elections can be attributed to a proportional representation system used in the Lesotho's local elections. The proportional representation system in Lesotho allows more political parties to be represented in the local councils. The mixed PR and FPTP in Lesotho are designed to harness the best of electoral systems. The PR system is friendlier to women and minorities while FPTP enhances individual accountability. In some African countries FPTP disadvantaged women as they performed worse than men in contest for ward or ED seats. Lesotho was able to design and amend the Mixed PR and FPTP to avoid the past conflicts, exclusion of women as well as the reverse discrimination on men when they were not allowed to contest in other electoral divisions preserved for women in 2005 local government elections. This was done through the creation of special seats for women. Even though the electorate participated in greater numbers in 2011 local elections than in 2005 elections, the total number of elected women councillors went down from fifty-eight per cent (58%) in 2005 to forty-nine per cent (49%) in 2011.

With the 2011 local government elections there was more competition because the general population had noticed that councillors are remunerated at the end of each month as opposed to the past interim councils when councillors were not given any allowances. The other contributing factor in the decrease of the percentage of women councillors was brought about by the amalgamation of numerous villages into individual EDs thereby bringing a challenge to the majority of women to canvass before the masses of strange village populations away from their own village people. The other problem was that women had inferior finances and other resources to their male counterparts for political or election campaigning.

The independent candidates also take part and represent the people in local elections but more work needs to be done in as far as independent candidates are concerned. Voters are yet to be educated that voting for independent candidates does not mean disloyalty on political parties but people need to vote for those people who are capable of representing people's interests and delivering on their promises. It is however wrong for some national political leaders to mislead people and discourage them through untruthful comments that independent candidates are denied funds by the government to work, and that they represent their families and not the people. There is no need for hideous political propaganda on unsuspecting citizens.

Councillors who have been elected under this system of proportional representation are responsive to the dictates of the national political party leaders. The councillors are persuaded not to speak against the dictates of national party leaders even when they are wrong or taking up all of the local autonomy. The powers, functions and authority of councillors are usurped by national party leaders who eventually make policies that underpay councillors through manipulations that

they belong to the same party, and that there is no need to pay them reasonable salaries while they have no big role to play in developments. Education of the councillors has always been another barrier used by central government politicians for their progress and autonomy in the affairs of the people they represent.

Councillors that they in Qacha'snek, Thaba-Tseka, Maseru, Mophale'shoek, Quthing, Mokhotlong and Botha-Buthe districts become silent about their low salaries because they have no demanding work and are able to engage in their private businesses daily. They do not want to give the ruling government and their parliamentarian colleagues the impression that they are being disloyal to them and their political parties. A Quarter of the councillors say that they have no proper channels to voice their concerns and demands because they suggested for a fair monthly allowances in 2007 and it was never responded to. This situation has worsened during the first term of local government (2005-2011) when 95% of councillors belonged to the ruling LCD. With the reign of the coalition government things are slightly different since three political parties, ABC, BNP and LCD⁵⁸ are ruling. The coalition government however has adopted the policies of the LCD government and inherited the same attitude towards councillors.

Central government limitlessly interferes in the local affairs at community, urban and district council level. The influence of national government on local level is a result of national party influence on local elections and therefore national political concerns "come to dominate the local elections, sometimes turning them into little more than referenda on the performance of the central government"(Hankla and Downs, 2010:768).

Hankla and Downs (2010:768) state that Remmer and Genelieu (2003) "found out that sub-national elections in Argentina reflect voter preferences about the national level while Rodden (2003) found similar results for Germany". The same situation applies to the KoL where voters' preferences are reflected both at local and national level. The outcome of local government elections is influenced by national politics in Lesotho. This outcome works against the electorate because loyalty to national parties tends to reach a point of losing objectivity and becoming less critical when national party leaders step upon their toes.

The council and local government officials affirmed, and some of the central government political principals in 2013 National Conference on service delivery held at 'Manthabiseng Convention Centre, Maseru, attested that the hesitation of national elected officials to decentralise emanates

⁵⁸With the splitting of LCD in February 2012, the former leader of LCD and former Prime minister of Lesotho, DR. Pakalitha Mosisili formed DC and he commanded a huge following into DC. Some councilors followed him to DC together with the Minister of local government and chieftainship, Dr. Ponts'o 'Matumelo Sekatle and the former Minister of Natural Resources, Monyane Moleleki. After the split of LCD, the Deputy Prime Minister and minister of Local government and former minister of communications, science and technology remained with LCD as its leader. A score of former ministers during DR. Mosisili leadership remained loyal to LCD. Former minister of Finance and Planning and Minister of Natural Resources, Dr. Timothy Thaane who was later demoted, former Minister of Foreign affairs and still a minister of foreign affairs in the coalition government, Mr. Mohlabi Tsekoa are amongst those leaders who stayed faithful and loyal to LCD. With the reign of the coalition government new positions were created and amongst them it is the position of an Assistant Minister of local government and chieftainship, held by Mr. Selibe Moshoboroane who was later promoted to being a Minister of communications, science and technology, a position for Minister of mines held by Mr. Tlali Khasu, a position for a Minister of Police and a position for Assistant Minister of Health and social welfare. The coalition government was made up of three national parties being ABC, LCD and BNP; the prime minister is a leader of ABC, deputy prime minister is a leader of LCD while a leader of BNP, Chief Thesele 'Maseribane is a Minister of Gender, Sports and Recreation.

from central elected-office bearers' fear of losing popularity with the electorate in matters of local governance while local councillors become popular. National politicians strive to be at the centre of public service delivery in order to get fame, support and respect of the masses. This attitude however compromises people's future and the same public service delivery mechanisms. The local issues should be locally addressed while issues of both international and national interest should be dealt with centrally.

Education and knowledge play a crucial role for citizen participation and decentralisation to materialize. Central government politicians deliberately or unintentionally take advantage of an unsuspecting electorate to decentralize. These politicians claim that it would be a waste of time and resources to decentralise services or powers to local councils whereas they lack capacity. This is because the majority of the council staff was employed under their influence while the councillors were also within their political parties' mandate which demanded unwavering loyalty and support. As a matter of fact the capacity which is lacking needs to be gained through training and undertaking of the given responsibility from central government. The capacity issue should not be used as an excuse because the GoL is unwilling to adhere to SADC standards of remunerating local government officials. The council's standing committees ought to be capacitated to enable councillors to plan, monitor and evaluate councils' daily operations. At the moment the council committees are not included in budget planning of councils which is done by public officials without the consent of the elected representatives of the local populace. Citizens and councillors are excluded in participating in the planning and budgeting for their basic needs, thereby sacrificing the service delivery standards within their localities.

4.4.5.2 Service delivery

The sluggish poor service delivery is expressed by civil servants to be owing to annual salary adjustment that has not been increased from the five percent since 2005 until 2013. As a result the public officials were taking out their frustrations and anger on the innocent and unsuspecting citizens by showing less than hundred per cent commitment in performing their duties or delivering public service. There has also been a low staff morale accompanied by poor working conditions and lack of technology within the public sector. In 2013 during the reign of the coalition government the percentage in salary adjustment was increased to six percent. The salary structures of the public officials were also considered and improved. However, efforts are yet to be made on poor working, poor management and lack of technology which constitute inefficient service delivery by government departments.

This study noted positive but limited improvements on service delivery; these improvements included the production of identity documents (passports) done by the Ministry of Home Affairs and delivered to the local communities by the local government offices, and councillors in some areas through a delegated type of administrative decentralisation; the construction of gravel roads in the rural inaccessible places and tarred roads in district towns by the MoLGC through deconcentration type of administrative decentralisation. The construction of roads opened avenues for installation of electricity and cell phone towers in the rural areas. The delivery of these major services was done through delegation and deconcentration types of administrative decentralisation. However, Devolution has always been the type of decentralisation preferred and aimed to be followed by the Kingdom of Lesotho but confusion and limited clarity on type of decentralisation stand in a way towards a successful decentralisation of powers, Resources and functions to the local level.

Analysis

Improvement in governance and decentralisation play a critical role in solving public service delivery problems in the KoL. "Decentralised institutions generate higher morale, more commitment and greater productivity" (Osborn (1993) in De Vries, 2000:198). The human resources skills also need to be practised in order to have a motivated staff or employees so that service delivery can improve and corruption be banished from public institutions. There is a linkage between the modes of decentralisation. The featuring of these modes should however not be to the detriment of the local authorities' autonomy. The ministries that have not been decentralised should have problems or issues that have national characteristics effectively and efficiently dealt by central government while the local issues should accordingly be addressed locally. Monitoring and evaluation should also be continually done to avoid faltering in service delivery and help improve the mechanisms that are used in delivering the services. Councillors need to be given capacity to monitor and evaluate daily business activities in the public spectrum, and then they will be able to get the decentralisation process off ground.

4.4.6 Monitoring and Evaluation.

"Monitoring is a routine, ongoing, internal activity, and it is used to collect information on a programme's activities, outputs, and outcomes to track its performance." It involves a continuous feedback in order to improve programme performance, and monitoring is the responsibility of management for its conduct and utilisation of its results (Morra-Imas and Rist, 2009:16-17). As opposed to monitoring, evaluation is a periodic and time bound activity carried out by either the programme staff or external parties but internal staff is preferred as they know more about the policies, programme or institutions under evaluation or analysis.

Monitoring and evaluation helps the organisations or institutions in resource allocation, identifies emerging problems and supports the public sector reform while managers and political principals are enabled to take corrective measures when there is some faltering within the policy and programme implementation. Monitoring and evaluation has distinct purposes being ethical, managerial, decisional, educational and motivational purpose (Morra-Imas and Rist, 2009:11).

4.4.6.1 Monitoring***Findings***

The study established that decentralisation in Lesotho is the responsibility of numerous stakeholders; Prime minister, minister of local government, government secretary, principal secretary of the ministry of local government and chieftainship, steering committee of PSs, Inter-Ministerial Working Group (IMWG) and the Decentralisation Department (DD) which is within MoLGC. DD as established with the only purpose and that was to ensure that decentralisation goes according to plan and after this has been accomplished DD would be disbanded. DD is supposed to get policy advice about decentralisation from IMWG and get directives from principal secretary of local government and chieftainship. DD on the other hand has to do reporting to IMWG and PS of MoLGC. It has been the task of DD to consult and point direction for local governments.

The study noted that the DD does not monitor the activities of local councils; the councillors or CCSs are not consulted on policy implementation. It is noted that during the course of seven years members of the DD visited councils once or twice inquiring about the way the council conducts financial matters. The last visit throughout the country was made by a team from the MoLGC comprised of the assistant minister of local government and chieftainship, a principal chief, PS and DG in 2012. The purpose of the visits had nothing to do with policy implementation

but was about employees' welfare including chiefs and councillors and the assistant minister, being new in office, needed to get conversant with staff throughout the country. This was positive as chiefs, councillors and employees could lodge some of their grievances.

It was established that operational or performance plans on monthly, quarterly or annual basis are yet to be materialised. In 2005 and 2006, the annual reports were made and council minutes submitted to the DD which was eager to check the councils' business but this has ceased. The management staff is not appraised on performance and councils are stagnating in development.

Analysis

The DD has not been effective in monitoring of policy implementation and as a result the whole system has collapsed and the morale of both the electorate and local government staff is very low regarding local governance. The monitoring is supposed to be carried out continuously to check if the policies and programmes are going according to plan but monitoring is yet to be effective while feedback is yet to be demanded from CCSs at the grassroots level. The monitoring was supposed to have been done throughout the programme implementation and until goals of the DD were accomplished so that it can be disbanded and local governments can gain and enjoy their autonomy. The whole DAP has failed in the monitoring system because the DD does not work alone but acts as a middleman between central and local governments.

4.4.6.2. Evaluation

Findings

As it has been established with monitoring, the DD is applying limited efforts in assessing, appraising, adjudging or analysing the policy implementation in DLG. This might be due to knowledge that the MoLGC or DAP or central government itself is hesitant to decentralised due to the reasons given in previous sections. The evaluation that has been done was done by the EU on districts under its jurisdiction (Mokhotlong, Botha-Buthe and Leribe). The evaluation that is done is done through meetings of the MoLGC with DCS in the capital town, Maseru.

Analysis

“Evaluation is a process of determining the worth or significance of an activity, policy or programme. It is as systematic and objective as possible, of a planned, on-going, or completed intervention,” and formatively it is intended to improve performance (OECD (2002) in Imas and Rist, 2009:9). The DCSs are not as close to the communities as the CCSs are. All the stakeholders need to be consulted so that enough feedback is provided on policy implementation so that performance could be improved. The DC is seen as recentralising instead of decentralising and it is used as a right hand of the MoLGC in recentralisation within decentralisation. Monitoring and evaluation is neglected with the entire public sector of the KoL, and thus there is a need to institutionalise monitoring and evaluation. Because Lesotho is a small country monitoring and evaluation departments should be instituted in all DCs of the KoL. The audit however has never been done since 1994 because the government ministries have always been unwilling to comply with the financial regulations thereby fail to make the submission of the financial reports to be audited.

4.4.6.3 Audit

The audit tradition traces its roots to 19th-century Britain and it has an investigative, financial management, and accounting orientation using the concepts such as internal controls, good management and governance as well as verification. It seeks to determine whether programmes

performed according to the required standards and prescribed mandate. There are several types of audits being the external⁵⁹, internal⁶⁰, forensic⁶¹, financial⁶² standard⁶³ and performance⁶⁴ audit.

Findings

The study established that the accounts of councils were audited once in 2012, this was the first time standard or financial auditing was done since the establishment of local government in May 2005. Local governments or authorities have no auditors of their own. The auditors that are used are from the MFDP. These auditors are five in number and they are supposed to do the internal audit of the all the government ministries in the KoL. Both the minister of finance and the Office of the Auditor General (OAG) admitted in Maseru in 2010 that the KoL is besieged by the general poor state of public accounts and general lack of accountability. The poor state of the country's public accounts has been discussed and acknowledged in the media and other studies. APRM (2010:230) for example, notes that public financial accountability is poor in Lesotho. The auditor general and the minister of finance have acknowledged the poor state of financial accounts and denounced the lack of public service accountability while in cases "where there is public financial accountability, normal procedures and standards are not normally followed by public sector entities...The auditor general's report points out that public accounts are in disarray."

Analysis

Internal audit is another part of monitoring and evaluation and it should be continuous because it enforces adherence to financial procedures and laws. In is odd that the internal audit has been done once in eight years regardless of the laws and regulations of the KoL. The LGA prescribes that the account of every council shall be audited once in each financial year by the Government auditor or by such other professionally qualified auditor as may be appointed by the minister of the MoLGC. This audit may be further be done anytime upon the orders of the minister of local government and chieftainship and this shall not affect the holding of the annual audit as provided for by section sixty-three of the LGA. The minister of local government and the GoL in general was never eager for government accounts to be audited, and that is the reason why the opposition was adamant that both the public and elected officials are involved in corrupt practices that would expose everyone, including ministers, should an audit be called for throughout the GoL.

Internal audit "is another institutional mechanism to enforce accountability and ensure good governance. It should be noted that internal auditing can only be used effectively if it has a properly structured mandate, if it is independent from those who are being audited, human and financial resources are available, and has the support of management for the implementation of its recommendations" (Fourie, 2009:1120). The situation that prevails in the GoL is that there are no human and financial resources to support internal audit, and an audit is not taken as educational

⁵⁹ External audit is done within an organisation to assess financial statements and records by the audit professional who is independent of the entity being audited in accordance to specific laws and regulations.

⁶⁰ Internal audit on the other hand is an objective assurance and consulting activity done to assess financial operations and operations, and it includes systems, production, engineering, marketing and human resources. it is designed to add value and it assist organisation improve risk management and management controls. It is done by accredited individuals within the organisation who are not responsible for execution of organisation activities.

⁶¹ Forensic audit is done to track and collect evidence for investigation and prosecution of criminal acts such as embezzlement of public funds and fraud.

⁶² Financial audit focuses on compliance with statutes and regulations.

⁶³ Standard audit is an objective assurance designed to improve an organisation's operation.

⁶⁴ Performance audit is done to determine the relevance, economy, efficiency and effectiveness in organisation's execution of duties.

and corrective by the management. An audit is taken to be all about finding the culprits in corruption and therefore it is not supported by both the political principals and management. Public financial management and accountability fail to adhere to institutional requirements, and accounts of the general government ministries are submitted late for auditing; there is no political will by parliament and government to compel government ministries to meet their legal obligation.

APRM (2010:231) states that the Office of the Auditor General (OAG) has the following flaws:

It has insufficient “human capacity to carry out its functions effectively. It lacks autonomy and has no powers of enforcement. Disciplining and prosecutions are reserved for other institutions over which OAG has no authority or control. The OAG cannot, therefore ensure that public officers take responsibility for expenditures or for adhering to sound principles of accounting. The Public Accounts Committee (PAC) may examine and question, but cannot prosecute or discipline, errant public servants. It is a toothless watch dog, especially in a situation where public accountability is not usually practised”.

If the OAG has no powers to ensure corrective measures, negligence and non-compliance and ultimately corrupt practices will never stop within local government and the general public sector in the KoL. Corruption should be uprooted and there is a need to empower and give relevant organisations and institutions authority and powers to exercise control over indiscipline. The OAG and Directorate on Corruption and Economic Offences (DCEO) therefore need to be taken seriously.

4.5. Summary

From the abovementioned establishments of the research, it is evident that decentralisation has a very long way to go as provided there are more loopholes than positive factors. The faltering in decentralisation seems to threaten the achievement of national vision 2020, Poverty Reduction strategy (PRS), Public Sector Improvement strategy (PSIRP), Local Economic Development (LED) and Millennium Development Goals (MDGs).

The study noted that the LGA is a legislative guide for local governments’ daily business in a unitary two-tier Kingdom of Lesotho made up of District Councils (DCs), Municipal Council (MC), Urban Council (UCs) and Community Councils (CCs) responding to services of the local nature. The LGA’s operationalisation is found to be limited. The National Constitution on the other hand establishes the institutionalisation of local authorities to determine their affairs and develop themselves. It is noted however that there is centralisation within decentralisation while there is a need for some local legislation and public participation to be enshrined in the Constitution.

The DCs have the responsibility to hold and manage funds of CCs and donations from development partners. Local governments entirely depend on grants from central government and donations from development partners for their operations and projects. The MC and UCs provide a full range of services and are responsible for urban development while CCs perform limited functions within the huge geographical rural areas. The DCs provide a wide range of services within the districts of Lesotho. All 86 local governments in Lesotho have the three standing committees, District Development Coordinating Committee (DDCC) and District Planning Unit (DPU) in place even though their functionality is limited. The failure of the DDCC, DPU and IDP has contributed to duplication of efforts and wastage of funds.

Three districts of Qacha'snek, Mochale'shoek and Mafeteng have buildings of their own to facilitate the service delivery while Maseru, Bera, Thaba-Tseka, Leribe, Mokhotlong, Quthing and Botha-Buthe have no buildings of their own and rent offices. The three districts which have council buildings except Quthing directly work with GTZ (Republic of Germany which erected the office buildings in partnership with the KoL). Maseru, Thaba-Tseka and Bera work with the UNDP in development matters while Mokhotlong, Leribe and Botha-Buthe work with the EU. The MoLGC was able to build offices for principal chiefs or traditional leaders within the ten districts of Lesotho.

Local governments are yet to effectively and efficiently implement policy on HIV/AIDS. The HIV/AIDS committees and social services committees on HIV/AIDS are not functional. HIV/AIDS continues to adversely affect the economic and social development of Lesotho which is the country with the third highest HIV/AIDS prevalence in the world.

Local governments especially face constraints since they do not have equipment, including vehicles, to execute services within their large geographical area which sometimes has limited road infrastructure. Services are also hampered by shortages of staff with adequate skills and lack of financial resources, corruption, underpayment and lack of motivation by the staff. CCs are more constrained by staff shortages than any of the other local governments. The autonomy of local government is also compromised by bye-laws which have not yet been established since the inception of local government.

There are ten government ministries which were supposed to have been decentralised but there is hesitation from the government's side. The most contributing factor in failure to decentralise ministries is attributed to malfunctioning and stagnating of the Decentralisation Action Plan (DAP). There has been a feeble collaboration and coordination between line ministries and local governments. Failure to decentralise is also attributed to limited understanding of decentralisation and local governance by both elected and public officials. Local governance in Lesotho is also characterised by lack of clarity over relationships between the DCS and DA, between CCs and DCs and between councillors and traditional leaders.

The study established that councils drafted the Community Action Plans (CAPs) which comprised of 2nd schedule, gateway and advocacy projects under the auspices of GTZ but these projects were not addressed. Positively in as far as public participation is concerned, the LGEA provided for one third special seats for women candidates in elections and this became a success because a high percentage of women are involved in decision making in Lesotho. The Land Act, 1979 and LA have been instrumental in recognition of women in land issues and allocation. Women were also empowered in local governance through the support of NGOs, women lawyers associations (WLSA⁶⁵ and FIDA) and Gender-links. The support was through sensitisation workshops that promoted gender equality.

The KoL adopted the-twelve-year-decentralisation implementation programme comprising of three phases; phase one was the transition phase which was successful to a limited extent through the holding of elections which had been successful even though devolution of some functions was

⁶⁵The Women and Law in Southern Africa, Research and Education Trust (WLSA) is a non- governmental organization operating in seven Southern Africa countries. The trust seeks to lobby for legal reforms and changes on laws and practices that disadvantage women because of their gender. WLSA was established in 1989 with the purpose of fighting for the rights of, not only female members of society, but also men who are denied their rights by spouses. WLSA and FIDA lobby for changing of laws that are against women's emancipation.

limited. Phase two, (2006-2011) was unsuccessful since additional functions were not decentralised while phase three, (2012-2016) is already failing since it was all about refining local governance through efficiency and effectiveness which seem to be far-fetched.

There are limited efforts to address objectives of National Vision 2020 and PRS. The report of the APRM revealed that poverty in Lesotho has increased adversely. “Lesotho, in the APRM report received a red rating under efforts to address poverty, with the civil society doubtful that the country would meet MDGs on halving extreme poverty by the year 2015”. PSIRP and NPM implementation is limited to the detriment of Lesotho’s Vision 2020 which also depends on PRS, PSIRP and NPM for its success (Matope, 2011:12).

The study established that there is an abundance of natural resources in Lesotho but the consumption is low. These natural resources include diamonds, uranium, wind and water. Natural resources in the KoL are yet to improve the lives of the local people through LED. The advantages of natural resources are yet to be realised when the local people use them and gain the management and control rights of them through local authorities.

The UNDP strategic plan, (2008-2013) also supports the civic engagement and the use of local government capacity and natural resources in delivering the effective and social policies in order to promote human development and management of public services. The research has established however that public participation in matters of local government is low in the KoL: The public has a limited input in council decisions; people are reluctantly allowed access to council minutes, council sittings and committee proceedings. NGOs also have a limited participation in local governance regardless of the sanctions imposed by development partners like the EU through its Cotonou agreement on governments that practice bad governance.

Participation however is increasing in local elections. The consolidated LGEA is believed to have brought a positive political and public reaction towards participation in local elections. It is noted that out of twenty-four registered political parties, nineteen were represented in 2011 local government poll. E-government systems are limited and impinging on principles of participation especially in the rural areas. In as far as service delivery is concerned there is positive but limited improvements in delivery of identity documents which are delivered through delegation by CCs and UCs. Road infrastructure is also showing signs of improvement. Delivery of major services was done through delegation and deconcentration.

This chapter of findings and analysis is concluded with emphasis that monitoring and evaluation in KoL is the responsibility of DAP through DD and there has been failure on the part of this institution. Monitoring is a routine, ongoing internal activity while evaluation is periodic and time bound and should have been done in order to identify emerging problems and take corrective measures in as far as policy implementation is concerned in Lesotho. The next final chapter is about the evaluation and conclusions.

Chapter 5: Evaluation, Conclusions and Recommendations

5.1 Introduction

Devolution as the decentralisation mode chosen by the government of Lesotho is considered to be a real decentralisation by a lot of scholars. It carries with it however daunting tasks and it needs concerted efforts from different stakeholders, being the electorate, the public and elected officials from local and the central government. Above all it needs a political will from the national elected-office bearers. Local government in Lesotho carries with it a lot of responsibility in the form of policies and developmental goals.

The findings in chapter 4 established that there is a limited utilisation or operationalisation of Local Government Act of 1997 (LGA) as guiding legislation which prescribes the institutions which bring about development within communities. These institutions include the District Development Coordinating Committee (DDCC), District Planning Unit (DPU), and standing committees which have proven to be stagnant. The study noted the limited understanding of decentralisation, resistance to decentralise, recentralisation within decentralisation, failure of policy implementation and a general lack of equipment, facilities and infrastructure which impacts negatively on service delivery.

The local government conditions were further noted to be worse due to a general absence of staff with adequate skills, underpayment of the staff, corruption, and confusion over roles, poor coordination, lack of monitoring and evaluation systems and failure of the Decentralisation Department (DD) and Decentralisation Action Plan (DAP) to ensure that decentralisation is in place. In this chapter conclusions on decentralisation in KoL are drawn based on what has been established as the findings of the study. The solutions towards the problem besieging the Government of Lesotho (GoL) concerning decentralisation and policy implementation are put forward. It is in this final chapter that emphases are put on the results, that is, significance of the findings. The recommendations are subsequently made as the corrective measures towards a wavering system of local governance. Recommendations are made based on research results explicated in chapter four.

5.2 Evaluation

Lesotho's adoption of decentralisation policies is due to the donor conditions and funding, influence, collaboration and pressure. In 1994, the Ministry of Local government, Rural and Urban Development was established under one Minister with the Ministry of Home Affairs. In 2002, a minister solely responsible for local government was appointed to enhance focus on decentralisation reform. Since the establishment of the Ministry of Local Government, Rural and Urban Development in 1994, local government was only established in May 2005, almost after twelve years. Even after that long time, local government was established due to the threat of development partners to withdraw their support or funds for decentralisation in Lesotho.

The other Lesotho's rationale for decentralisation is that almost every developmental endeavour has been placed on local authorities' shoulders for implementation and success; promotion of economic growth, reduction of poverty, a fight against HIV/AIDS, improvement of service delivery, deepening of democracy. The Lesotho vision 2020, SADC protocol, PRS, National Policy on HIV/AIDS, and the PSIRP are all expected to be effectively and efficiently implemented through local authorities. Lesotho (2003:1) states that the ambitions of the GoL are stipulated in the Programme for Implementation of Local Government, namely:

“Lesotho's development strategy is premised on two overarching challenges, poverty reduction and improving service delivery hence the adoption of the Poverty Reduction

Strategy paper (PRSP) and Public Sector Improvement Reform Programme (PSIRP). Central to the implementation of [PRSP and PSIRP], is the Government's recognition that human development is about the people and expanding their choices to lead the lives they want. This includes the creation of an environment that enables a participatory approach to development policy formulation, implementation and monitoring. It is for this reason that the Government of Lesotho remains committed to introducing Local Government as a pivotal strategy to implementing the PSIRP, the PRSP and thus realisation to the National Vision".

The United Nations Development Programme (UNDP) (2002:4) further confirms that "decentralisation can address poverty, gender inequality, environmental concerns, the improvement of healthcare, education and access to technology," and decentralisation engages community organisation, private sector, public sector, international aid organisations and citizens.

Regardless of Lesotho's ambitions and policies putting decentralisation in place has been failing. The optimal operation of local government structures and the successful delivery of services, remain the major challenges. The line-ministries, central government, Ministry of Local Government, chieftainship and Parliamentary Affairs (MoLGC) itself are yet to decentralise powers, functions and resources to the local level. The Development partners are highly committed to decentralisation in Lesotho through their efforts and funding but progress is yet to be seen. The European Union focused on the northern districts, UNDP on the central districts while GTZ assisted the southern districts. Apart from capacity building and the erection of council offices in the southern districts of Lesotho, GTZ and the DED (Deutscher Entwicklungsdienst) introduced the Public-Private Partnerships (PPPs)⁶⁶ which did not bear the expected fruits because the communities and business leaders are still struggling due to only partial decentralisation being in place.

The government of Lesotho has not lived up to its goals or vision in as far as decentralisation is concerned. The twelve-year decentralisation implementation programme, comprising three phases, has failed. The first phase which has been a two-year transition phase, starting from 2004 to 2005, culminating in the election of councillors, and the devolution of some functions has seen a little success; election of councillors and the establishment of local government was made with success but the devolution of some functions has not materialised.

The second phase has been a five-year development phase (2006-2011). In this phase the additional functions were expected to have been decentralised but they were not. The third phase (2012-2016) is a consolidation phase in which operations of local governments were to be refined while efficiency and effectiveness are improved. The consolidation phase has never been reached so far hence the GoL is making efforts in 2014 to draft the decentralisation policy scheduled to be implemented in 2016.

In order to reduce poverty, promote inclusive economic growth and entrench democratic principles through improved decentralisation the government of Lesotho through the ministry of Local Government and Chieftainship has in partnership with the European Union, United Nations Capital Development Fund (UNCDF) and UNDP established the Deepening Decentralisation Programme (DDP) towards the end of 2012. The programme outputs are the fiscal

⁶⁶The PPPs were introduced to stimulate the local economic development. The German government was funding this PPP initiative without any expectations of returns; all that was expected was to see the business communities creating employment for local communities and bringing about development within the local area.

decentralisation, capacity and accountability of local authorities and the decentralisation of line ministries (functions and functionaries). As stated by the EU, MoLGC, UNCDF and UNDP in 2012, the main activities areas include the following:

- “Improved Local Development Funding
- Operationalize the LDG[Local Development Grant]
- Capacity building for local authorities
- Develop framework for an intergovernmental transfer system
- Assessments and studies of the state of decentralisation
- Decentralisation model (policy development)
- Rolling out decentralisation based on the agreed model
- Facilitating a human resource infrastructure, functions and systems to implement the decentralisation process
- Facilitating an enabling leadership and organizational environment for change (strategic planning, visioning, leadership development) to enhance decentralisation”.

The development partners and the GoL are collaborating to accelerate progress and deepen decentralisation in Lesotho. The Deepening Decentralisation Programme (DDP) duration is 2012-2016 and efforts have slowly started in 2013. The project is funded with eight million, eight hundred and eighty thousand Euros (EUR 8,880, 000-00).

The establishment of the DDP is a commitment to make decentralisation in Lesotho work because initial efforts have not been enough. The operationalisation of the Local Development Grant (LDG) however has started in 2014. It remains to be seen if the DDP will achieve its objectives given the timeframe or the duration of the project provided and has yet to gather an effective momentum. The partner ministries in this project are the MoLGC, the Ministry of Finance and the Ministry of Public Service while sixty four community councils, ten district councils, eleven urban councils and the Maseru Municipal council are beneficiaries. The overall programme oversight is given to the programme steering committee chaired by the Principal Secretary for the MoLGC while the mode of funding to local authorities involves the discretionary, conditional and formula-performance based.

With the initial funding of the local authorities within the ten Lesotho districts in 2014, three districts failed to qualify due to a shortage of staff which vacancies are the responsibility of the MoLGC through the Local Government Service Commission to see filled. The local authorities rightly blame the MoLGC for their not qualifying for the Local Development Grant. The MoLGC could be rid of the employment responsibility if powers, functions and resources had been transferred to the local authorities.

Local authorities are taken as centres of excellence with the initiative and assistance by Gender-links⁶⁷. However, efforts of Gender Links and local authorities do not reach the expected outcomes and goals owing to partial decentralisation. Resistance towards decentralisation by the MoLGC itself together with the line ministries and managers sacrifices the democratic dispensation in Lesotho. The ministries that have shown great interest in decentralisation are the Ministry of Health (MoH), the Ministry of Social Development (MoSD) and the Department of Rural Roads (DRR). These ministries have placed functions and resources under local governments. However, local governments have not been given real executive and operational

⁶⁷“Lesotho local authorities as centres of excellence under the auspices of Gender Links, hardly make a meaningful impact in the SADC municipalities’ competitions due to insufficient or no powers to really channel the lives of the local people to a required or expected route. The 28 targets of SADC Gender and Development protocol and the MDGs seem too far-fetched to be completed nor halved by 2015. The toll which partial decentralisation is having on Lesotho local governments is seen in these competitions.

powers or autonomy to make the difference within their areas of jurisdiction or within the lives of the local populace.

Central ministries in Lesotho resist decentralisation with the fear that local governments will consume or dissolve all of their powers, influence and resources. Central government politicians are wary that councillors will take all their voter support because with decentralised powers, functions and resources local councillors will make a difference while they are pushed further away because by its very nature national government is remote from the people. The other reason for denying councillors and local civil servants powers, functions and resources is the fact that with increased responsibilities, officials at the local level will need competitive and appropriate salaries. The problem of under-staffing will also need to be sorted out while the GoL is pursuing a lean state through the public sector reforms which include NPM and PPP.

Resistance towards decentralisation in Lesotho has similar features and reasons stated by Brillantes et al., (2008:59) when they explain that:

“Decentralisation is never a smooth process as there are many competing interests at play, some of which resist decentralisation. Strong resistance can come from a central ministry that perceives that decentralisation erodes its powers and resources. For similar reasons, central civil servants may resist decentralisation especially when it involves their reassignment to a sub-national level of government, as was the case for large numbers of civil servants in Indonesia and Thailand. Party political rivalry can also be a major obstacle, where parties position themselves by opposing proposals for decentralisation. This is compounded by political competition at sub-national levels: ruling parties at the national level may get cold feet about decentralisation if they perceive that the opposition may gain control of large numbers of decentralised units.”

Barnwell and Robbins (2006:380) explicate that organisations resist change because members fear losing their powers; bureaucratic organisations ‘have built-in systems and procedures that work against change; organisation cultures resist pressures of change... [and] change can become a threat to employees’ economic wellbeing, security, social affiliations or status’.

The other important factor that has contributed towards the lagging behind of decentralisation is the resistance of the Ministry of Local Government and Chieftainship to allow local authorities to form associations. The political affiliations of the civil servants and a stern loyalty by both councillors and civil servants to the ruling parties complemented by lack of knowledge of the role and functions of associations have, prevented the formation of local government associations and the advancement of decentralisation. Associations play a significant role in acting as representatives and advocates for” local governments” interests in higher levels of government’ (Brillantes et al., 2008:78). Local level associations go hand in hand with democratic values and decentralisation since they provide the platform for similar concerns about service delivery, united voice, personal well-being of members and many others.

The limited operationalisation of the local level legislation has contributed to a partial decentralisation in Lesotho. This is an indication that central government is reluctant to let the local populace make the decisions that affect their lives. The LGA is the engine of local government but this study established that it has been hardly used together with its supporting legislation. If the legislation is not applied it becomes much harder to implement any developmental policies because principles of good governance are hardly embraced or are ignored. When policies and legislation is ignored the national vision, targets and goals are never reached and corruption does not abate. “A growing body of conceptual literature argues that localization [decentralisation] offers the potential for greater accountability by moving decision making closer to the people” (Ivanyna and Shaw, 2010: 3-4).

In moving decision making closer to people, the local government system in Lesotho is premised on four fundamental principles of decentralisation according to Lesotho (2003:5):

- **“Political decentralisation [Devolution]** - the integration of some previously centralised or deconcentrated service sectors into holistic local government structures operating with the framework of the constitution and other national policies.
- **Financial decentralisation [Devolution and Deconcentration]** - local governments will have powers to pass their own budgets reflecting their priorities as well as mandatory expenditure required for the attainment of national standards. Local governments will also have powers to levy local taxes as a source of revenue generation. Notwithstanding the powers of local governments to levy taxes as a source of council income, Central Government will remain the primary financier of local government through a grant system.
- **Administrative decentralisation [Deconcentration]** - local governments will have powers to recruit, discipline and dismiss own staff.
- **Changed central-local relation-** the role of central government vis-a'-vis local governments will be changed into a system of inter-governmental relations with central government having the over-riding powers within the framework of the National Constitution. Line ministries will change their role and functions into becoming policy-making bodies, supportive and capacity building bodies, monitoring and quality assurance bodies”.

Despite the unlimited support of the development partners, the achievement or implementation of the four abovementioned fundamental principles of decentralisation is yet to be seen even if it has been ten years since the establishment of local government in Lesotho. There are implications for international development assistance underscored by scholars like Khemani (2010:25):

“Much of the reforms being pursued by donors in support of decentralisation consist of providing greater revenues or transfer, and building capacity of local government through training programs such as in public financial management... reforms on their own might not be efficient or effective in delivering improved public services for actual development outcomes, if the local jurisdictions being supported are politically captured. Greater funds devolved to local governments are more likely to go towards client list transfers rather than improvement of public goods. Capacity building can be a waste when local politicians have no incentives to develop technocratic skills for better service delivery”.

Lesotho has shown interest in having capacity building trainings for local governments through the development partners but the service delivery or public service performance is yet to reach the expected standards provided powers and responsibilities are endowed upon local authorities. These powers and responsibilities need the political will from central politicians and technocratic skills from local politicians. The other hindrance to decentralisation comes as “the lack of correspondence between official public policy goals (supported by development partners) and the (often-shifting) goals of political and bureaucratic actors commonly resulting in a failure to fully meet the stated objectives of decentralisation and with a host of unintended consequences” (Eaton et al., 2011:xiii).

Besides the political will, fiscal decentralisation plays a pivotal role in decentralisation and it can be used as an indicator or measurement of decentralisation. A sufficient degree of autonomy in financial matters lies at the heart of a concept of decentralisation that aims to facilitate

development (Rondinelli (1983) in De Visser 2005:41). Financial decentralisation or financial autonomy as stated by Marcou and Wollman (2008:141-142) is significant to decentralisation because of the following:

“Financial autonomy is the basis of local self-government, as stated in article 9 of the European charter of local Self-Government, and it has three dimensions: resources must be in line with the duties conferred upon local authorities by law; the authorities must be able to dispose freely of the resources allocated to them; and they must have certain powers to determine the level of their own resources”.

The indicators of decentralisation or fiscal decentralisation may include the expenditure, revenue or tax share, fiscal autonomy, taxonomy of transfers or grants, taxing power, donor grants, intergovernmental grants, local borrowing, own source revenue (Akai, (2013:62-65); Blochliger, (2013); Raich, (2005:7); Shah and Thompson, 2004:8-18). Both the public and elected officials in Lesotho have pointed out that none of the above indicators exist at Lesotho’s local authorities’ disposal, therefore powers, resources and functions should be fully decentralised to the local level.

5.3. Conclusions

The main goal of the study is to shed light on decentralisation and its nature or characteristics. The illumination of decentralisation is hoped to help in achievement of Lesotho’s national goals, with the elected and public officials and the general public having a clear comprehension of decentralisation. Decentralisation for local government in the context of the KoL and developmental local government are put into perspective. Analysis of DLG in the KoL is subsequently done.

In conducting the study, the funnel approach was adopted in which the literature on decentralisation and local government was reviewed. The study of literature is on the origins of decentralisation or local government and the theories which support and negate it as well as the utilisation of decentralisation around the globe. The literature put emphasis on the definition, theories, approaches, models, modes, strategies and processes of decentralisation as well as a decentralisation that is related to DLG. The emphases are done within the international context with some countries quoted as examples. Subsequently the study is narrowed down to the context of the Kingdom of Lesotho. The KoL is overviewed historically, while policies, legislation, institutional framework and development are put into perspective. Eventually the research established that Lesotho is following the devolution mode of decentralisation, hence analysis is made and conclusions made based on findings. Local governance in the KoL is more characterised by loopholes than strengths.

It can be concluded that there is no synergy between the National Vision 2020, Poverty Reduction Strategy, Public Sector Improvement Reform Programme under the ambit of New Public Management, HIV/AIDS and LED. The synergy between these developmental goals and policies was meant to achieve the Millennium Development Goals and at least halve them by the year 2015. The study noted that there is no elaborate LED approach while the abundant natural resources are underused. The natural resources are therefore doing little to create employment, reduce poverty or contribute meaningfully to economic growth; HIV/Aids committees are not functioning through the anticipated gateway approach and HIV and AIDS continues to cripple the economic development and human resources of the country and affecting women adversely. Women in Lesotho take much responsibility of the household chores and other local developmental initiatives.

Councillors and the council staff have indicated that councils’ chief executive officers receive directives from the MoLGC and constituency national parliamentarians for daily office

operations. This indicates that managers are not left to manage and make executive decisions uninterrupted as per prescriptions of NPM, which are elements of centralisation. The local governments' management stated that the MoLGC is yet to work efficiently with CC or CCS or councillors who are at times ignored on issues of decentralisation and governance. According to Public Eye (2011:10) "councillors hardly influence any form of development, and are just window-dressers whose powers exist on paper" while in a functioning democracy local government systems bring about better services and developments to the local populace. These are indications that local government policies are implemented on limited basis if they are implemented at all.

With concentration of powers within the MoLGC, decentralisation department and DCs, there is centralisation within decentralisation. This situation is exacerbated by limited conceptual clarity on policy to be followed, misunderstanding of the decentralisation agenda, and the strong political direction of the decentralisation reform which induced resistance from some of the line ministries who are concerned that the MoLGC wants to become a Supra-Ministry.

The conclusions are further made through the formal approach in the form of constitutional, administrative and financial indicators used to measure the extent of decentralisation within the KoL.

Constitutional indicators

With this indicator of decentralisation, a principle of "General competence" or the American equivalent of 'Home Rule' is preferred with emphasis put on the right of local authorities to decide on all matters that they themselves consider important. It was discovered that in the KoL local authorities have no autonomy since they depend on central government decisions. The LGA and the constitution of Lesotho prescribe an autonomous stance for local authorities in developing themselves but this has not yet become a reality. Even with the natural resources that exist within the localities, central government and not local authorities manage and control them because councillors have inferior and limited powers over the natural wealth of the Kingdom of Lesotho.

Administrative indicators

This indicator put into scrutiny the types of services local governments are supposed to render to the public for efficiency and efficiency. Through policy making, local governments are able to make policies which can easily be replaced or superseded by central government. Community Councils in Lesotho perform seven functions which are stated in the 2nd schedule in a form of natural resources, land/site allocation, minor roads, grazing control, water supply (maintenance), markets (provision and regulation) and burial grounds. Community Councils are able to efficiently and effectively render three functions, being land allocation, grazing control and burial grounds. For other functions Community Councils are superseded by District Councils or National government while markets, minor roads, water supply and natural resources completely are under control of national government and the bye-laws are not endorsed by the Minister of local government and chieftainship since the establishment of local government in 2005. The community actions plans on the other hand have not been addressed. This situation signifies the centralisation of services.

Financial indicators

Existence of a grants system is an indicator of centralism as is the case with the Kingdom of Lesotho. In Lesotho there is no distinction to be made between block grants which in principle are freely disposable and specific grants which are earmarked. Local governments in Lesotho depend on National government and donor agencies for funds in the execution of their services therefore Lesotho deserves to be classified as highly centralised. Local governments have no

autonomy over natural resources management in order to generate revenue and the taxation by-laws have never been approved. Local governments are denied an opportunity to raise their own revenue. The capacity of Community Councils to raise revenues is further constrained through centralism, understaffing, and employment of politically affiliated employees with inadequate skills. The problem is further exacerbated by National government's hesitation to fully utilise The Local Government Act, (No. 6 of 1997) which prescribes that every council should establish a council fund so that moneys received could be lodged with the bank in the fund while Community Council Secretaries should sign all orders or cheques for payment of money out of the fund. The Local Government Act, (No. 6 of 1997) also prescribes that it is lawful for councils to borrow on the security of rates and taxes, and should also apply for grants in order to implement its developmental programme but this is yet to happen in the context of local governments. The revenue that is collected by different governmental tiers is entirely taken by central government.

The institutional set-up for implementation of the Decentralisation Action Plan is characterised by a negative attitude towards local government and lack of knowledge about the decentralisation type to be followed. The government ministries in Lesotho are delegating and deconcentrating powers and functions instead of devolution. Devolution involves transfer of tasks and decision-making power, with associated resources to autonomous and democratically elected institutions which are independent from central government (Hollis and Plokker, 1995:62; Sperfeld, 2006:6). Devolution in Lesotho is not understood because at the dawn of decentralisation, the Concept paper '*Official working paper of the Government of Lesotho on the Establishment of Local government*' explicated that Lesotho's local government was to be based on political devolution and a decentralisation of staff, functions and finances (Van Hoof, 2009:17). The study noted that the staff, functions and finances in Lesotho have not been decentralised indicating total centralism. The failure to decentralise undermines the twelve-year decentralisation implementation programme which consists of the first phase (2004-2005) which prescribed for devolution of some function; phase two (2006-2011) which prescribes for decentralisation of additional functions. The first two phases have passed without the achievement of the decentralisation. The third and the last phase (2012-2016) which is supposed to be the consolidation phase in which the operation of local government should be refined while efficiency and effectiveness are improved, will also fail because the prerequisite phases have seen little or no success.

Lesotho has always had a chequered local government past ever since its establishment under British colonial rule in 1948. History is repeating itself at the present moment because Lesotho is taking on its legacy and the legacy of the African states in the terminal colonial period of the 1950s whereby local government was not intensified due to the thirst of African states to accumulate central power (Mawhood, 1993:7).

Following the above conclusions it is absolutely imperative to explicate more on the significance of the findings.

5.3.1. Significance of findings

The results serve as a wake-up call for the Kingdom of Lesotho not to take anything of developmental nature for granted especially if it concerns the national developmental goals and policies in a democratic dispensation.

The results have an ethical, managerial, decisional, educational and motivational purpose:

- results inform the political principals, NSA, donor agencies, public officials and the local populace on how decentralisation and development goals and policies

associated with it have been implemented, and what has been achieved and what has failed,

- managerially results have an influence for a rational distribution of financial and human resources to improve the decentralisation process, its management and pursuit of increased benefits for economic and social betterment of the country of Lesotho,
- results pave way and open avenues for decision on the reshaping of the decentralisation reform,
- Results help educate and motivate the government of Lesotho and development partners by enabling them to understand the decentralisation process in which they are engaged and to identify themselves with its objectives in pursuit of good governance and development goals (Morra-Imas and Rist, 2009:11).

This study contributes to the body of knowledge and enhances the understanding of decentralisation. The results of this study seek to convince those who are involved in the decentralisation process to decentralise powers, functions and human resources. They seek to influence the public and political principal to capacitate the local governments so that poverty could be reduced through the resources utilisation. This study encourages a participation of citizens in the decisions that affect their lives. The public officials are enlightened that local government is a pinnacle of development and that almost every developmental endeavour in Lesotho is linked to the successful implementation of local government. The elected and senior official will be able to examine and rethink the causes of the prevailing problems in the context of decentralisation implementation.

Following the findings and analysis in chapter four, the study concludes by establishment of recommendations which will address the current state of affairs within the KoL's public sector in as far as decentralisation and developmental local government is concerned, thereby enabling national policies to be successfully implemented and developmental goals be halved or be fully achieved, provided commitment and dedication are employed.

5.4 Recommendations

5.4.1. Current reality

- Since local government is important and closest to the people, it needs to be included in the school curricular starting from the primary level and the general public and officials should be educated about it through the media, workshops and public gatherings. This public education should also inform people of the local government structures, their local councils and service redistributions.

5.4.2. Physical resources

- Offices ought to be timely built for all councils as well as the road infrastructure to facilitate accessibility of services. These council offices should also be able to accommodate those ministries that have been decentralised for provision of one-stop services. Satellite stations should also exist because some CCs have a large geographical area.
- Equipment including vehicles need to be supplied to CCs so that standing committees, elected and public officials can execute their duties with ease. In order for the GoL to avert poor service delivery, senior management within the DD ought to change its attitude towards CCs because it may continue to compromise decentralisation initiatives

altogether. This is because even if 2012 has seen a new government old habits that constitute organisational culture still survive.

- The physical resources that ought to be availed should include the community libraries and radio stations as well as the cell phone towers with variety of services including the internet.

5.4.3. Human Resources

- Employment of public officials should not be based on political affiliations for non-political posts; individuals should be employed on merit or adequate qualifications.
- The MoLGC needs to allow the LGSC to perform its tasks of employing the management staff through transparent mechanisms. CCSs and AAOs should be fairly given their gratuity moneys and public officials should be paid a living wage, staff performance appraisal should be done and those who hold executive posts (CCSs) should be employed on contract and be paid according so that the NPM trait is enhanced and emphasis is put on performance.
- The vacant posts within CCs need to be filled, including new posts that should have been created to enhance CCSs autonomy, effectiveness and efficiency in fiscal issues.
- Procurement units ought to be instituted at CC level while public participation units, monitoring and evaluation and e-government departments should be created and instituted within DCs throughout the KoL.
- Hardship allowance needs to be increased for those working in the mountainous areas. Education and training of staff should be enhanced and those who obtain higher qualifications through training be promoted and the human resources skills ought to be instituted to keep employees motivated.
- The management needs be spared from the dictates and directives of the elected officials, they should be given an opportunity to take executive decisions and manage the daily business within the public sector. CCSs need to be continually consulted in matters of local governance since they are closest to the local people.

5.4.4. Financial resources

- Fiscal decentralisation ought to be put in place and council fund be established for CCs and financial autonomy be granted to local authorities who should participate in budget process. The local level political leaders need training and sensitization in financial affairs that concern local authorities. There is a need for a comprehensive financial statement interpretation by councillors if the local authorities are to progress and councillors account.
- Council staff needs to familiarize themselves with relevant financial laws, rules and regulations to ensure compliance.
- Capital projects should be under complete control of CCs and not DCs. It is about time that taxation bye-laws are approved to allow CCs to raise revenues. Local councils should independently decide on what to purchase, including vehicles, without the interference of central government as has been the case.
- People with project management skills are needed for improving the execution of the capital projects.
- Additional staff in the finance and procurement offices is needed to improve segregation of duties.
- Procurement laws and regulations should be utilised to avoid corruption. The DCEO should become operational and apprehend economic offenders. Councillors should be banished from collecting revenues and hiring casual labourers as citizens are discriminated against, especially those who support different political parties from those

of the councillors. Councillors and chiefs should be deterred from selling land; only land committees should allocate land as it should be the case according to prescriptions of the legislation. Fiscal centralisation to DCs should not be condoned.

5.4.5. Institutionalisation and functionality of Developmental Local Government

- District Administrators' offices should stick to their mandate of overseeing that national policies are implemented within administrative districts. Decentralisation of the ten line ministries mentioned in subsection 4.4.1 is incrementally not more practical. The MoLGC should consult Community Councils, Urban Councils and not only District Councils management in matters of local government or decentralisation.
- Parliamentarians should be educated about local government to avoid procrastination in policy implementation and making or approving of local government laws.
- Senior public and elected officials should stop dictating and directives to councillors who should not respond to such dictating, allowing the autonomy and authority of councillors to prevail.
- The operational mandate between the office of District Council Secretary and District Administrator ought to be addressed. The DPU and DDCC should take charge of coordinating developmental initiatives while the inter-governmental relations should be harmonised.
- Integrated Development Planning (IDP) needs to be institutionalised and clearly enshrined in the National Constitution
- The Integrated Development Planning framework needs to be improved and effectively implemented. IDP representative forums for formal engagement with the various council stakeholders need to be established. IDP representative forums should be constituted, comprising community representatives, councillors, council managers, traditional leaders, NGOs, minority groups, constituency members of parliament (MPs), officials from government departments and ministries, the District Planning Unit and District Development Coordinating Committee, United Nations agencies and other development partners.
- The Decentralisation Action Plan should become functional if the KoL is to achieve its goals through local government or decentralisation, and the Prime Minister should take the leading role in ensuring compliance of all ministries in decentralisation efforts.

5.4.6. Legislation and its operation

- The LGA should be fully utilised so that local institutions could amalgamate. Community Action plans should be respected by central government so that democracy and good governance are attained.
- The second term of local government should embrace extensive public education on local government. All citizens of Lesotho including the politicians, public officials, NGOs and the local populace should be educated about local governance.
- The Local Government Act of 1997 and the other supporting legislation need to be translated into a native (Sesotho) language for those citizens that are not conversant with the English language.
- Local government associations should be established so that local governments and officials could be represented and advocated by them. Decentralisation will be advanced and public service delivery will be improved.

5.4.7. Current policies

- It would be helpful for the GoL to sensitise both elected and public officials of the national policies and monitoring and evaluation to be done on their implementation. These

policies include national vision 2020, PRS, PSIRP, HIV/AIDS, LED and NPM. The public officials should be educated about them and their importance in achieving MDGs, and the reason why they are linked to Local government for their successful implementation.

- HIV/AIDS clinics on community council office structures in the southern districts of Lesotho ought to be operational with immediate effect so that the efforts of the donors are revived. Decentralisation implementation programmes ought to be made known to the electorate and officials so that they could be adhered to.
- Decentralisation policy needs to be formulated. When implementing decentralisation the approach that should be adopted is a big-bang approach just like in Indonesia and Philippines. The gradual approach that was attempted has already failed and there is no need for a second attempt. The organisation ought to adopt the systemic change in making decentralisation a reality; both elected and public officials from national and sub-national government should be made to understand what is involved in the change and be thoroughly sensitised about decentralisation.
- With the new policy local government managers should not hold the executive powers, passing instead to Mayors or chairpersons or councillors who should be given an appropriate role rather than a ceremonial one. Managers on the other hand should be left to manage.
- With the territorial reform services were concentrated at a single point, and the Community Councils' staff was reduced. These offices ought to get the staff and be operational in responding to the needs of the electorate.

5.4.8. Economic development perspective

- Lesotho has a tremendous, untapped natural wealth that needs an increased consumption in order to address poverty, unemployment, economic meltdown and human development insufficiency. "Poor countries need to accelerate their consumption growth- but they need not follow the path taken by the rich and high-growth economies over the past half centuries" (UNDP 1998:7). Developing countries like Lesotho have been given a green light to accelerate their consumption in order to promote human development. "Human life is ultimately nourished and sustained by consumption. Abundance of consumption is no crime" (UNDP, 1998:1).
- Irrigation schemes, more big and small dams, mines, hydro-electricity and wind power need to be put in place to enrich the KoL.
- In order to make a meaningful utilisation of natural resources, a responsive educational system relevant to the national environment should be adopted in order to open avenues for prosperity through developmental local government and full decentralisation. The Kingdom of Lesotho, through the National Manpower Development Secretariat, ought to channel its energies towards developmental subjects, sciences, geology and different engineering courses. The new, responsive educational policy should be adopted in order for the young and old people in Lesotho to make a difference in their lives. This is because Lesotho is not a poor country as usually thought by other people. The problem is Lesotho is not addressing its own needs and using its potential.
- The natural resources ought to be controlled and managed by local communities and authorities. Blakely and Bradshaw (2002:56) explicate that from a development perspective resources are often underused necessitating local capacity to come with the varied type of local capacities to turn resources into development opportunities.

5.4.9. Civic participation

- UN agencies support decentralisation and local government in Lesotho, and the UNDP has the strategic plan 2008-2013 which underscores civic engagement and local government's capacity and resources' capacity to deliver effective economic and social policies that promote human development management of public services. The strategic plan puts emphasis on civic participation as prioritised areas and local authorities are expected to undertake participatory planning processes, assessment and adoption of effective service delivery systems. Lesotho as a beneficiary in the funds or donations of the UN agencies needs to comply with the regulations set by this agency in order to grow economically, politically and socially and further secure UNDP assistance.
- Good governance entails participation of people in the decisions that affect their lives therefore their involvement in policy making and developmental issues are pivotal. "Citizen Participation in public policy is imperative for local democratic local governance. Participation becomes meaningless unless local authorities have sufficient functions, powers and resources to implement policies and decisions. Participation is also less effective if communities are not empowered to participate fully in public issues" (Bayat, et al., 1997:31-32).
- The public needs to be informed of their right to attend council and committee proceedings and their right to access council minutes. With participation the electorate will come to appreciate and participate in local elections more. NGOs need to meaningfully participate in decentralisation and local government processes as this complements good governance within a democratic dispensation.
- Although participation in the local government election was better in 2011 comparing it to 2005 local elections, the elected officials interfered by discouraging people from electing independent candidates. This was influenced by the fear that independent candidates would oppose the central government on some issues whereas party candidates are silent even if the ruling party is crossing the line. According to Lemon (2008), local government has the legitimacy to oppose the central state on some issues, even when the same political party is in power at both levels. "This reflects the essential ambiguity of local government: it is part of the state apparatus but may be used to oppose the state" (Taylor, (1993) cited in Lemon, 2008).
- Vote-buying in which public resources are provided as grants to the local governments in times of elections needs to be strictly dealt with to enable competent candidates to participate in elections and not only those who have political parties affiliation especially the ruling party or parties. People from other electoral divisions should also be encouraged to participate more as candidates outside their own constituencies or electoral divisions. More of the literate and educated candidates need to participate in local level elections provided the allowances or salaries for councillors are increased with more responsibilities and accountability.
- E-government systems ought to be put in place as they complement participation of citizens and transparency in matters that affect the local populace. Availability of e-government systems play a critical role in development processes, and while local government is able to address the needs of the marginalised groups and the people who live in the rural places, e-government systems are a necessity in Lesotho. ICT is seen as an important tool for reform and transformation because it is people centred, inclusive and development oriented (Farelo and Morris, 2006:1).

5.4.10. Service delivery

- “The PSIRP’s main goal is to improve service delivery to the people including the poor” (Lesotho, 2006:30). The executive officers ought to be handsomely remunerated because they are closest to the people in delivery of services provided they are employed on contracts, and they have been the pioneers in making the establishment of local government in Lesotho a success. The NPM is limited in Lesotho, and the sooner the MoLGC realises the benefits and implements NPM, the quicker the public sector will be transformed. NPM describes a management that put the citizens at the centre of service delivery. Prescriptions of good governance centre on approaches to public sector management under the ambit of NPM (Lesotho, 2007:1). It is imperative that decentralisation is pursued to the fullest because important paradigms like NPM depend on it for the improvement of service delivery as Cameron (2009:910) puts it, “one of the tenets of NPM reform is decentralisation”. The NPM paradigm is a necessary vehicle to improve reporting and monitoring mechanisms which are short within central and local governments. NPM comprises devolution of management, short-term labour contracts, performance linked remuneration schemes and adoption of private-sector management practices in the public realm (Hood and Jackson (1991) in Bale and Dale, 1998:119).

5.4.11. Developmental local government

- The Government of Lesotho (GoL) needs to maximise social development.
- Local governments need, especially district councils, to integrate and coordinate activities of variety actors through the District Planning Unit and the District Development Coordinating Committee.
- The GoL needs to strengthen the community leadership.
- Local government needs to create opportunities for learning and sharing of information for the common goal (development).
- The GoL needs to democratise development by empowering communities to participate in developmental initiatives or projects as well as development planning.
- All the policies and strategies that make up developmental local government should be implemented and applied, that is Vision 2020, PRS, PSIRP, LED, HIV/AIDS, National Strategic Development Plan, SADC protocol and MDGs.

5.4.12. Monitoring and evaluation

- Monitoring and evaluation is undermined and generally officials are not conversant with it. Monitoring and evaluation should be institutionalized and public officials be provided training in it.

5.4.13. Audit

- Local government should employ its own internal auditors who should make annual internal audit or audit council accounts anytime of the year when the councillors or national government feel there is a need for transparency and to check for adherence or compliance to financial regulations.
- The office of the auditor general should have sufficient human resources. The OAG should have autonomy and powers of enforcement and should be given authority to discipline and ensure that public officials take responsibility for expenditures while the PAC should be able to prosecute errant public servants.

Apart from absence of monitoring and evaluation, inadequate skills and insufficient resources, poor service delivery is precipitated by poor salaries and corruption within the public spectrum. Corruption impacts negatively in service delivery because successful projects within local government are postponed to the following financial year. On the other hand the costs become

higher due to inflationary pressures when the services are postponed to another year. Corruption includes fraud, gross negligence, embezzlement, abuse of power, theft and misappropriation while the awarding of tenders, bribery, favouritism, nepotism, insider trading, extortion and conflict of interest involve the receipt of illegal benefits by elected and public officials in return for favours (Ruhiga, 2009:1091). The KoL needs to take corrective action against elements that could encourage corruption resulting in bad performance of the public sector. It is absolutely imperative that corruption is uprooted within the KoL and if good governance is to prevail both within central and local government.

The attitudes of ministers, members of parliament, party officials, departmental heads, the MoLGC itself and other ministries should be re-oriented away from seeing the local authorities as a rival organisation, and towards accepting its needs for effective social, political and financial control through the establishment of council funds and revenue collection.

Full decentralisation of powers functions and resources should be adopted in order for the objectives of decentralisation to be achieved. The goals and vision of the KoL will then be realised through commitment and unending efforts and then local government will become developmental as it has always been envisaged to be. Four fundamental principles for which local government system is premised on, political decentralisation, financial decentralisation, administrative decentralisation and changed central-local relations should be made a reality without hesitation.

De Visser (2005:33) stresses that “it is only when local government is afforded substantial powers that the notion of development driven at local level can really take root. Local government must be allowed to govern, make mistakes, learn from mistakes and importantly establish a sound and interactive relationship with its citizenry. A local level of government that is treated as the step-child of other levels of government through continuous intervention will never be able to live up to any developmental mandate”. When local governments are living from hand- to-mouth, they would never mature and their existence would be the same as their nonexistence because there would be no developmental difference they make within local communities.

References

- Akai, N. 2013. The Role of Decentralisation Indicators in Empirical Research. *Measuring Fiscal Decentralisation: Concepts and Policies*. OECD Publishing. Available: <http://dx.doi.org/10.1787/9789264174849-en> [2014, 6 May].
- APRM. 2010. Kingdom of Lesotho. *African Peer Review Mechanism: Country Review Report No.12*.
- Arowolo, D. 2008. *Local Government Administration and the Challenges of Rural Development in Nigeria* [online]. Available: <http://www.articlesbase.com/leadership-articles.htm> [2010, 17 May].
- Auriacombe, C. & Hartsliet, O. 2009. Fourth Generation Evaluation Research as a Form of Qualitative Constructivist Inquiry: The Case of the Presidential Izimbizo. *Journal of Public Administration*, 44(4.2), November: 866-884.
- Bale, M. & Dale, T. 1998. Public Sector Reform in New Zealand and its Relevance to Developing Countries. *The World Bank Research Observer*, 13 (1).
- Bahl, R. & Linn, J. 1994. Fiscal Decentralisation and Intergovernmental Transfers in Less Developed Countries. *Publius: The Journal of Federalism* 24, Winter. [electronic]. Available: <http://www.jstor.org/stable/3330701> [2011, 9 November].
- Bass, S., Clayton, B.D., Hughes, R., Robinson., Sandbrook, R., Sadler, B., & Thomson, K. 1994. *National Sustainable Development Strategies: Experience and Dilemmas*. London: Environmental Planning Group
- Barnwell, N. & Robbins, S.P. 2006. *Organisation Theory: Concepts and Cases*. 5th ed. Australia: Pearson.
- Batley, R. & Larbi, George. 2004. *The Changing Role of Government: The Reform of Public Services in Developing Countries*. New York: Palgrave Macmillan.
- Bayat, S, Ishmael, N & Meyer, I. 1997. *Local Government Management*. Durban: International Thomson Publishing (Southern Africa) (Pty) Ltd.
- Beckmann, V, Eggers, J. & Mettepenningen, E. 2009. Deciding How to Decide on Agri-environmental Schemes: The Political Economy of Subsidiarity, Decentralisation and Participation in the European Union. *Journal of Environmental Planning and Management*, 52:5, 689-716, Routledge. [Electronic, downloaded by University of Stellenbosch]. Available: <http://dx.doi.org/10.1080/09640560902958289> [2011, 10 November].
- Bevir, M. 2011. Local governance: *The Sage Handbook of Governance*. London: SAGE Publications Ltd. [Electronic, downloaded by University of Stellenbosch]. Available: <http://dx.doi.org/10.4135/9781446200964.n20> [2014, 13 May].
- Blakely, E.J & Bradshaw, T.K. 2002. *Planning Economic Development: Theory and Practice*. 3rd edition. California: Sage Publications.

Blochliker, H. 2013. Measuring Decentralisation: The OECD Fiscal Decentralisation Database. *Measuring Fiscal Decentralisation: Concepts and Policies*. OECD publishing. Available. <http://dx.doi.org/10.1787/9789264174849-en> [2014, 6 May].

Boyd, A.J, Jalal, K.F & Rogers, P.P. 2008. *An Introduction to Sustainable Development*. Trowbridge: Earthscan.

Bossuyt, J. & Gould, J. 2000. Decentralisation and Poverty Reduction: Elaborating the Linkages. *Policy Management Brief 12*, October.

Bouckaert, G. & Pollitt, C. 2003. Evaluating Public Management Reforms: An International Perspective, in Wollman, H, 2003: *Evaluation in Public Sector Reform: Concepts and Practice in International Perspective*. Massachusetts: Edward Elgar Publishing, Inc.

Bray, M. 1985. Education and Decentralisation in less Developed Countries: A Comment on General Trends, Issues and Problems with Particular Reference to Papua New Guinea. *Comparative Education*, vol.21, No.2.

Brillantes, A.B, Cabo, W.L, Celestino, A, Devas,N & Nickson A. 2008. Asia–Pacific. *Decentralisation and Local Democracy in the World: First Global Report 2008*. United Cities and Local Governments & The World Bank.

Burger, A. & Silima, T. 2006. Sampling and Sampling Design. *Journal of Public Administration*. 41(3.1):656-668.

Cabinet Ministers' Performance Audit. 2010. *Public Eye*, 24 September: 17.

Carmona,V.S. & Rosales, M. 2008. Latin America. *Decentralisation and local democracy in the world: First Global Report 2008*. United Cities and Local Governments & The World Bank.

Central Bank of Lesotho. *Public Sector Reform Process in Lesotho: Benefits and challenges* [online].2008. Available. <http://www.google.com/public> sector in Lesotho. htm [2008, 24 September].

Chandler, J. 2010. A Rationale for Local Government. *Local Government Studies*, 36, [Electronic], No. 15-20. Downloaded by University of Stellenbosch [2011, 09 December].

Cloete, F. 2000. At Full Speed The Tiger Cubs Stumbled: Lessons from South East Asia About Sustainable Public Service Delivery. Pretoria: Human Sciences Research Council Publishers.

Delay, S. & Devas, N. 2006. Local democracy and the challenges of decentralising the state: An international Perspective. *Local Government Studies*, 32:5, 677-695 [Electronic, downloaded by University of Stellenbosch]. Available: <http://dx.doi.org/10.1080/03003930600896293> [2011, 10 November].

De Visser, J.W. 2005. *Developmental Local Government*. Antwerpen: Intersentia.

De Vries, M.S. 2000. The Rise and Fall of Decentralisation: A Comparative Analysis of Arguments and Practices in European countries. *European Journal of political Research* 38:193-224.

Downs, W. & Hankler, C. 2010. Decentralisation, Governance and the Structure of Local Political Institutions: Lessons for Reform. *Local Government Studies* [Electronic, downloaded by University of Stellenbosch]. Available: <http://dx.doi.org/10.1080/030039.2010.522079> [2011, 09 December].

Draper, S, Hanson, L & Uren, S. 2006. *Hallmarks of Sustainable Performance: Are You a Leader Business?* [Online]. 2008. Available. http://www.google.com/sustainable_development.htm [2008, 4 October].

Eaton, K, Kaiser, K & Smoke, P.J. 2011. *The Political Economy of Decentralisation Reforms*. Washington, DC: The World Bank.

Ebinger, F, Grohs, S & Reiter, R. 2011. The Performance of Decentralisation Strategies Compared: An Assessment of Decentralisation Strategies and their Impact on Local Government Performance in Germany, France and England. *Local Government Studies* [Electronic]. Available: <http://dx.doi.org/10.1080/03003930.2011.604557> [2011, 09 December].

European Commission. 2009. Decentralisation. Programming Guide for Strategy Papers, January.

Farelo, M. & Morris, C, 2006. *The Status of eGovernment in South Africa* [online], Available: <http://www.webct.com> [2008, 28 May].

Federal Republic of Germany, Lesotho & UNAIDS. 2006. Essential HIV and AIDS Services Package. Maseru: Government Printers.

Fleurke, F. & Willemse, R. 2004. Approaches to Decentralisation and Local Autonomy: A Critical Appraisal. *Administrative Theory & Praxis*, 26 (4): 523-544.

Fourie, D. 2009. Institutional Mechanisms and Good Governance: A Perspective on the South African Public Sector. *Journal of Public Administration*, 44(4).

Goldman, I. & Ts'oele, M. 2006. Sustaining Livelihoods in Sub-Saharan Africa, issue 19 [Online]. Available: <http://www.khanya-aicdd.org> [2012, 21 January].

Frederickson, H.C. & Smith, K.B. 2003. Theories of Governance. *The Public Administration Theory Primer*. Colorado: Westview Press.

Gallopín, G. 2003. *A Systems Approach to Sustainability and Sustainable Development*. Santiago: United Nations Publications.

Heeks, R, 2006. *Implementing and Managing e-Government*. London: Sage Publications.

Helling, L, Serrano, R & Warren, D. 2005. Linking Community empowerment, Decentralized Governance, and Public Service Provision through a Local Development Framework. SP Discussion paper No. 535. The World Bank.

Hollis, G. & Plokker, K. 1995. Towards Democratic Decentralisation: Transforming Regional and Local Government in the New Europe. Brussels: Tacis Services DG IA, European Commission.

Ile, I.U. & Mapuva, J. 2008. Civil Society and Citizen Participation in Governance Process in Zimbabwe. *Journal of Public Administration*, 43(2).

Ile, I.U. & Mapuva, J. 2010. Citizen Participation and Democracy-Safeguarding Citizen Participation through Government of National Unity (GNU) or Democracy Violated? *Journal of Public Administration*, 44(1).

Ivanyina, M. & Shah, A. 2010. Decentralisation (Localization) and Corruption: New cross-country Evidence. *Policy Research Working Paper No. 5299*. The World Bank.

Johnson, R.W. McCullough, J.S. & Rondinelli, D.A. 1989. Analyzing Decentralisation in Developing Countries: a Political-Economy Framework. *Development and Change*, 20: 57 – 87.

Johnson, C. 2001. Local Democracy, Democratic Decentralisation and Rural Development: Theories, Challenges and Options for Policy. *Development Policy Review*, 19(4):521-532.

Joint UNDP-Government of Germany. 1999. *Decentralisation: A sampling of Definitions*. Working Paper, October.

Jutting, J, Kauffmann, C, Mc Donnell, I, Osterrieder, H, Pinaud N, & Wegner, L. 2004. Decentralisation and Poverty in Developing Countries: Exploring the Impact. Le Seine Saint-Germain: OECD Development Centre.

Jutting, J, Corsi, E, Kauffmann, C, Mc Donnell, I, Osterrieder, H, Pinaud, N and Wegner, L. 2005. What Makes Decentralisation in Developing countries Pro-poor. *The European Journal of Development Research*, 17, December: 626-648

Kakumba, U. & Nsingo, S. 2008. Citizen participation in local government and the process of rural development: The rhetoric and reality in Uganda. *Journal of public administration*, 43(2).

Kasumba, G. 2003. Sector-wide Approaches and Decentralisation Strategies pulling in Opposite Directions? A Case Study from Uganda [online]. Available: http://www.google.com/decentralisation_strategies.htm [2011, 6 December].

Keketso, L. 2010. Government approves Lets'eng Wind farm. *Public Eye*, 12 November: 9.

Khemani, S. 2010. Political Capture of Decentralisation: vote-Buying through Grants-Financed Local Jurisdictions. *Policy Research Working Paper 5350*. The World Bank.

Klijn, E. 2003. Networks and Governance: A Perspective on Public Policy and Public Administration. Amsterdam: IOS Press.

Kulipossa, F.P. 2004. Decentralisation and Democracy in Developing Countries: An Overview. *Development in Practice*, vol.14, number 6, November.

Larson, M.A & Ribot, J.C. 2004. Democratic Decentralisation Through a Natural Resource Lens: An Introduction. *European Journal of Development Research*, 17, Spring: 1-25.

- Lekhetho, N. 2009. Mosisili Talks Business. *Public Eye*, 29 May: 23.
- Lekhetho, N. 2011. Lets'eng Historic Find. *Public Eye*, 2 September: 2.
- Lesotho. 1969. *Local Administration Act*, No 13. Maseru: Government Printers.
- Lesotho. 1979. *Land Act*, No 17. Maseru: Government Printers.
- Lesotho. 1983. *Urban Government Act*, No 3. Maseru: Government Printers.
- Lesotho. 1992. *Development Councils (amendment) Order*. Maseru: Government Printers
- Lesotho. 1993. *The Constitution of Lesotho*. Maseru: Government Printers.
- Lesotho. 1994. *Development Councils (amendment) Act*. Maseru: Government Printers
- Lesotho. 1997. *Local Government Act*, No 6. Maseru: Government Printers.
- Lesotho. 1998. *Local Government Elections Act*, No 9. Maseru: Government Printers.
- Lesotho. 2001. *Environment Act*, No 15. Maseru: Government Printers
- Lesotho. 2003. *Programme for Implementation of Local Government in Lesotho: Concept, Structures and Roles*. Maseru: Government Printers
- Lesotho. 2004a. *National Vision 2020*. Maseru: Government printers.
- Lesotho. 2004b. *Poverty Reduction Strategy 2004/2005-2006/2007*. Maseru: Government Printers.
- Lesotho. 2004. *Local Government (Amendment) Act*, No 5. Maseru: Government Printers.
- Lesotho. 2004. *Local Government Elections (Amendment) Act*, No 6. Maseru: Government Printers.
- Lesotho. 2006. *Legal Capacity of Married Persons Act*, No 9. Maseru: Government Printers.
- Lesotho. 2006. *Lesotho Local Development Programme Concept Paper*. Maseru: government Printers.
- Lesotho. 2007. *Public Procurement Regulations Legal Notice*, No 1. Maseru: Government Printers
- Lesotho. 2008. *Local Government Service Act*, No 2. Maseru: Government Printers.
- Lesotho. 2009a. *Poverty Reduction Support Programme*. Maseru: African Development Fund.
- Lesotho. 2009b. *Lesotho Economy* [online], available: <http://www.lesotho.gov.ls/about/economy.php> [2009, 7 November].
- Lesotho. 2009c. *Decentralisation Action Plan for Lesotho (2009/10 -2010/11)*. Maseru: Government Printers.
- Lesotho. 2010. *Local Government (Amendment) Act*, No 5. Maseru: Government Printers.

- Lesotho. 2010. *Local Government (Amendment) Act*, No 6. Maseru: Government Printers.
- Lesotho. 2010. *Land Act*, No 8. Maseru: Government Printers.
- Lesotho. 2010. *Land Administration Act*, No 9. Maseru: Government Printers.
- Lesotho. 2011. *Local Government Elections (Declaration of Electoral Divisions) Legal Notice*, No 1. Maseru: Government Printers.
- Lesotho. 2011. *Local Government (Amendment) Act*, No 5. Maseru: Government Printers.
- Lesotho. 2011. *Local Government Elections (Amendment) Act*, No 4. Maseru: Government Printers.
- Lesotho. 2011. *Statement of Objects and Reasons of the Local Government Elections (Amendment) Act*, Government Notice No 6. Maseru: Government Printers.
- Lesotho. 2011. *Land Regulations Legal Notice*, No 21. Maseru: Government printers.
- Lesotho. 2011. *Local Government Elections (Declaration of Electoral Divisions) Legal Notice*, No 84. Maseru: Government Printers.
- Letaief, M.B Mback, N.C, Mbassi, E.J.P & Ndiaye, O.B. 2008. Africa. *Decentralisation and Local Democracy in the World: First Global Report 2008*. United Cities and Local Governments and The World Bank.
- Local Governance and Non-State Actors Support Programme (LGNSP). 2009. *Chieftainship and Local Governance in Lesotho*. Maseru: LGNSP.
- Mafunisa, M.J. & Xaba, B. 2008. Public Participation and the Integrated Development Planning: the Case of Limpopo province. *Journal of Public Administration*, 43(3.2).
- Maleleka, D. 2007. Diamond Mining in Lesotho. *Resource Insight*, Issue 4, September. Johannesburg: Southern Africa Resource Watch (SARW).
- Marcou, G. & Wollman, H. 2008. Europe. *Decentralisation and Local Democracy in the World: First Global Report 2008*. United Cities and Local Governments & The World Bank.
- Maserumule, M.H. 2008. Framework for Strengthening the Capacity of Municipalities in South Africa: A Developmental Local Government Perspective. *Journal of Public Administration*, 43(3.2).
- Matlosa, K. 2006. *Democracy and Political Governance in Lesotho: Key Issues and Challenges*. Johannesburg: APRM Secretariat.
- Mayer-Schonberger, V. & Lazer, D. 2007. *Government and Information Technology: From Electronic Government to Information Government*. London: The Massachusetts Institute of Technology Press.

Mawhood, P. 1993. *Local Government in The Third World: The Experience of Decentralisation in Tropical Africa*. Pretoria: Africa Institute of South Africa.

McAllister, G. 2002. Decentralisation through the Lens of the Failed State. *Civil Wars*,5:2, [Electronic]. Available: <http://dx.doi.org/10.1080/13698240208402505>[2011, 10 November].

Ministry of Communications, Science and Technology, Lesotho. 2004. *National ICT policy Lesotho* [Online]. Available: http://www.google.com/data_management_in_lesotho.htm[2008, 25 November].

Ministry of Local Government and Chieftainship (MoLGC). 2008. *Budget Framework Paper; 2009/10-2011/12*. Maseru: Government printers.

Monyane Moleleki (video recording). 12 October 2011. Maseru. LNBC.

Morra-Imas, L.G. & Rist, R.C. 2009. *The Road to Results: Designing and Conducting Development Evaluations*. Washington, DC: The World Bank.

Mouton, J. 2008. *How to Succeed in Your Masters and Doctoral Studies: A South African guide and resource book*. Pretoria: Van Schaik Publishers.

Naha, I.M. 2014. *Full Decentralisation of Powers, Resources and Functions in the Kingdom of Lesotho: An Evaluation from a Developmental Local Government Perspective: Thesis Proposal*. School of Public Leadership: Stellenbosch University.

National AIDS Commission (NAC). 2006. *National HIV and AIDS Policy*. Maseru: Government Printer.

National AIDS Commission (NAC). 2007. *Coordination Frame work for the National response to HIV and AIDS*. Maseru. Government Printers.

Nealer, E. 2007. *Local Government and Service Delivery. Municipal Management: Serving the People*. Cape Town: Juta.

Norberg-Hodge, H. 2000. *Shifting Direction: From Global to Local Interdependence*. Brighton Press, International Society for Ecology and Culture.

Olowu, D. 2003. Local Institutional and Political Structures and Processes: Recent Experience In Africa. *Public Administration and Development* 23 [Electronic], 41-52. Available: <http://www.interscience.wiley.com> [2011, 29 November].

Oxfam International. 2007. *Bio-fuelling Poverty: Oxfam Briefing Paper* [Online]. Available: http://www.google.com/climate_change.htm [2009, 23 June].

Oxfam International. 2007. *From Weather Alert to Climate Alarm: Oxfam Briefing Paper* [Online]. Available: http://www.google.com/climate_change.htm [2009, 23 June].

Pieterse, E & Van Donk, M. 2008. *Developmental Local Government: Squaring the Circle Between Policy and Intent and Impact. Consolidating Developmental Local Government: Lessons from South African Experience*. Cape Town: UCT Press.

Pontso Sekatle (video recording). 19 October 2010. Maseru: LNBS.

Policy Brief 2. 2010. *Gender Links*, July:1–2.

Powell, D. 2012. *Imperfect Transition – Local government reform in South Africa 1994-2012*. [electronic]. Available: www.africamedia.co.za [2014,10 May].

Public Eye. 2007. 25 September: 5.

Public Eye. 2011. 30 September:10.

Ribot, J.C. 2003. Democratic Decentralisation of Natural Resources: Institutional Choice and Discretion Power Transfers in sub-Saharan Africa. *Public Administration and Development* 23: 53-65[Electronic]. Available: <http://www.interscience.wiley.com> [2011, 29 November].

Rodney, W. 1982. *How Europe Underdeveloped Africa*. Washington: Howard University Press.

Rogers, P.P, Jalal, K.F. & Boyd, J.A. 2008. *An Introduction to Sustainable Development*. London: Earthscan.

Ruhiiga, T.M. 2009. Costing The Impact of Corruption on Service Delivery in South Africa: An Exploratory Overview. *Journal of Public Administration*, 44 (4):1092-1096.

School of Public Management and Planning. 2008. *Local governance*. Stellenbosch: African Sun Media.

Sefala, M.J. 2009. Nature and Purpose of Developmental Local Government: Case of the Limpopo Province. *Journal of Public Administration*, 44 (4):1159-1172.

Selinyane, N. 2011. Choosing local and national leaders. *Public Eye*, 22 July:17

Shah, A. & Thompson, T.2004. *Implementing Decentralized Local Governance: A Treacherous Road with Potholes, Detours and Closures*. World Bank Policy Research Working Paper, 3353, June.

Shuttleworth, M. 2009. Sampling. [Electronic]. Available: <https://explorable.com/what-is-sampling> [2014, 15 June].

Slack, E. 2003. *Models of Government Structure at the Local Level* [online]. Available: http://www.google.com/decentralisation_models.htm [2011, 17 December].

Smoke, P.2003. *Public Administration and Development* (23). *Decentralisation In Africa: Goals, Dimensions, Myths and Challenges* [Electronic]. Available: <http://www.interscience.wiley.com>. [2011, 29 November].

South Africa. 2007. *People-Planet-Prosperity: A National Framework for Sustainable Development in South Africa*. Pretoria: Government Printer.

South Africa. 1998. *Local Government: Municipal Structures Act*, No 117. Pretoria: Government Printers.

Sperfeld, R. 2006. *Decentralisation and the Establishment of Local Government in Lesotho*. Potsdam University.

Swianiewicz, P. 2006. Poland and Ukraine: Contrasting Paths of Decentralisation and Territorial Reform. *Local Government Studies* 32:5, 599-622 [Electronic, downloaded by University of Stellenbosch]. Available: <http://dx.doi.org/10.1080/03003930600896228>[2011, 10 November]

Tangney, J. 2010. Status of Policy Dialogue in Lesotho: The EU, Cotonou and other Frameworks, Occasional Paper (17). Maseru: LGNSP.

Thieben, U. 2001. *Fiscal decentralisation & Economic Growth in High-Income OECD Countries* [Online]. Available: [http://www.google.com/fiscal decentralisation.htm](http://www.google.com/fiscal%20decentralisation.htm) [2010, 29 May].

Tlali, C. 2010. Mosisili under fire. *Public Eye*, 11-17 March:2.

United Nations Development Programme. 1998. *Human Development Report 1998*. [Online]. Available: <http://hdr.undp.org/reports/global/1998/en/> [5 November 2006]

United Nations Development Programme. 2002. Overview of Decentralisation Worldwide: A Stepping Stone to Improved Governance and Human Development. 2nd International Conference on Decentralisation. Federalism: The Future of decentralizing States. 25-27 July 2002, Manila, Philippines.

United Nations Development Programme. 2007. *Human Development Report 2007/ 2008 Fighting Climate Change: human Security in a divided World*. New York: UNDP.

United Nations Development Programme (UNDP). 2010. Evaluation of UNDP Contribution to Strengthening Local Governance. New York: UNDP Evaluation Office.

Wollmann, H. 2004. Local Government Reforms in Great Britain, Sweden, Germany, and France: Between Multi-Function and Single-Purpose Organisations. *Local Government Studies* [Electronic], vol. 30, No4, 639-665. Available. <http://dx.doi.org/10.1080/0300393042000318030> [2011, 09 December].

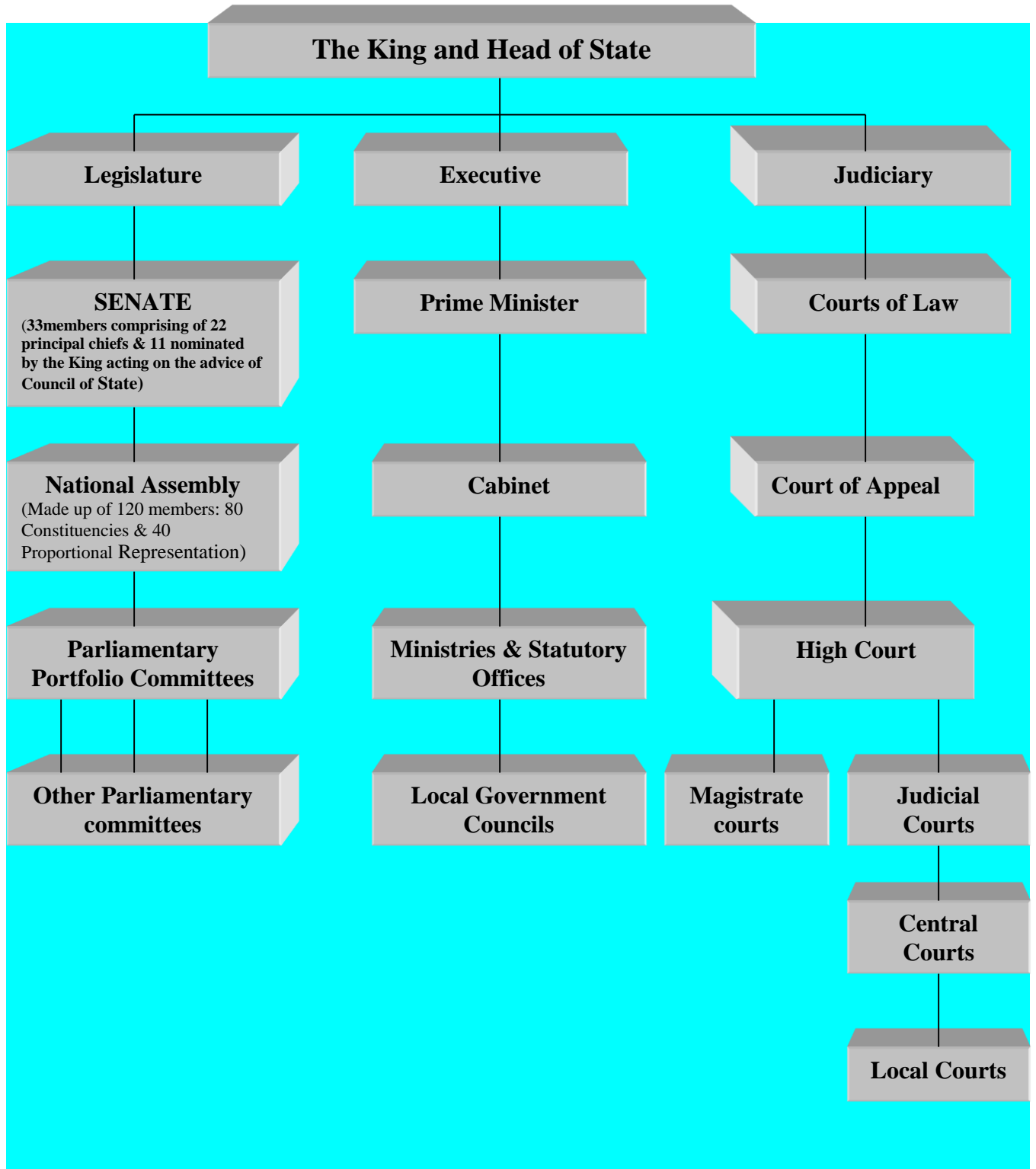
World Bank. 2008. *What is development* [online]. Available: <http://youthink.worldbank.org/4kids/development/developmentstory1.php> [2008, 04 October].

World Vision. 2008. *What is development* [Online]. Available: <http://www.worldvision.com.au/millionaires/whatisdevelopment.aspx> [2008, 05 October].

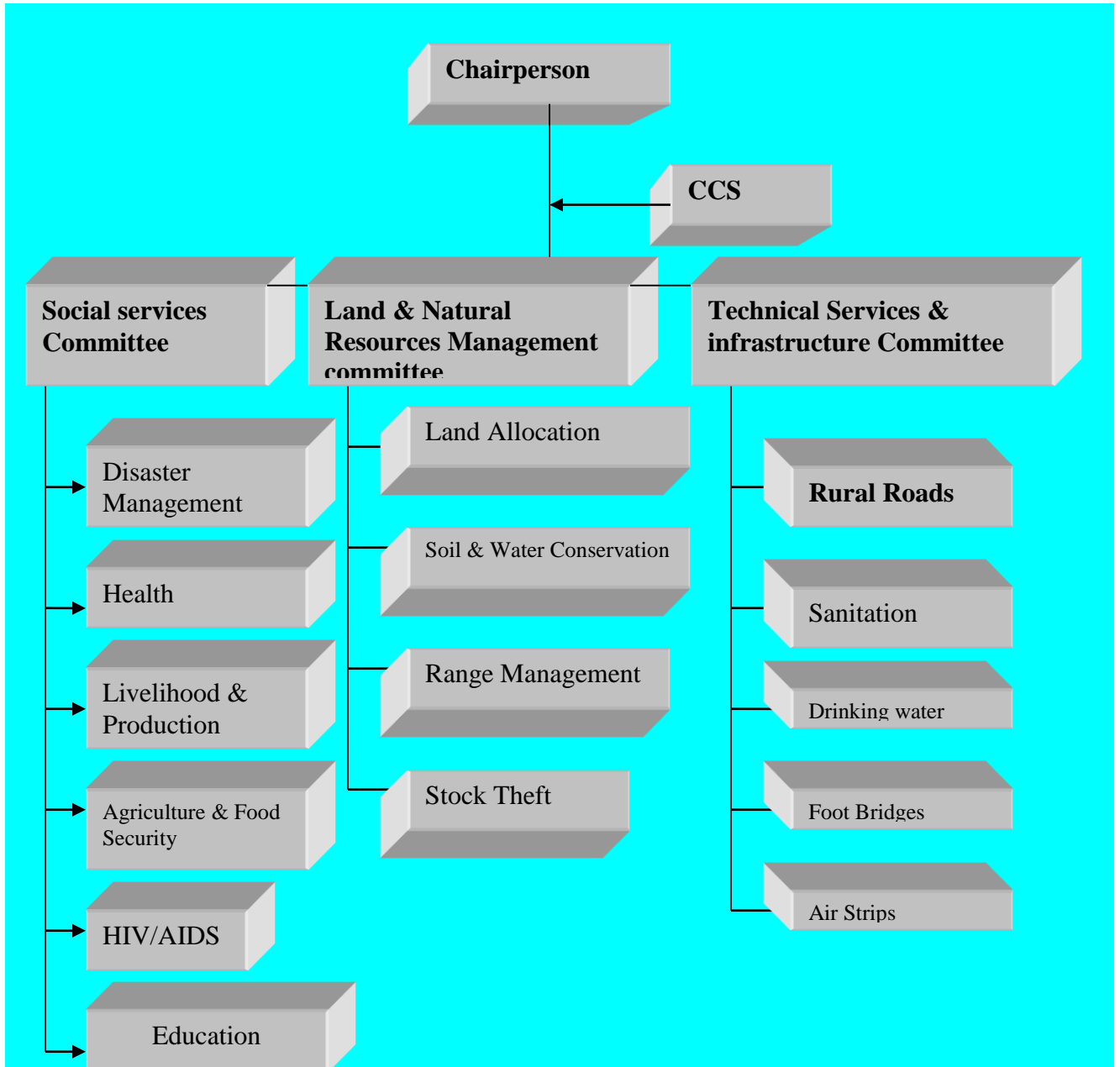
Van der Waldt, G. 2007. *Municipal Management: Serving the People*. Cape Town: Juta.

Vyas-Doorgapersad, S. 2010. Capacity Building for Developmental local government in South Africa. *Journal of Public Administration* 45 (1), March: 43-57.

Appendix 1: State Organs and their interaction in a democratic Lesotho



Appendix 2: The Community Council Structure



Appendix 3. Timeline of the key events in the history of local democracy in Lesotho

Date	Key Developments that took place	
1945	The British colonial government establishes the elected district councils in which local chiefs become ex-officio members.	
1960	Lesotho holds the pre-independence local elections which were won by BCP. Elected district Councils gain limited fiscal autonomy	
1965	Multiparty elections contested by BNP, BCP, MFP and MTP are held and won by BNP. The 1 st parliament in Lesotho was established with 60 members; BNP had 31 seats, MFP had 4 seats and BCP had 25 seats	
1966	Lesotho gains independence from the British colonial government	
1968	District Councils established by British colonial government are abolished	
1970	Lesotho holds its first post-independence elections and BNP sensing defeat by BCP annuls the electoral process and declared itself a legitimate government (beginning of civilian dictatorial rule). Elected district councils are re-established on village level as advisory bodies to chiefs.	
1983	Urban Government Act is passed leading to urban authorities.	
1986-1993	A seven (7) year epoch of military dictatorship. Development councils are established on village, ward and district levels and Chiefs become chairpersons of these councils	
1993-	Multiparty democracy is reintroduced after 23 years of civilian and military dictatorial rule. 1993 constitution is developed	
1994	Under the leadership of Minister of Home Affairs and chieftainship, the Ministry of Local government is established with a mandate of overseeing institutionalization of new local government	

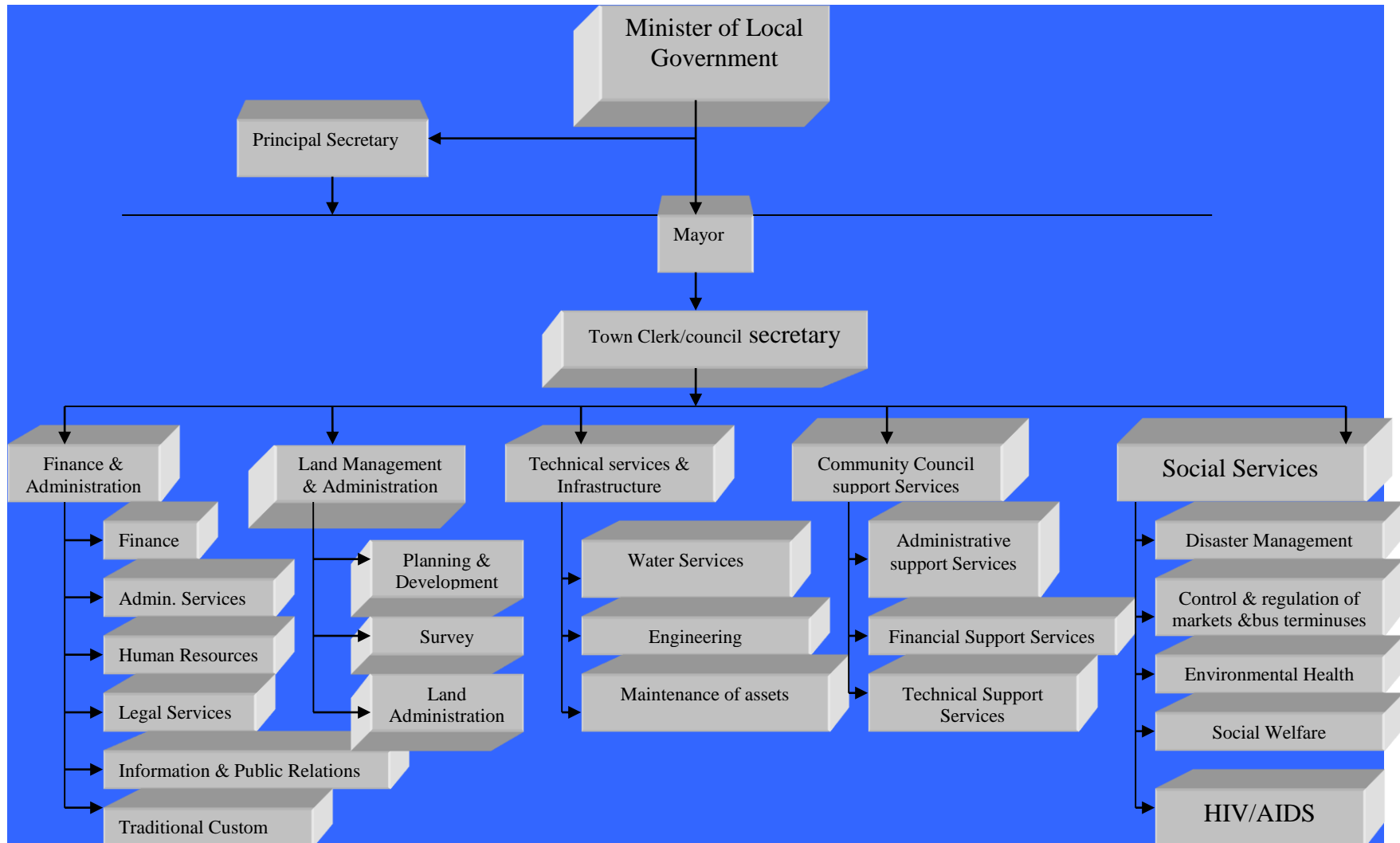
1996	A white paper on local government is developed	
1997	Local Government Act 1997 is passed by parliament	
	Local Government Elections Act No.9 of 1998 is passed.	
1998	First-past- the-post electoral system is used in the national elections held and won by LCD to be challenged by the opposition parties through protests. The country is destabilized following the mutiny by junior military officers; property is destroyed and there is looting within the capital Maseru thus SADC is called upon to restore order.	
2002	Amendment is made to the electoral code. The proportional representation system is introduced. The national elections are held to be won by LCD. Minister directly responsible for local government is appointed. The interim-councils are established.	
2004	Amendments are made to the Local Government Act No.6 of 1997 and to the Local Government Elections Act NO.9 of 1998	
2005	Local government elections are held in 30 th April and 139 Local Governments are created	
2008	Local government Service Act No.5 of 2008 is passed.	
2009	Local Government Community Council Offices sponsored by GTZ are build in the four Southern districts of Lesotho: Mafeteng, Mohale'shoek, Quthing and Qacha'snek	
2010	Local Government (amendment) Act No.5 of 2010 and Local Government (amendment) Act No.6 of 2010 are	

	made	
2011	Local Government (amendment) Act No.5 of 2011 and Local Government Elections (amendment) Act No.4 of 2011 are made. Legal Notice No.1 of 2011 repeals Legal Notice No.202 of 2004 Local Government (Declaration of Councils) and the Minister of MoLGC declares the new areas in the schedule to CC, UC, DC and MC.	
2011	<p>Minister of Local Government and Chieftainship defines each area of Community, Urban, District and Municipal Council so declared in the Schedule and assigns name to each new Council.</p> <p>Legal Notice No.1 of 2011 creates a total of 86 Councils across the country, namely 64 Community Councils, 11 Urban Councils, one Municipal Council and 10 District Councils.</p> <p>The new declaration of Councils of the 13th January 2011 reduces the total number of Councils from 139 to 86 and the difference is 53 meaning that the reduction is 38%.</p> <p>The Local Government General Elections are held in 1st October 2011 following a period of twelve (12) months with effect from April 2010 by Local Government Amendment Act No.5 of 2010.</p> <p>Local Government Service Regulations, 2011 is passed.</p>	

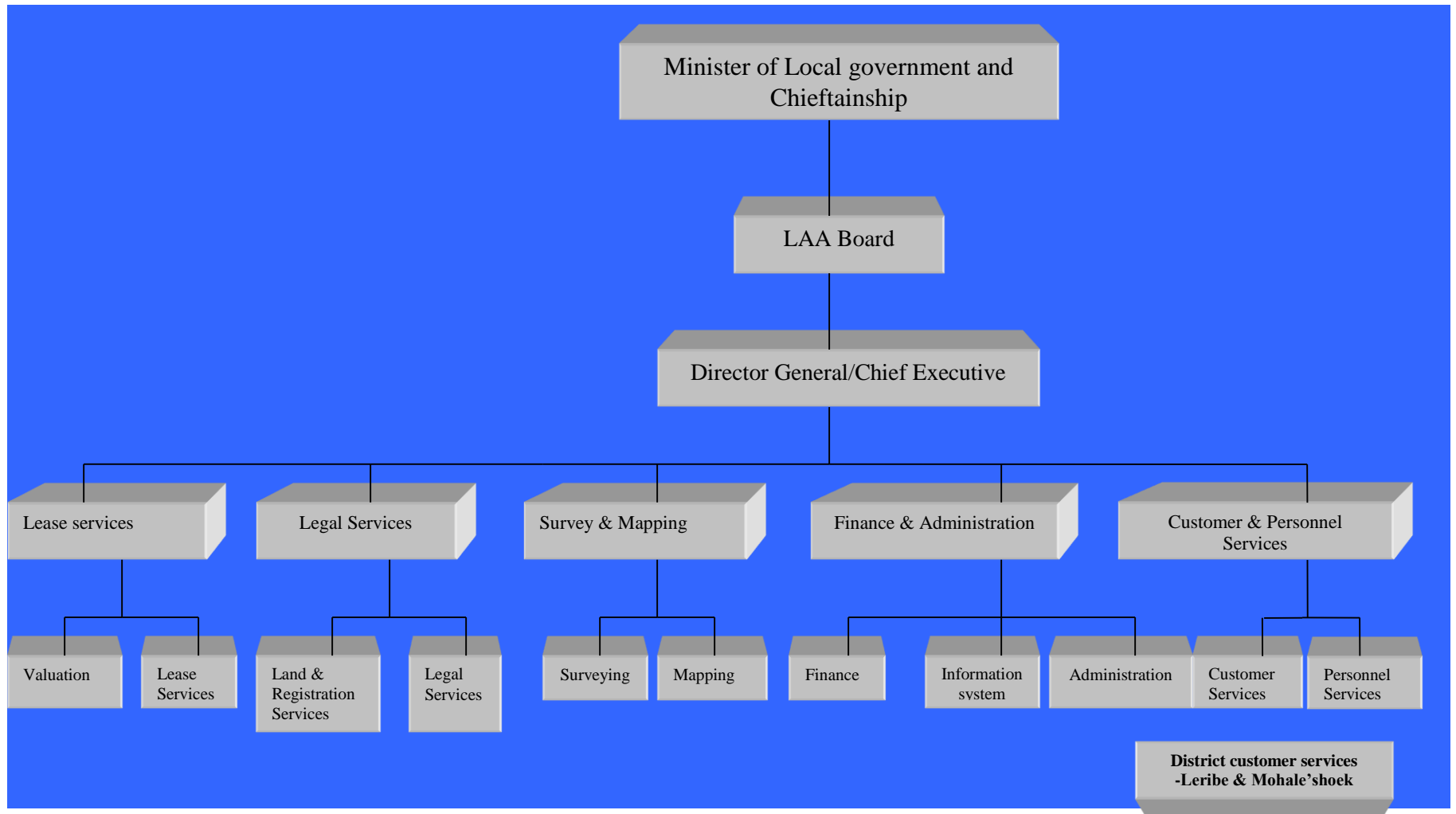
2012

In February the ruling party LCD splits; the then former leader of LCD and Prime Minister P.B. Mosisili left LCD to form Democratic Congress which took over the reins of governing for the remainder of the months leading to the May General elections. Democratic congress wins the elections by 49 seats but was not able to form government which required it to have at least 61 seats to form a Government. ABC, BNP and LCD join forces to form a coalition government and make history in the history of Lesotho and Africa.

Appendix 4. Maseru Municipal council or 10 District councils structure



Appendix 5: Structure of Land Administration



Source: LAA

Appendix 6: NEW ELECTORAL DIVISIONS IN LESOTHO

District	Council Name	ED - Code	ED - Name	No. of EDs
Maseru	MMC - Maseru Municipal Council	MMC01 – MMC12	Maseru Municipal 01-12	Twelve
	AUC - Semonkong Urban Council	AUC01 – 07	Semonkong Urban 01-07	Seven
	A01 - Qiloane Community Council	A0101 – 07	Qiloane 01-07	Seven
	A02 – Ratau CC	A0201 – 07	Ratau 01-07	Seven
	A03 – LiKoLobeng CC	A0301 – 18	LiKoLobeng 01-18	Eighteen
	A04 – Manonyane CC	A0401 – 09	Manonyane 01-09	Nine
	A05 – Mohlakeng CC	A0501 – 09	Mohlakeng 01-09	Nine
	A06 – Mazenod CC	A0601 – 07	Mazenod 01-07	Seven
	A07 – Lilala CC	A0701 – 10	Lilala 01-10	Ten
	A08 – Makhoarane CC	A0801 – 08	Makhoarane 01-08	Eight
	A09 – Kubake CC	A0901 – A0909	Kubake 01-09	Nine
A10 – Makhoalipane CC	A1001 – A1013	Makhoalipane 01-13	Thirteen	
Bothe-Buthe	BUC – Botha-Buthe Urban Council	BUC01 – 09	Botha-Buthe Urban 01-09	Nine
	B01 – Ngoajane CC	B0101 – B0117	Ngoajane 01-17	Seventeen
	B02 – Likila CC	B0201 – B213	Likila 01-13	Thirteen
	B03 – Nqoe CC	B0301 – B0317	Nqoe 01-17	Seventeen

	B04 – Ts’a-Le-Moleka CC	B0401 – B0412	Ts’a-Le-Moleka 01-12	Twelve
Leribe	CUC – Hlotse Urban Council	CUC01 – CUC08	Hlotse Urban 01-08	Eight
	CAUC Maputsoe Urban Council	CAUC01 – CAUC09	Maputsoe Urban 01-09	Nine
	C01 – Matsoku CC	C0101 – C0119	Matsoku 01-19	Nineteen
	C02 – Bolahla CC	C0201 – C0215	Bolahla 01-15	Fifteen
	C03-Ramapepe CC	C0301 – C0314	Ramapepe 01-14	fourteen
	C04-‘Mamafubelu CC	C0401 – C0416	‘Mamafubelu 01-16	sixteen
	C05-Menkhoaneng CC	C0501 – C0514	Menkhoaneng 01-14	fourteen
	C06-Maisa-Phoka CC	C0601 – C0608	Maisa-Phoka 01-08	eight
	C07-Sephokong CC	C0701 – C014	Sephokong 01-14	fourteen
	C08-Litjotjela CC	C0801 – C0809	Litjotjela 01-09	nine
	C09-Hleoheng CC	C0901 – C0908	Hleoheng 01-08	eight
C10-Manka CC	C1001 – C1013	Manka 01-13	thirteen	
C11-Tsuili-tsuili CC	C1101 – C1112	Tsuili-tsuili 01-12	twelve	
Berea	DUC Berea Urban Council	DUC01 – DUC09	Berea Urban 01-09	Nine
	D01 Makeoane CC	D0101 – D0114	Makeoane 01-14	Fourteen
	D02 Mapoteng CC	D0201 – D0210	Mapoteng 01-10	Ten
	D03 Koeneng CC	D0301 – D0311	Koeneng 01-11	Eleven
	D04 Tebe-tebe CC	D0401 – D0412	Tebe-tebe 01-12	Twelve
	D05 Phuthiatsana CC	D0501 – D0510	Phuthiatsana 01-10	Ten
	D06 Motanasela CC	D0601 – D0612	Motanasela 01-12	Twelve
	D07 Senekane CC	D0701 – D0712	Senekane 01-12	Twelve
	D08 Kanana CC	D0801 – D0809	Kanana 01-09	Nine

Mafeteng	EUC Mafeteng Urban Council	EUC01 – EUC08	Mafeteng Urban 01-08	Eight
	E01 Metsi-Maholo CC	E0101 – E0111	Metsi-maholo 01-11	Eleven
	E02 Mamants' o CC	E0201 – E0214	Mamants' o 01-14	Fourteen
	E03 Ramoetsana CC	E0301 – E0314	Ramoetsana 01-14	Fourteen
	E04 Lehlakeng CC	E0401 – E0414	Lehlakeng 01-14	Fourteen
	E05 Makoabating CC	E0501 – E0514	Makoabating 01-14	Fourteen
	E06 Ts'anatalana CC	E0601 – E0609	Ts'anatalana 01-09	Nine
	E07 Qibing CC	E0701 – E0708	Qibing 01-08	Eight
Mohale'shoek	FUC Mohale'shoek Urban Council	FUC01 – FUC09	Mohale'shoek Urban 01-09	Nine
	F01 Siloe CC	F0101 – F0112	Siloe 01-12	Twelve
	F02 Mashaleng CC	F0201 – F0208	Mashaleng 01-08	Eight
	F03 Khoelenya CC	F0301 – F0312	Khoelenya 01-12	Twelve
	F04 Lithipeng CC	F0401 – F0414	Lithipeng 01-14	Fourteen
	F05 Thabana Mokhele CC	F0501 – F0514	Thabana Mokhele 01-14	Fourteen
	F06 Qhoasing CC	F0601 – F0617	Qhoasing 01-17	Seventeen
	F07 Senqunyane CC	F0701 – F0719	Senqunyane 01-19	Nineteen
Quthing	GUC - Quthing Urban Council	GUC01 – GUC09	Quthing Urban 01-09	Nine
	G01 Mtjanyane CC	G0101 – G0115	Mtjanyane 01-15	Fifteen
	G02 Qomoqomong CC	G0201 – G0207	Qomoqomong01-07	Seven
	G03 Tosing CC	G0301 – G0317	Tosing 01-17	Seventeen
	G04 Telle CC	G0401 – G0419	Telle 01-19	Nineteen
	G05 Ts'itsong CC	G0501 – G0517	Ts'itsong 01-17	Seventeen
Qacha'snek	HUC - Qacha'snek Urban Council	HUC01 – HUC09	Qacha'snek Urban 01-09	Nine

	H01 Qanya CC	H0101 – H0117	Qanya 01-17	Seventeen
	H02 Nts'upe CC	H0201 – H0220	Nts'upe 01-20	Twenty
	H03 Tsoelikana CC	H0301 – H0319	Tsoelikana 01-19	Nineteen
Thaba-Tseka	KUC – Thaba-Tseka Urban Council	KUC01 – KUC09	Thaba-Tseka Urban 01-09	Nine
	K01 Tenesolo CC	K0101 – K0116	Tenesolo 01-16	Sixteen
	K02 Khutlo-Se Metsi CC	K0201 – K0219	Khutlo-Se-Metsi 01-19	Nineteen
	K03 Litsoetse CC	K0301 – K0311	Litsoetse 01-11	Eleven
	K04 Bokong CC	K0401 – K0418	Bokong 01-18	Eighteen
	K05 Linakeng CC	K0501 – K0516	Linakeng 01-16	sixteen
Mokhotlong	JUC – Mokhotlong Urban Council	JUC01 – JUC07	Mokhotlong Urban 01-07	Seven
	J01 Seate CC	J0101 – J0120	Seate 01-20	Twenty
	J02 MphoKoLoane CC	J0201 – J0218	MphoKoLoane 01-18	Eighteen
	J03 Sanqebethu CC	J0301 – J0310	Sanqebethu 01-10	Ten
	J04 Menoaneng CC	J0401 – J0418	Menoaneng 01-18	Eighteen
Total				950

Appendix 7: Local Government Election Results of October 2011

Political Party	A number of council members (Females & Males) and their percentage (%)				Results Based on First Past The Post (FPTP) for both females & males				Special seats for women	
	Women	Men	All members	Women in %	Women	Men	Total	No. of women in %	women	No. of women in %
Ruling LCD	411	280	691	59.5	221	280	501	44.1	221	44.1
ABC	98	84	182	53.8	22	84	106	20.7	22	20.1
BNP	21	13	34	61.7	2	13	15	13.3	2	13.3
NIP	4	2	6	50	0	2	2	0	0	0
LPC	4	3	7	57	1	3	4	2.5	1	2.5
LWP	0	2	2	0	0	2	2	0	0	0
BAC	0	1	1	0	0	1	1	0	0	0
Other political parties	14	13	27	51.8	6	13	19	31.5	6	31.5
Independent candidates	30	143	173	-	30	143	173	17.3	30	17.3
Chiefs	45	108	153	29.4	-	-	-	-	-	-
Total	627	649	1276	49.1%	282	541	823	34.3%	282	34.3%
	49.1%	50.9	100%	49.1%	34.0%	65.7%	100%	34.3%	34.0%	34.3%

Source: IEC & Gender links

Appendix 8: Allocations of functions in the government of Lesotho

Level of government	Main Functions
National/Central Government	<ul style="list-style-type: none"> • Foreign affairs • Domestication of international treaties and conventions • Defence • Internal security • Justice or Courts • Economic Policy • Resource allocation • Tax collection • Monitoring of local government activities
Local Government	
District/Municipal/Urban council (1st tier)	<p><i>1st Schedule</i></p> <ul style="list-style-type: none"> • Control of Natural resources and environmental protection (e.g. dongas, pollution) • Public Health (e.g. food inspection, refuse collection and disposal) • Physical Planning • Land/site allocation • Minor Roads (also bridle-paths) • Grazing control • Water supply in villages (maintenance) • Markets (provision and regulation) • Promotion of economic development (e.g. attraction of investment) • Streets and public places • Burial grounds • Parks and gardens • Control of building permits • Fire • Education • Recreation and culture. • Roads and traffic • Water resources • Fencing • Local administration of central regulations and licences • Care of mothers, young children, the aged and integration of people with disabilities • Laundries • Laundries • Omnibus terminals • Mortuaries and burial of bodies of destitute persons and unclaimed bodies • Public decency and offences against public order • Agriculture: services for the improvement of agriculture. • Forestry: preservation, improving and

	control of designated forests in local authority areas.
Community Council (2nd tier)	<p><i>2nd Schedule</i></p> <ul style="list-style-type: none"> • Control of Natural Resources and environmental protection • Land/Site allocation • Minor Roads (also bridle-paths) • Grazing control • Water supply in villages (maintenance) • Markets (provision and regulation) • Burial grounds

Appendix 9: List of international treaties and conventions signed by Lesotho

Treaty/convention	Year signed
<i>International Treaties</i>	
Charter of the UN (1945)	1966
Convention against Torture and other Cruel, inhuman or degrading Treatment or Punishment (1984)	12 November 2001
Convention for the suppression of the Traffic in persons and of the exploitation of the Prostitution of others (1949)	
Convention on the elimination of all forms of Discrimination against women (CEDAW) (articles 7, 10 and 11 – 1979)	1995
Convention on the political rights of Women (1952)	
International Convention on the protection of the Rights of All Migrant Workers and Members of their Families (2003)	
Convention on the Rights of The Child (CRC) (1989)	1992
Declaration of basic principles of Justice for victims of Crime and Abuse of Power (1985).	
Declaration on Fundamental Principles concerning the Contribution of the Mass Media to strengthening peace and International Understanding, to the Promotion of Human rights to Countering Racialism, Apartheid and Incitement to War (1978).	
Declaration on the Elimination of All forms of Intolerance and Discrimination Based on religion or Belief (1981).	
Declaration on the Elimination of Violence against Women (Entry into force: 21 September 1995; initial report overdue since 1996).	
Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to promote and Protect Universally Recognised Human Rights and Fundamental Freedoms (1999)	
Declaration on rights of Persons Belonging to Ethnic, Religious and Linguistic Minorities (1992)	
Convention on the rights of Persons with Disabilities (1975).	December 2008
Geneva convention relative to the Protection of Civilian Persons in Time of War (1949).	
International convention on Population Development (1994).	

International convention on Elimination of All Forms of Racial Discrimination (1965).	14 November 1971
International Convention on Civil and Political rights (ICCPR) (1966).	6 September 1992 (Entry into force 9 December 1992)
International Covenant On Economic, Social and Cultural Rights (1966).	6 September 1992 (Entry into force 9 December 1992)
Optional Protocol to the CRC on the involvement of children in armed conflict (2000).	6 September 2000
Treaty/Convention	Year Signed
<i>International Treaties</i>	
Optional Protocol to the CRC on The sale of children, child prostitution and Child pornography (2000) (Initial report overdue since 2005).	24 September 2003
Organisation of Economic Co-operation and development (OECD) Convention on Combating Bribery of Foreign Public Officials in International Business Transactions (1999).	
Rome statute of the International Criminal Court (1998).	
UN Convention relating to the Status of the Refugees (1951).	14 May 1981
UN Security Council Resolution on Women, Peace and Security (2000).	
Universal Declaration of Human rights (1948).	
Economic Partnership Agreement (EPA) with European Union	05 May 2009
<i>AU and other Regional Treaties</i>	
Year Signed	
African charter on human and People's Rights (1981)	28 May 1992
African Charter on the Rights and Welfare of the Child (1990)	29 November 1999
African Platform on the Rights to Education (1999)	
AU Declaration on Democracy, Political, Economic and Corporate Governance (2003).	
Constitutive act of the AU (2000)	12 March 2001
Declaration and plan of Action on Control of Illicit Drug Trafficking and Abuse in Africa (2002)	
Declaration of the Assembly of Heads of State and Government on the Establishment within the OAU of a Mechanism for Conflict Prevention, Management and Resolution (1993)	
Declaration on Framework for an OAU Response to Unconstitutional Changes of governments (2000).	
Durban Declaration on Principles Governing Democratic Elections in Africa (2002).	
Grand Bay (Mauritius) Declaration and Plan of Action for the	2001

Promotion and Protection of Human Rights (1999)	
NEPAD Framework Document (2001)	
Organisation of African Unity (OAU) Convention Governing the Specific Aspects of Refugee Problems in Africa (1996)	30 December 1988
OAU Declaration and Plan of Action on Drug Control Abuse and Illicit Drug Trafficking in Africa (1996).	
Protocol relating to the Establishment of the Peace and security Council of the AU (2002)	30 July 2003
Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa. (2003)	5 November 2004
SADC Declaration on Gender and Development (and its addendum) (1997).	
SADC Declaration on Information and Communication Technology (ICT) (2001).	
Treaty/ Convention	Year signed
<i>AU and Other Regional Treaties</i>	
SADC Protocol Against Corruption (2001)	
SADC Protocol on Culture, Information and Sport (2001)	
SADC Protocol on shared Watercourse Systems (1995)	
Solemn Declaration of the AU Conference on Security, Stability, Development and cooperation in Africa (CSSDCA) (2000 & 2002)	
Treaty of the SADC (1992).	
The Africana Union Gender Policy 2008	
The Libreville Declaration on Health and Environment in Africa	
Source: CSAR, APRM and Ministry of Gender, Sports and Recreation	

**Appendix 10: Estimated daily funds to be incurred per district by councils
after new boundaries and amalgamation (recurrent Budget)**

District	No. of National Constituencies	Estimates for Community Councils	Estimates for Community Councillors' allowances	Estimates for Urban Councillors' allowances
Maseru	10	M24 587 446	M2 640 000	M342 000
Botha-Buthe	5	M9 789 888	M1 290 000	M342 000
Leribe	13	M17 894 726	M2 880 000	M342 000
Berea	10	M20 229 444	M2 310 000	M342 000
Mafeteng	9	M24 080 746	M2 100 000	M342 000
Mohale'shoek	7	M12 515 147	M1 560 000	M342 000
Quthing	6	M 12 353 260	M1 290 000	M342 000
Qacha'snek	3	M9 038 841	M750 000	M342 000
Mokhotlong	5	M9 175 710	M1 290 000	M342 000
Thaba-Tseka	4	M6 419 270	M1 020 000	M342 000
Total	72	M146 084 478	M17 130 000	M3 420 000

Appendix 11: National, old and new Community Council Boundaries

District Name	National constituencies	Area (Km)	Population (2006)	No of CCs	No of directly elected councillors	No. of UCs & MC	Members of UC & MC
Maseru	10 8(MMC)	4,279	393,154	10 --	116 --	1 1 MMC	9 11 MMC
Botha-Buthe	5	1,767	110,320	4	68	1	9
Leribe	13	2,828	293,369	11	167	2	18
Berea	10	2,222	250,005	8	97	1	9
Mafeteng	9	2,119	192,621	7	92	1	9
Mohale's Hoek	7	3,530	176,928	7	105	1	9
Quthing	6	2,916	124,048	5	84	1	9
Qacha'snek	3	2,349	69,749	3	65	1	9
Mokhotlong	5	4,075	97,713	5	73	1	9
Thaba-Tseka	4	4,270	129,881	4	89	1	9
Total	72		1,876,633	64	926	12	110

Appendix 12: community members constructing roads using garden tools at Tsoelikana Community Council, Ha Thaba, Qacha'snek.



Appendix 13: Questionnaire

This questionnaire was used in this qualitative study and not all the interviewees were guided through the questionnaire, people were given a chance to air their views in great detail. Two hundred and fifty questionnaires were distributed and 70% were returned. With 75% of the experts or top management personnel and councillors and traditional leaders interviews were done in person. The other insight information was obtained through conversations and formal workshops as well as the media. In official management and council meetings the information was collected as well as in annual local governments summits where local governments compete with each other and share common challenges. This study has also been built over the years since the establishment of local government in Lesotho.

Key evaluation questions concerning the Decentralisation and Local Government in Lesotho
Do you know what decentralisation and Local Government are?
What changes have been brought by local government?
Is local government responsive to local needs?
Are the principles of good governance adhered to (participation, accountability, predictability and transparency)?
What is the role of Councillors?
Are the people allowed into council sitting?
Do the communities participate in decisions that affect their lives?
Are there areas that need to be improved in terms of decentralisation implementation?
Are there any institutions involved in decentralisation implementation?
Is there any public education given about local government?
Are the CCSs consulted in the decentralisation process?

Does political will to decentralise exist and do the government ministries understand decentralisation
To what extent does the local government intervention benefit and promote ownership?
Is there transparency administratively, politically and financially?
How has employment contributed to family income?
To what extent are the public officials committed to the intervention?
Are all the necessary tools available for the project implementation?
Is the progress in the intervention reported to the citizens and political agents?
Is all the qualified personnel available for project implementation and supervision
Is local government addressing the national goals, MDGs and key priorities in Poverty Reduction Strategy (PRS)?
What do you know about PSIRP and NPM?
Do you know e-government or e-government systems?
Is media effective in local government affairs?
Is media effecting its pluralistic nature?
What do you know about LED?
Is integrated development planning being done
To what extent is Local Government a national priority?
Is there a difference between Local Government and central government?
Does the local government address the developmental bottlenecks?
Does the decentralisation process result in undesired outcomes? If yes, what are they?
Does the decentralisation change people perception and attitude to local government positively or negatively?
To what degree has local government achieved stated objectives?
What are the major factors that influence failure and achievement?
What interventions have been influenced by the local government? Is decentralisation a prerequisite for developmental initiatives, an instrumental force towards achievement of national vision? If yes how?
What can you say about fiscal decentralisation: expenditure share, fiscal autonomy, taxing powers donor grants, intergovernmental grants, own source revenue or local borrowing by councils.
Is decentralisation process sustainable?
How has the establishment of local government affected the role and status of women in development?
How does the local government empower women? How does the decentralisation process affect the socio economic stance of women
How does the intervention relate and affect the health status and HIV/ AIDS
Sources of Information
Gender links, consultation with Executive Officers of the Community Councils, public officials from both the decentralised and central ministries. Desk review survey, community members (beneficiaries), politicians, field study, the participation of the author himself as an executive who is employed in local government and working under the local authorities in Qacha'snek.

Method of assessment

Implementation and outcome evaluation, interviews, aggregate programme/project data,, Desk review.
