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# Comparative Urban Administration in Southern Africa



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The study does not claim to be comprehensive or an in depth study of a single area. Neither resources nor the time available could have permitted that comparative survey of the City Councils of Windhoek, Lilongwe, City of Tshwane and Lusaka.

It is hoped nevertheless that it will contribute, albeit in a small measure, to the sharing of experience between local councils in the subregion.

## **COMPERATIVE URBAN ADMINISTRATION IN** **SOUTHERN AFRICA**

### 1. Introduction

Urbanization is a recent and fast-growing phenomenon in Sub-Saharan Africa despite the fact that ‘a form of Municipal Government had been attempted in Accra and in Cape Coast as early as 1854’<sup>1</sup>. All attempts in Ghana (then Gold Coast) by the British colonial administration in those early days failed<sup>2</sup>. These repeated failures were attributed to the lack of sufficient public interest.

A century and half later the situation is not much different, not only in Ghana but throughout Sub-Saharan Africa. The population is still largely rural, though cities have been established and are growing bigger and bigger with all the trappings of city life, thanks to the push of the rural areas, which have been neglected, and the pull of the urban areas, which enjoyed the lion’s share of government attention. The influx of people from the rural areas into cities have, unavoidably, caused unplanned development to take place with all its manifestations of squatter settlements, shanty towns, inaccessibility of areas, health and fire hazards, unemployment, social disorganization, rising crime and absence of amenities such as water and sewerage, electricity, health clinics, transport, schools, etc.

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<sup>1</sup> Ursula K. Hicks, Development from Below, Clarendon Press, Oxford, U.K., 1961 p.90

<sup>2</sup> Ibid.

These are monumental problems, which defy solution and create severe headaches to urban policymakers. On the one hand, there is dire and pressing need to divert more resources, more projects, more power to rural areas in order to arrest further migration into urban areas. This requires genuine decentralization, the infusion of resources, and a lot of time for rural projects to mature and bear fruits. On the other hand, the financial, political and social costs of the pressure on cities are so high as to be unbearable without the injection of massive funds from external sources. Even then, any improvement made in the solution of urban problems is likely to encourage further migration. This spiral of urban improvement and rural migration frustrates urban authorities and forces them to retreat to a position of benign neglect, particularly when resources are scarce. This prompted Anne-Marie Hack-Walsh to say that “...urban government often resembles a Leviathan in the state of inertia”<sup>3</sup>.

All these problems point to the complexity of urban administration, which has been recognized separately from local government. In a wider and philosophical sense it may still be considered as ‘local government’ but its nature, dynamics and the scale as well as complexity of its problems make it so unique as to be clearly distinguishable from traditional local government councils, which are generally associated with rural or semi-urban areas.

So pressing and important has urban administration become throughout the world that the United Nations predicted in 1993 that cities

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<sup>3</sup> Anne-Marie Hanck-Walsh, The Urban Challenge to Government, Praeger, 1969, p.3

would play “...even decisive roles in the future of the world”<sup>4</sup>. That prediction was based on population projections according to which ‘approximately half of the world’s six billion people will live in cities’<sup>5</sup>. The World Conference on Metropolitan Governance which was held in Tokyo, Japan, in April 1993 dubbed the 21<sup>st</sup> Century, on that basis as the “Urban Century”<sup>6</sup>. The 20<sup>th</sup> Century had been called “The Century of Urbanization”<sup>7</sup>. This unusual step of ascribing two consecutive centuries to urban affairs clearly underscores the supreme importance of this rapidly growing urban phenomenon, and it has been recognized that the only way to cope with it is by constantly reappraising “...from a long-term perspective, our administrative affairs, organizations and personnel”<sup>8</sup>.

With all the foregoing in mind and recognizing the importance of urban administration for the future of Southern Africa, the Subregional Development Centre for Southern Africa included this study in its biennial programme of work for 2000-2001. However, of the eleven capital cities in the subregion only half were selected because of the constraints of finance and time, the latter being a resource in its own right. The cities covered by this study are, therefore: Lilongwe, (Malawi); Lusaka (Zambia); City of Tshawane- ex-Pretoria (Republic of South Africa); and Windhoek (Namibia). The historical backgrounds, systems of municipal governance, internal organization and management, and overall orientation vary from one city to another and provide fascinating comparisons.

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<sup>4</sup> Summary Report on the World Conference on Metropolitan Governance, 20-23 April 1993, Tokyo, Japan, p.17

<sup>5</sup> Ibid

<sup>6</sup> Ibid

<sup>7</sup> Ibid, p.1

<sup>8</sup> Ibid, p.18

The Study is expected to serve multiple objectives. First, it will provide needed information and may arouse interest in and raise attention to urban administration. Secondly, it may be used as a material for training. Thirdly, it may encourage the sharing of experience. Finally, it may become a basis for further studies and dialogue among cities in Southern Africa which may ultimately lead to the formation of an association of cities in Southern Africa. It is imperative that cities learn from each other and help each other in trying to find solutions to common metropolitan problems. All this is within the framework of ECA's subregional cooperation and integration programme.

#### 1. Methodology

This study is not really much more than a short survey and it is by no means deep and comprehensive. A comprehensive, in depth study takes years and considerably more resources to complete and should cover all facets of urban administration. The time available for this study was short and the financial and human resources allocated to it were minuscule. To carry out this study the preparatory ground work (which consisted of background reading material, determination of scope and geographic coverage, selection of cities, preparation of aid-memoire for internal clearance, etc.) nonetheless followed by field missions were undertaken to each of the four cities selected.

Discussions were held with mayors, chief executive officers, councillors, heads of technical departments and their colleagues in the lower

echelons. In the course of these field missions pertinent official documents were collected. These latter were studied and analysed in the light of information and ideas gathered from the discussions. The draft that emerged from all this was then circulated to the chief executive officers for the correction of facts and for comments on the analyses and conclusions. The study was then reviewed in the light of the corrections and comments thus obtained and reproduced in its present form.

## 2. Democratic Control

City Councils are first and foremost political bodies. They have the attributes of government and that is precisely why they are sometimes referred to, with a great deal of justification, as 'City Government' or 'Metropolitan Government'. But 'government' is a political body which operates within a system of governance. To be effective a council must have a political body ? a popularly elected body ? which makes its policies, determines its priorities, controls its bureaucracy and is responsive and responsible to the people who elected it.

There is a whole gamut of functions and systems which when taken together has come to be known as 'Governance'. The U.N. held two international conferences within the last eight years ? one in Tokyo (Japan) in April 1993 and the other in Quito (Ecuador) in April 1995. Both were on the subject of 'Metropolitan Governance'. It is significant that both conferences looked at urban administration as systems of governance and have devoted considerable time to definitions of 'governance'. However,

neither conference came up with an agreed definition. Those who attempted tended, without exception, to define ‘Governance’ as synonym of ‘Good Governance’ when in fact the one is but an aspect of the other. For example, it is said that ‘the word “governance” denotes ‘democracy’. However, when we talk of governance, it is not merely a problem of management. What kind of vision can we have? What kind of strategic decision-making can we encourage? I think this kind of dimension of leadership is very important in the meaning of “governance”<sup>10</sup>.

The problem of definition recurred in the second conference; for it is stated in the report of that conference that governance means patterns that emerge from governing activities of social, political and administrative activities”. To shed more light on the matter it is further stated that, ”governability of a social-political system can be seen in terms of a balancing process “thrived by tensions between governing needs on the one hand (problem situations or the grasp of opportunities) and governing capacities (creating patterns of solutions or developing strategies) on the other hand”<sup>11</sup>. Furthermore, the report of the conference states: ‘Governance is defined by the World Bank (1992) as the manner in which power is exercised in the management of a country, region’s or city’s economic and social resources for development’<sup>12</sup> and the conclusion it draws from that statement is that ‘... good governance is synonymous with sound development management’<sup>13</sup>. The same report also mentions two ‘main

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<sup>10</sup> Ibid, p.31

<sup>11</sup> U.N. Governance Branch and Public Administration Branch, Department for Development Support and Management Services, Metropolitan Governance: Patterns and Leadership, Report of a High-level Interregional Meeting, Quito, Ecuador, April 18-20, 1995 p.25

<sup>12</sup> Ibid, p.76

<sup>13</sup> Ibid.

trends' which it calls 'the prescriptive approach' and 'descriptive approach'.<sup>14</sup>

All this underscores the centrality of a dynamic and democratic system of governance to urban administration. The effectiveness of such a system lies in fair and free elections, in whether the elected representatives of the people control and manage the resources by means of effective and continual interaction between councilors and their constituencies. The system described in official documents such as laws, gazettes, circulars and announcements is usually the façade beyond which we might see a reality which is strikingly different. This is invariably the case where devolution is illusory and not genuine.

This study covers only four cities all of which are capital cities. It is because of that segment of society which is politically aware and active is concentrated in the major cities and, in particular, the capital city. National politics is, inexorably, intertwined with urban politics and the ruling party always sees to it that the capital city does not slip out of its grip. Anne-Marie Hauck-Walsh says: "City and Metropolitan organization are inextricably bound up in national systems of government and politics<sup>15</sup>". This, however, should not mean that the council of the capital city or any other major city should be a rubber stamp for the central government. Indeed, in a healthy situation the reverse situation might occur with the council influencing central policies while operating within a national political framework.

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<sup>14</sup> Ibid, p.37

<sup>15</sup> Anne-Marie Hauck-Walsh. Op-cit, p.128

There is always an unbridgeable gap between the normative and the empirical. Urban administration is no exception and the gap is generally wider in Africa. As the following accounts will show the cities covered in this study provide veritable examples of the race between the widening of the gap and the human effort to close it.

(a) Windhoek

Windhoek, the capital of Namibia, is a small well planned, clean and impressive city populated by about 300,000 people. Its city council is therefore small with only fifteen members of whom, currently and interestingly, the vast majority – eleven – are women: it seems that the Windhoek electorate has its own gender policy. This is in step with the composition of Namibia's population in which the women outnumber the men by -----But the councilors as we shall see have not carried this policy forward to the make-up of the council's bureaucracy. All fifteen councilors are elected and therefore there are no nominated members on the council.

The City of Windhoek is not divided into electoral districts or constituencies or wards for the purpose of electing councilors. All those standing for municipal elections compete for votes from all the registered voters of the city. They may represent political parties or associations or may run as independent candidates. Election is by proportional representation and so the number of seats a party gets depends on the proportion of its votes to the total number of votes.

For example, if a party gets 33% of the total number of votes it will get 33% of the seats which, in the case of Windhoek, comes to about 5 seats.

However, the city is divided into zones but not for electoral purposes, and since a councilor is not elected by limited or to any particular constituency, he or she has the obligation to interact with all the zones. The councillors hold four public meetings in each zone at the rate of approximately of one quarterly. The first meetings are exploratory and the councillors get to know, first hand, the needs and priorities of the zones. The other meetings are supposed to provide feedback to the zones after the councillors had examined the availability of resources and the technical practicabilities. In each meeting the council officials take the minutes and at the end of all the meetings a report which dwells more on common complaints and common priorities is compiled. Problems which are peculiar to a particular zone and are pressing are also recorded. The report is then discussed by the Management Committee with the Chief Executive Officer and Strategic Executive Officers. Thereafter, it is submitted (after revision and refinement) to the Council as a whole for debating and translating it into a policy document whose contents will have to be implemented. However, seriousness about implementation can be gleaned from the Council's budget. Inescapably though, the gap between intent and resources necessitates that some of the ideas will have to be kept in abeyance until the next budgetary cycle.

Generally, those who are interested in power relationships or where power lies in urban politics look at the budgetary process and the budget itself to see how these relationships are played and who finally got what. In the case of Windhoek Municipal Council, the power structure is not so sharply clear as in other municipalities. It is partly due to the fact that individual councilors do not have to fight for personal constituencies and partly due to the mayor being merely ceremonial and elected by the Council, like his deputy, on a yearly basis; he therefore serves at the pleasure of the Council and since he has no executive functions he does not manage resources which he can use to make his influence and his weight felt. The election of the Mayor and his deputy is by secret ballot and is conducted by the district magistrate and no debate is allowed in the meeting held for this purpose\*<sup>16</sup>.

In Windhoek Municipal Council power seems to reside in its Management Committee which is composed of five councilors, a third of the total number of councillors. This is not bad at all for a small council; for if it were a large council it could have been said that only a tiny fraction of councilors was exercising power. The advantage of a small council is the fact that close working (and even personal) relationship is possible. The Management Committee elects its own chairman and vice-chairman from amongst its members. Any other councilor can attend and participate in the discussion but he or she has

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<sup>16</sup> \*Government Notice No. 16 Promulgation of Local Authorities Act, 1992 (Act 23 of 1992) of the National Assembly, Part II, See 12(1)

no right to vote; only to discuss and influence those who have the right to vote.

Similarly ? though this is mandatory ? the Chief Executive Officer and the Strategic Executive Officers attend the meetings of the Management Committee as Ex-officio. Their role is to contribute technical inputs into the discussion and to advise the committee. But, they do not have the right to vote. However, as in all councils, the views of the officials are seldom ignored. As in the case of the Mayor and his deputy, the election of the Management Committee is by secret ballot, and is conducted by the district magistrate, also without ‘debate’<sup>17</sup>. The Mayor and his deputy are said to be ‘ex-officio’ members<sup>18</sup> and therefore do not have the right to vote. Furthermore, neither can be elected to the Management Committee<sup>19</sup>. This underscores the fact that the functions of the Mayor are purely ceremonial.

The powers, duties and functions of the Management Committee are stated in the enabling act as follows:<sup>20</sup>

1. (a) to ensure the decisions of the local authority council are carried out;

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<sup>17</sup> Ibid, Part III, Section 22(1)

<sup>18</sup> Ibid,

<sup>19</sup> Ibid.

<sup>20</sup> Ibid, Section 26(1) and (2)

- (b) to consider any matter entrusted to the local authority council by virtue of any provisions of this Act or any other law in order to advise the local authority council on such matter;
- (c) to prepare and compile for the approval of the local council the estimates and supplementary estimates of revenue and expenditure of the local authority council;
- (d) to control expenditure of moneys voted by the local authority council in its approved estimates and additional estimates and all other moneys or funds made available to the local authority council;
- (e) To report at meetings of the local authority council on the exercise of the powers and the performance of the duties and function of the management committee;
- (f) To exercise any power conferred upon the management committee under any provision of this Act or any other law;
- (g) To exercise any power of the local authority council delegated to the management committee by the local authority council under section 31,

and may establish from time to time such committees as it may deem necessary to advise it on the exercise of any of its powers or the performance of any of its duties and functions and may appoint such members of the management committee or such other persons as it may deem fit to be members of such committees.

- (2) A management committee may, at any time in writing, request a local authority council to reconsider any decision referred to in

paragraph (a) of subsection (1) with due regard to such facts or other considerations as may be set out in such request.

The Management Committee is very powerful as it does nearly everything for the council and whatever passes through it to the council is a semi-finished product. This is not to say, of course, that the council simply puts the stamp of legitimacy on the recommendations of the Committee, but, on the other hand, it would be hard for any councillor to challenge the committee when he or she had not looked into the matter at hand as closely as the Committee did with the participation of the appropriate heads of departments. It is also a truism that politicians who manage resources have more 'persuasive' powers and wield considerable influence than the others.

The Management Committee is very powerful in matters concerning budget and finance as well in the recruitment of staff. As far as the latter is concerned they have the power of screening and selecting applicants to vacant posts, including the Chief Executive Officer and their recommendations as to who should get the job is almost automatically accepted. However, there is a mandatory procedure which they are bound to follow and we shall deal with that under the section on internal organization and management. However, whilst councillors are elected for a five-year term, they elect the Management Committee, the Mayor and Deputy Mayor for a term of only one year. It is possible to elect a councillor to the Management Committee repeatedly but the annual elections to the Management Committee opens the possibility of a greater number of

councilors ? perhaps even all the councilors ? serving on the Committee in the course of their five-year term.

It must be noted that neither the Committee nor the senior staff report to the Mayor or his deputy. The heads of the technical departments are responsible to the Management Committee while the latter reports directly to the Council. The Mayor chairs, however, all the meetings (except meetings called for electoral purposes) of the Council. The councilors receive a monthly stipend in addition to sessional allowances. They also have their jobs or businesses elsewhere; for example, the current chairman of the Management Committee is a surgeon.

(b) Lilongwe

A city of approximately half a million people, Lilongwe is the official Capital of Malawi, although the honour seems to be shared by Blantyre, the commercial hub of the country, because the President and ministers keep offices in both cities. As a matter of fact, the President of the Republic summoned the entire city council of Lilongwe together with its Chief Executive Officer to Blantyre while information was being gathered for this study. The city of Tshwane (ex-Pretoria) in the Republic of South Africa is very much in the same position vis-à-vis Cape town. Lilongwe actually became the national capital on 1 January 1975 when Dr. H. Kamuzu Banda, then Life President of Malawi, decided that the capital be moved from Zomba to Lilongwe.

The President sought help at that time from apartheid South Africa in designing a physical plan for the City of Lilongwe with a view of making it a 'Garden City' as the befitted capital of Malawi'. As a result, the area where government offices are located at present is distinctly apart from the rest of the city. It looks like a forest dotted by mostly white buildings, housing ministries, banks, investment and insurance companies, embassies, etc. It is in this area ? which is some distance away from where the people are ? that the city council is located.

The City Council of Lilongwe is officially called the "City Assembly" and it occupies a building known as the 'Civic Centre'. This is interesting because elsewhere in the African continent (Lusaka being the other exception) a 'Civic Centre' is a place where community members or civil society members meet, socialise and informally discuss issues. The City Assembly has 27 councillors of whom, currently, seven are women. The present councilors are the first elected members of the City Assembly and there are no nominated members. For the first time ever elections were held on 21 November 2000 and this was also the first time that a multiparty system was allowed to operate.

Prior to November, 2000 the President simply used to appoint all the councilors as well as the senior staff of the technical departments following the tradition of his predecessor, the erstwhile Life President, Dr. Banda, who president over a one-party rule for 31 years. So there was no break with that presidential prerogative to appoint everybody to the council and in the council until the election of 21 November 2000. The councilors are

therefore new to their task and have no prior experience as city councillors. They rely therefore more on the advice and guidance of the technical staff than any knowledge, experience or expertise of their own. Even in the field of local politics they are only novices. But they are energetic, committed and willing to get a grasp of the issues.

The council is elected through adult universal suffrage for a term of three years and voting is by direct secret ballot. The city is divided into wards each of which is represented by one councilor who, in effect, is the candidate who wins a simple majority of the votes. Unlike the situation in Namibia, the council elects the Mayor and his deputy for the full three-year term. As nearly all the councillors are from one party – the ruling party – there is not, unfortunately, the kind of inter-party rivalry, which makes urban politics lively and dynamic. There is inescapably, therefore, a high degree of public apathy resulting from a low degree of interaction with the public. This is not surprising. A long, dictatorial and heavily centralized rule is bound to have a depressing effect on people, which make them withdrawn and even cynical. The councillors, however, are expected to play a catalytic role through the chiefs in invigorating the general public. With inexperienced and inadequately trained councillors and an indifferent electorate, it is inevitable that the officials dominate and, almost invariably, prevail upon the elected representatives of the people. But, with the passage of time politicians will gather experience and will become increasingly aware of their role as policymakers and that the role of their officials should be auxiliary rather than dominating as it is as present.

However, the City Assembly is supposed to benefit by the participation of the city's traditional chiefs and members of parliament, both of whom are ex-officio, non-voting members<sup>21</sup>. But the reality is that they do not play any role at all. This legal provision does not, therefore, change the actual power structure of the City Assembly. In contrast, in Windhoek, the Mayor's functions are purely ceremonial.

In the formal structure the power lies with the committees of the council. The City Council divided itself into six 'service committees', vis:

- (a) Finance Committee;
- (b) Development Committee;
- (c) Education Committee;
- (d) Works Committee;
- (e) Health and Environment Committee; and
- (f) Appointments and Disciplinary Committee.

Thus, there is no management committee which is all powerful and deals with a whole range of issues. The nearest approximation to this in Lilongwe City Assembly is the Finance Committee. The Assembly's 'Management Team' is not the same as the Management Committee in Windhoek; it has no councilors on it and it comprises the Chief Executive Officer who chairs its meetings, the directors of the technical departments and their assistants. This team prepares the budget and discusses it with the Finance Committee which then forwards its recommendations to the full

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<sup>21</sup> Local Government Act, 1998, PART II, Division 2 Para 5(1)

assembly after minor changes have been taken care of. If the Finance Committee orders major changes to be made, the Management Team will have to take the estimates back in order to see how the changes can be accommodated. The Finance Committee will then have to re-examine the estimates and, if it is satisfied after the changes, to send the draft budget to the Assembly. However, prior to discussion by the committee of finance the other committees sit and discuss the progress of their technical departments, each technical department being responsible to a committee.

After the Assembly has debated and endorsed the budget there is one more final step before the Assembly can be said to have a budget: approval of the Ministry of Local Government, which is mandatory<sup>22</sup>. That is not the case in Windhoek where the budgetary process ends with the approval of the City Council. The reason for this ministerial approval in Lilongwe is not really clear as the Assembly hardly receives any subventions from the central government. Last year, for example, the central government did not give any grant at all, while this year it gave only a paltry K6,000,000 which presents only 1% of the Assembly's total annual budget. The remaining 99% is supposed to come from the revenue collected by the Assembly itself.

Another area where the hand of the central government is apparent is the recruitment of middle and senior level staff. All significant appointments are made by the Local Authorities' Staffing Commission, better known by its abbreviation as LASCOM, including the Chief Executive Officer. However, the current Chief Executive Officer, being of

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<sup>22</sup> Actually, there is no Ministry of Local Government at present but the functions are carried out by the Department of Local Government which located in the Office of the President and is headed by a Minister.

national stature<sup>23</sup>, was appointed directly by the President of the Republic. LASCOM is a constitutional organ and as such, it is there to stay. But, it represents an emphasis on ‘efficiency’ and consequent de-escalation of ‘democracy’.

‘Efficiency’ and ‘Democracy’ are two necessary elements in Local Government and a debate has been raging for a long time as to their relative importance. But it is recognized that they are not mutually exclusive. In this era when so much concern has been shown for democracy, good governance, or local governance, one would expect the balance to be tipped in favour of ‘democratic control’. So much argument was advanced in the past about local government tutelage and the necessity for guiding local councils especially, those disadvantaged. The years since have proved, however, that ‘guidance’ has merely been a euphemism for ‘dominance’, which is a counterproductive way of imparting knowledge and experience to local councillors. Local politics is an area in which one can learn only by doing.

(c) Lusaka

The City of Lusaka is larger than Windhoek and Lilongwe put together in terms of the physical space it occupies and in terms of population as well. The Council has 30 members who are elected for a term of 3 years as councilors plus 7 elected Members of Parliament and,

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<sup>23</sup> Prof. Dalton Mkandawire was a Member of Parliament and is a former Foreign Minister.

currently, an additional 7 nominated Member of Parliament<sup>24</sup> from the council area ? a total membership of 44. Unlike their counterparts in Lilongwe, the members of parliament sitting in the council are full fledged voting members. The city, whose population is estimated at 2.2 million<sup>25</sup>, is divided into 30 wards each of which elects a member to the City Council. The councilors run for election on party tickets and although the electoral system allows for independent candidates there have never been any independent candidates.

Before the election of 27 December 2001 of the 30 councillors 29 were elected on the ticket of the ruling party, Movement for Multiparty Democracy (MMD) and the remaining one was elected on the ticket of one of the opposition parties, United National Independence Party (UNIP). Five of the councilors were women of whom three are remaining the other two having joined the opposition and lost their seats as a result. But, as the elections drew near politics changed and in the heat of electoral campaigns the loyalties of individual councilors also changed with the result that 15 of the 30 members resigned from the MMD and consequently lost their seats as municipal councillors<sup>26</sup>. This has had, inevitably, a crippling effect on the work of the council for many months, particularly since the 4 members of parliament from Lusaka area rarely attended any of the Council sessions even though were required to do so.

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<sup>24</sup> The Constitution of Zambia vests authority in the President of the country to nominate ? members to Parliament (See Article ? );

<sup>25</sup> The City's population is growing at the rate of 6% per annum which is twice as much as the 3% normal growth.

<sup>26</sup> According to the national constitution of Zambia any Member of Parliament or Councillor who resigns from his party automatically loses his seat (Article? );

With the General Elections on 27 December 2001 the political complexion of the Council has completely changed and the ruling party (the MMD) failed to win even a single seat. Two major opposition parties swept all the seats with the Forum for Democracy and Development (FDD) winning 16 seats and the United Party for National Development (UPND) scooping the remaining 13 seats. The remaining seat ? that of Munchinga Ward ? was not filled because voting did not take place in that ward owing to “insufficient ballot papers”. Of the elected councilors five are women whilst two of the seven elected Members of Parliament are women. All the MPs nominated by the President to MMD like the President and none is a woman. The City’s Mayor is from FDD while his Deputy is from UPND.

The Council operates under a committee system and the functions of the Mayor are purely ceremonial. Although under the enabling Act the Council has the authority to appoint as many committees as it wants, there are, at present, only four committees, each electing its own Chairman and Vice-Chairman<sup>27</sup>. The committees are: (1) Finance and General Purpose Committee; (2) Planning and Works Development Committee; (3) Establishment Committee; and (4) Housing, Licensing and Social Services Committee. All these committees can be changed and reconstituted by the Council with the exception of the Finance and General Purpose Committee.

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<sup>27</sup> The Local Government Act (Chapter 281 of the Laws of Zambia) Part V, 31(1)

Political power in the Council is not concentrated in any one person or even committee. As in Windhoek, the Mayor is elected on a yearly basis and, like his counterparts in Windhoek and Lilongwe, his functions are purely ceremonial and, therefore, he has no executive powers. However, the Finance and General Purpose Committee is relatively more important than the other committees as it is the only committee that can neither be abolished nor changed. The Establishment Committee is also very important as it deals with the vital area of human resources management. However, the programmes approved by the other committees boil down to finance and must go to the Finance and General Purpose Committee before they are submitted to the whole council. The importance of the committee is indicated by the fact that it meets more frequently than any other committee; for example, out of 29 committee meetings in December 2000, 18 were for Finance and General Purposes and out of 31 committee meetings held in August 2001, 17 were for Finance and General Purpose<sup>28</sup>. If committees meet according to their own calendar of meetings one cannot help but think that they are either constantly debating issues on a daily basis or are involved in the day-to-day administration of the council.<sup>29</sup>

Councillors are not paid a monthly stipend as in Windhoek and City of Tshwane, but they are paid 'sitting allowance' for every session. While this may be thought to be the reason for almost their daily meetings, the rule is that they should not be paid for 'carryover' meetings. However, this rule can be easily circumvented depending on

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<sup>28</sup> Lusaka City Council Calendar of Meetings for Committees and Council 2000/2001 Civic Year.

<sup>29</sup> Ibid.

what should be considered a 'carryover' or a post adjournment meeting. Technically, both 'carryover' and 'adjournment' suggest that either the agenda or a particular item of it was not finished. The sitting allowance is paid for both council and committee meetings.

Such unusually frequent meetings of councilors may suggest democratic control as elected representatives of the people seem to be the ones who are running the affairs and controlling the resources of the city council. But, if such were true the City of Lusaka would be a capital city that enjoys efficient, effective and uninterrupted municipal services. Unfortunately, the locally-elected representatives of the people are powerless and are not free to run their council as they would have wanted to. The central government is not only constantly interfering but is also constantly starving the council of funds. This is a most peculiar situation.

Before the advent of political pluralism in Zambia 60% of the Council's regular budget was provided by central subvention. This was discontinued on the sensible grounds that the council should pay for itself. The Council reacted partly by retrenching 100 employees. As a result the Council owes a lot of money to the Pensions Board. The Council, as a matter of fact is insolvent, with a debt to the Pensions Board, Zambia Revenue Authority, Workmen's Compensation, Insurance, Trade Creditors, etc. of about K16 billion. Moreover, the Government decided by Presidential decree in 1996 (an election year) that council houses be sold at the ridiculously low price of K10,500 per

cement block house consisting of one bedroom, a living room, a kitchen and a toilet. But, the Government did not compensate the Council.

That political decision resulted in further loss of very substantial revenue. Before then, the rate collected from each house per annum was K300,000, but this was drastically reduced, following that political decision, by the Central Government to K50,000 per house per annum ? a reduction of 85%. Furthermore, more than half the buildings in Lusaka are owned by the government and are ipso facto exempted from council rates. Likewise, any building or house occupied by any diplomatic entity is also exempted from the payment of council rates, even if privately owned, as most, if not all, of them are. The government was supposed to pay the council 'grants in lieu of rates', but never did. The government also collects 'beer levy' on behalf of the Council, but never remits the proceeds to the Council. Generally, Council fees and charges are nominal and cannot be increased without ministerial approval. Finally, the Council budget becomes operational only after the approval of the Minister of Local Government.

A Council so strangled financially by the same government that was supposed to nurture it and promote its independence cannot be said to be democratically controlled. And the idea that the 7 MPs elected by constituencies from the Council area should sit in the council proved to be good only on paper. The interface they were supposed to provide between local and national legislation has actually given way to central domination: the MPs have neither lobbied for nor even protected their council. As stated, they even rarely attend the meetings of the Council.

However, whilst the central government controls finance, the lifeline of the Council, it has left the Council to appoint, discipline or dismiss all of its staff, including the town clerk and departmental directors, without reference to it<sup>30</sup>. This, undoubtedly, provides only one aspect of democratic control, which is obviously vitiated by the total absence of financial autonomy.

The Council has prepared and submitted to the Ministry of Local Government a proposal for new sources, which, if approved and properly implemented will yield close to a billion Kwacha per annum. The proposal levies charges on business and professional practices (i.e. companies, lawyers, accountants, etc.) and it is by no means certain that government will accept. As a result of the elections there are new Councillors, new MPs and new government, but it is by no means certain that the situation will change. It would be better, however, to aim for financial independence and amend the relevant act in order to do away with the powers of the Minister of Local Government which he or she can use to cripple the council.

Unlike Windhoek, Lilongwe and City of Tshwane councillors in Lusaka City Council do not have a mechanism through which continual contact with their constituents may be assured. In Windhoek this mechanism is, as stated, in the form of four formal yearly meetings with the public of each zone; in Lilongwe it is the involvement of the chiefs; in the City of Tshwane it is the ward committees. Such mechanisms are

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<sup>30</sup> Ibid, Part X(90)

very important and useful as it allows councillors to be constantly in touch with their constituents. It is a mechanism which ensures the accountability of elected officials to the public ? a necessary ingredient of democratic control. Once councillors are kept in check in this manner the technocrats will fall in line. In Windhoek the role of the latter in the public meetings is even formalized in that they are the ones who take minutes, prepare the reports, prepare the answers and work out proposals.

The mechanism in Lilongwe is not yet very clear as to how it actually works, but Lusaka City Council, or the Ministry of Local Government which is responsible for overall policy and guidance, may wish to pay close attention to the mechanisms applied in Windhoek and the City of Tshwane. It is absolutely necessary to have such mechanisms as would establish at once political and managerial accountability to the public. It is when councillors are in control of their constituents ? the general public ? that we can say that there is democratic control. In Zambia, the central government should first and foremost abandon its illusory decentralization policy in favour of a genuine one.

(d) City of Tshwane

The City of Tshwane (ex-Pretoria) looks much bigger than Lusaka but has almost the same number of people ? also an estimated 2.2 million. It is known as the 'administrative capital' of the Republic of South Africa, the political capital hosting the national parliament and the President, being Cape Town. As stated in the previous pages Lilongwe is very much in the same situation. Of the four cities covered by this study

the City of Tshwane is undoubtedly the most highly developed and its municipal council can match that of any city in the developed world.

While it serves about the same population as the Lusaka City Council, the 'Metropolitan Municipality' of the City of Tshwane has 152 councillors, more than 5 times the number of the city councillors of Lusaka<sup>31</sup>. However, only half – 76 – of that number are popularly elected by wards, each ward returning a single councillor. Candidates run on party tickets generally but they can also stand for elections as independent candidates. The remaining 76 councillors who constitute the other non-elected half are nominated by their respective political parties on the basis of a complex legal formula which provides a quota for each party<sup>32</sup>. Equal presentation of women is mandatory as there is a conscious policy in South Africa which seeks to ensure equal representation for women; for Section 11(3) clearly states: "Every party must seek to ensure that fifty per cent of the candidates on the party list are women and that women and men candidates on the party list are evenly distributed throughout the list"<sup>33</sup>. Half the council, therefore, represents wards and the other half represents different political parties, not constituencies.

In the City of Tshwane Metropolitan Council one can easily see where power resides. It resides, first and foremost, with the Mayor and

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<sup>31</sup> The Council area was expanded only recently (5 December, 2000) as a result of which eleven outlying councils were subsumed in the current Tshwane Metropolitan Council. This coincided with the elections.

<sup>32</sup> See 'Local Government: Municipal Structures Act, 1998' Schedule 1, which explains the electoral system

<sup>33</sup> Ibid.

secondly with his cabinet which is called 'The Mayoral Committee'. The Mayor is neither popularly elected, nor is he elected by the Council. He is nominated by the political party with the majority of seats on the Council. In other words, the leading political party ? the African National Congress (ANC) at present ? provides the Mayor. And unlike his counterparts in Windhoek, Lilongwe and Lusaka, he is a very powerful executive who holds office for five uninterrupted years. He is, for all intents and purposes, the real chief executive officer. The head of the bureaucracy bears the official title of 'Municipal Manager' precisely to avoid being confused with the real chief executive officer.

The Mayoral Committee is composed of ten councillors entirely appointed by the Mayor each of whom becomes the chairman of one of the ten committees is in charge of one of the following portfolios: (1) Electricity and Corporate Services; (2) Housing and Land Use; (3) Environment and Agricultural Land Use; (4) Economic Development; (5) Finance; (6) Community Safety; (7) Sports, Art and Culture; (8) Roads and Storm Water; (9) Social Development; and (10) Water and Sanitation. But there are two other committees of the council ? one for City Planning and the other for Procurement ? both of which are appointed by the Mayor, and the chairman of each is responsible, not to the Mayor directly or to the Council, but to a member of the Mayoral Committee.

Policy matters are discussed at the committee level and recommendations are presented to the Mayoral Committee (chaired by the Mayor) by the relevant member of the Mayoral Committee. If

endorsed, the recommendations are then submitted to the council as a whole. The council chaired by a 'Speaker' elected by the Council from amongst its own members, and the position of the Mayor vis-à-vis the Council is very much like that of the Prime Minister in a parliamentary system with the Mayoral Committee acting as the cabinet. Once policy is adopted by the Council, the Mayor and his team implement it. The Metropolitan Council is actually structured like a government with its executive and legislative branches and where the former is responsible to the latter.

There is a formal mechanism whereby councillors will interact with their own constituencies, the wards. Each ward has its own elected 'ward committee'. The election is held under the chairmanship of the Councillor representing that ward. But the smooth functioning of the ward committees is the responsibility of the Council Speaker, for he has to make sure the flow of a two-way communication between the councillor and his or her ward committee. Unlike councillors, members of the ward committee are not paid as their work is purely voluntary. The idea of a 'ward committee' to work with the councillor is a novel one. Indeed, the first ward committees were elected just the week before the field mission for this study was undertaken to the City of Tshwane. Experience has not and could not have been gathered as to whether this novel idea has proved its worth on the ground. However, as time passes errors become instructive and councillors and ward committees learn to work together better in the interest of the general public. The mechanism

holds great promise, therefore, in ensuring the accountability of elected officials to the people who elected them.

Councillors receive a monthly stipend of R10, 500 plus fringe benefits such as car allowance, medical insurance and house allowance. Those on the Mayoral Committee receive a more substantial amount ? R25,000 ? per month, but this includes fringe benefits. Councillors do not get, therefore, sitting allowances for 'normal' meetings, but they are paid hourly rates for ad hoc meetings. This generous allowance is indicative of the financial health of the Council whose annual operating budget is R4.5billion. By comparison with the other councils the Tshwane Metropolitan Council is very rich indeed and it is in actual fact financially independent as it neither receives central subvention (except for certain projects) nor submits its budget to a central ministry.

The Council appoints all its staff including the most senior of them ? the Municipal Manager. In fact it is the Mayor who appoints them after consultation with the Mayoral Committee. The Council is merely informed and it simply takes cognizance of the appointments. The senior staff are on fixed-term contracts which do not go beyond the term of the sitting mayor for the simple reason of allowing his successor to exercise his/her right to appoint his own officers. If by any chance, however, a Mayor wants to end the valid contract of the Municipal Manager on grounds that they cannot work together he or she can do so only through negotiation and agreement as to the terminal benefits to be paid. It is so because the labour laws protect employees. This may give the impression that the Mayor makes appointments on the basis of political

patronage. He consults his party on these matters and his Mayoral Committee, but there is a procedure which protects the Council from being saddled with technically incompetent political appointees and therefore introduces appointments on the basis of merit. All the posts are widely advertised and applicants compete on the basis of relevant qualifications and experience. The Mayor exercises his powers only after a process of screening and selection.

The fact that half its membership is nominated by political parties, rather than popularly elected, may cast a shadow of doubt as to whether the Metropolitan Council is truly representative. That the executive Mayor who is the most powerful person in the Council is supplied by a political party and is therefore nominated rather than elected may also give the impression that 'democratic control' has been compromised. On the other hand, however, there are genuine democratic features which are prominent in the system of Metropolitan Governance. These are: That half the council is elected; that the ward committees which are wholly elected are an integral part of the system and ensure political and managerial accountability; that about a hundred people, comprising community leaders, union representatives, and leaders from the business sector, are invited each year to the Budget Conference which the Mayoral Committee organizes in order to sound stakeholders and to receive guidelines and inputs from conference participants while the budget is still being formulated; and finally, that the Council as a whole elects its own speaker and decides on all important matters.

But, on the other hand, it is debatable whether an executive who is so powerful and is neither elected by his Council nor by the community at large but is, instead, appointed by a political party is a product of an exercise in democracy. He is ultimately responsible to his party, not to any constituency or the general public and will therefore be responsive only to his party. With so much power and resources there is the danger of him being able to manipulate the Council. Perhaps, this does not happen in the case of the City Tshwane Metropolitan Council because of the quality, vigilance and independence of councilors. Elsewhere, however, such arrangement might vitiate democratic control and spell out disaster for metropolitan governance.

#### 4. Internal Organization and Management

Democracy without a reasonable degree of efficiency in attaining goals and delivering promises made to the electorate is meaningless. All the political rallies, campaigns and competitions would not be necessary if there are no goals to be attained, strategies to be made, promises to be delivered. Nor can the politicians alone do this. Without internal organization, technical capabilities, proper management urban councils would not only fail to fulfill the promises which the elected representative of the people had made but they will stagnate. The areas in which these promises are made are generally ? though not always ? the same and the enabling act usually spells out these areas together with the powers ? and limitations ? within which a council may operate. In this section, therefore we will look, for the purpose of comparative

analysis, into the internal structure, staffing and financing of these four urban councils.

(a) Structure

The Councils of Windhoek and the City of Tshwane are structured in strikingly similar fashion precisely because of Namibia's long pre-independence association with the Republic of South Africa. Yet, there are significant differences too. The two major differences arise from the fact that the Mayor of the City of Tshwane is a powerful executive and that he is, as such, the real chief executive officer. There is, however, the most senior officer in the bureaucratic structure who is loosely referred to as the Chief Executive Officer, but whose official title is 'Municipal Manager'. He is sometimes called also ? unofficially of course ? as the City Manager. The official title of his counterpart, as head of the bureaucracy, in Windhoek is: Chief Executive Officer.

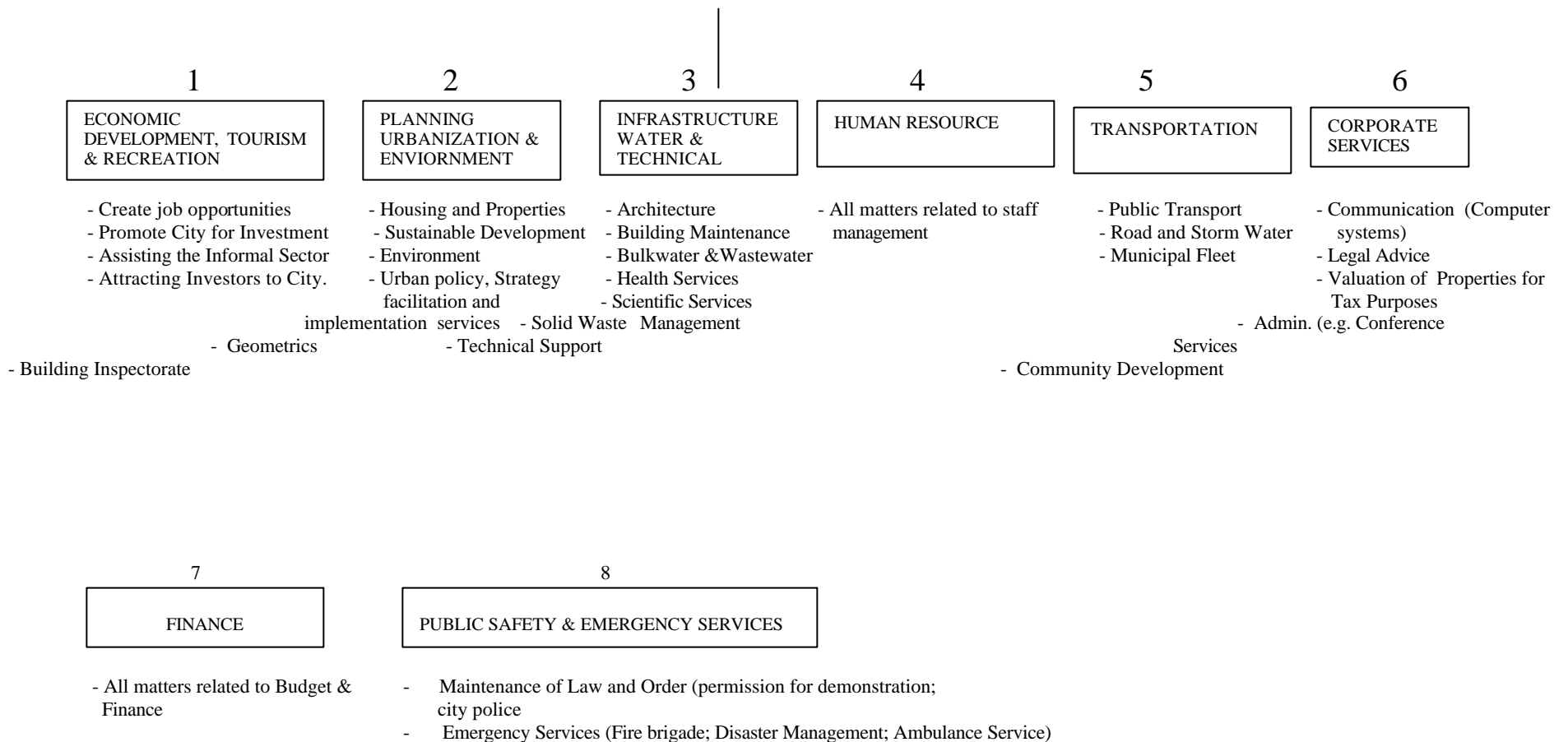
The nomenclature which the two city councils use is very much the same, with only a slight variation here and there. While both use the words 'Strategic Executive' as part of the official title of the head of a technical department in the City of Tshwane the word "Officer" is added in order to complete the title. The internal structure of the departments themselves in the two councils are also similar as can be seen in the following organograms, which show the technical departments of each council. One can also see the similarity of nomenclature like 'corporate services' and 'Economic Development'; 'strategic executive'; 'Public

Safety and Security’, and a closer look at departmental functions (which can also be seen in the organograms) clearly show a common perception of the problems to be resolved. Furthermore, a nomenclatural problems which the two councils share is the use of imprecise terms to describe a function or a set of related functions: such terms as ‘economic development’, ‘corporate services’, ‘urbanization’ ‘sustainable development’ and ‘infrastructure for investment and economic growth’ are meaningless as titles of division as they do not really tell us what the divisions are really for.

## STRUCTURE OF THE CITY COUNCIL OF WINDHOEK

CHIEF EXECUTIVE OFFICER

### TECHNICAL DEPARTMENTS AND THEIR MAIN FUNCTIONS



**STRUCTURE OF CITY OF TSHWANE METROPOLITAN COUNCIL  
AND THEIR MAIN FUNCTIONS**

CITY MANAGER

1	2	3	4	5	6	7	8	9
TECHNICAL DEPARTMENTS			TECHNICAL DEPARTMENTS AND THEIR MAIN FUNCTIONS					
LEGAL SERVICES	FINANCE	SERVICE DELIVERY	ECONOMIC DEVELOPMENT	COMMUNITY SAFETY	CORPORATE SERVICES	MARKETING AND TOURISM	SOCIAL DEVELOPMENT	HOUSING AND LAND USE
- Legal Services	- Financial Management	- Water & Sanitation	- Informal Sector	- Metropolitan Police	- Human Resource Management	- Infrastructure for Investment and Economic Growth	- Health Care	- Land Environmental Planning
- Secretarial Services Committees	- Debtor Management (credit Control)	- Electricity	- Fresh Produce Market	- Environmental Health	- Information Technology	-Marketing	- Education Services	- Housing
	- Accounting	- Municipal Roads		- Emergency Services	- Administration	- Tourism	-Integrated Community Development	- City Planning, (including Land Use)
	- Treasury Management							

Not surprising, perhaps, and because of their shared history the two city councils see 'economic development' as one of their primary functions. Neither Lusaka, nor Lilongwe apparently thinks this is a municipal function. The other thing that Lusaka and Lilongwe City Councils have that Windhoek and Tshwane City Councils lack is a Department of Administration. The function is there, but it is fragmented and there are more than one department dealing with different aspects of Administration. For example, in Windhoek one department deals with staff matters and another deals with conference services. In the City of Tshwane too one department deals with human resources and 'Administration' (Corporate Services Department) while another (Legal Services Department) deals with secretarial support to committees, etc.

Whether by sheer coincidence or mutual consultation the two councils are just establishing municipal police. In Windhoek there is a within the law which established the national police, a provision which allows local authorities to establish their police if the Minister of Home Affairs agrees. Not only the agreements of the Minister has been secured but that of the entire cabinet as well. The Municipal Security Unit, whose job was to look after safety and security of municipal assets and priorities, will now be subsumed in the Municipal Police.

In the City of Tshwane the municipal police ? called officially "Metropolitan Police Service" was to be launched on 8 December 2001. Hence the existence of the function of safety and security ? either at the departmental level (City of Tshwane) or at the divisional level (Windhoek). In both cities the

function of the municipal police will not only be limited to enforcing municipal standards of cleanliness and dealing with those who refuse to pay municipal taxes, but they also cover the enforcement of traffic regulations within their respective urban areas and the prevention of crime. Both the Republic of South Africa and Namibia have national police and therefore it may seem anomalous to have national and local police to exist side by side. However, care is being taken in both cities that the demarcation lines are clearly delineated so that the two kinds of police operating within the same area will not step on each other's toes. In both cities investigation of crimes and prosecution of offenders are left for the national police. But the local police has powers of arrest particularly in the case of flagrante delicto, but they are required to turn over such cases to the national police for further investigation and possible prosecution. In both the City of Tshwane and Windhoek the Municipal police is still at a nascent stage and have not yet been fully developed to have their own traditions or *modus operandi* or for their responsibilities to expand progressively in a manner commensurate with increased capabilities.

The other two cities covered by this study, namely Lilongwe and Lusaka, also share colonial history since both Malawi and Zambia were under British rule prior to their independence. Hence the similarities of their outlook. The chief executive officers are still called 'town clerks' (though, contrary to British tradition, neither is a lawyer or has a legal background) and their councils are based on the committee system, the mayor being only ceremonial and limited to chairing council meetings. In both councils the function of administration is consolidated in a single department, and the traditional functions of urban government are more apparent in the simple structures of these two councils.

Moreover, responsibility for 'economic development' is not reflected in their structure; nor do they in fact have responsibility for 'investment promotion' or even 'tourism'. But there are two peculiar elements about the structure of the City Assembly of Lilongwe: the first is the fact that legal services are absent; the second is the existence of a department, which deals with functions which are outside the normal responsibilities of an urban council, these functions being 'agriculture', 'forestry' and maintenance of a poultry farm. However, this arises from the original plan, which is still pursued, of turning Lilongwe into a 'garden city'. The council therefore promotes this image and is actually required to.

As for the legal services that are absent from the structure of the City Assembly, it certainly gives the impression that the Assembly is not legally challenged by members of the public. It would of course be naïve to assume that the Assembly never exceeds its powers and therefore is not challenged on the basis of ultra vires. What this may indicate more realistically is that the citizens are not sufficiently aware of their rights or, alternatively, that they have no faith in the legal process. Of the councils studied that of Lilongwe is the only one, which does not provide a legal unit within its structure, for it apparently feels that there is no need to protect the council from the legal consequences of blunders. But even in Lusaka where a whole department was created to deal with legal affairs ultra vires cases are very rare though there is a great deal of litigation on other grounds.

The City Council of Lusaka has just been reorganized and restructured following a study and recommendation by an external consulting firm ? Grant

Thornton Associates Ltd. The current structure is therefore in accordance with their recommendation but with minor modification. The rationale for the structure has been explained in their report<sup>34</sup>. Similarly, Windhoek City Council was only recently structured and the City of Tshwane Metropolitan Council is undergoing a creeping restructuring exercise. This is not surprising because anywhere in the world any change of leadership brings about a restructuring of sorts and the main purpose of it may simply be to reduce costs by reducing the number of staff, abolishing some organizational units, merging others and so on. All this is apparent in the Grant Thornton Report for the City Council of Lusaka<sup>35</sup>.

The problem with restructuring is that it can never be ‘perfect’; for there are no ‘perfect’ structures; there are only structures of convenience. There is also the tendency to seek structural solutions to problems, which, far from being structural, are indeed substantive in nature. That is why many structural reforms do not achieve the purposes for which they were intended.

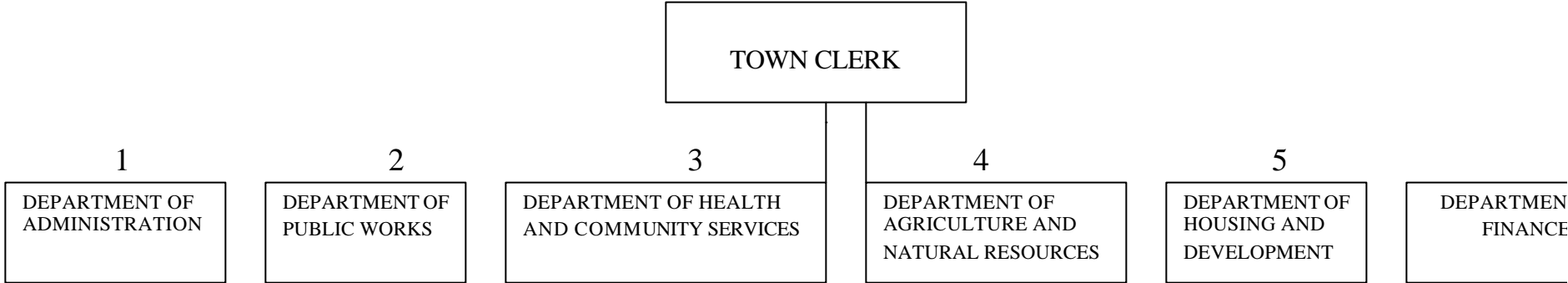
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<sup>34</sup> Urban Local Government Capacity Strengthening Project: Phase II, Human Resources Component, September 2001, and Optimal Organization Chart: Lusaka City Council, June 2000

<sup>35</sup> Ibid; pp. 4-8

**STRUCTURE OF LILONGWE CITY ASSEMBLY**

**TECHNICAL DEPARTMENTS**



- Human Resources
- Revenue (Commercial, Management Rates, Markets, etc)
- Record Keeping
- Expenditure (Payment, General Administrative stores and ledgers)
- Affairs
- Markets
- Rest House (on commercial basis)

- Roads
- Sewerage
- Mechanical (Repair of vehicles, Water works, etc.)
- Electrical
- Building
- Fire

- Preventive Health (e.g. health education, water sanitation, MCH activities, environmental health such as refuse collection, street cleaning, maintenance of public toilets and pest control)
- Clinical Services (2 clinics)
- Social Services (only childhood development, functional or adult literacy, etc.)

- Horticulture
- Landscaping
- Forestry

- Estates
- Physical Planning/ Develop
- Building (ensure quality of construction)

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**STRUCTURE OF LUSAKA CITY COUNCIL**

**TECHNICAL DEPARTMENT**

TOWN CLERK

DEPARTMENT OF ADMINISTRATION	DEPARTMENT OF LEGAL SERVICES	DEPARTMENT OF FINANCE	DEPARTMENT OF CITY PLANNING	DEPARTMENT OF ENGINEERING SERVICES	DEPARTMENT OF VALUATION AND REAL ESTATE MANAGEMENT	DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES
<ul style="list-style-type: none"> <li>- Human Resource Housing Management</li> <li>- Public Health (Garbage Collection, Pest Control, etc.)</li> <li>- Malaria Control, Health</li> <li>- Servicing the Meetings of Education, Inspection of Council and Committees</li> <li>- public accommodation</li> <li>- Control of Street Vending places such as</li> <li>- Printing (restaurants)</li> <li>- Public Relations</li> <li>- Funeral Services</li> <li>- Record Keeping</li> <li>- Solemnizing and Registration of Marriage</li> </ul>	<ul style="list-style-type: none"> <li>- Estates</li> <li>- Litigation</li> </ul>	<ul style="list-style-type: none"> <li>- Budget</li> <li>- Revenue</li> <li>- Expenditure</li> </ul>	<ul style="list-style-type: none"> <li>- Drawing up &amp; administering City Plan</li> <li>- Squatter settlements</li> </ul>	<ul style="list-style-type: none"> <li>- Road Maintenance</li> <li>- Street lights</li> <li>- Traffic lights</li> <li>- Fire Brigade</li> <li>- Architectural &amp; Quality Surveying</li> <li>- Maintenance of open spaces; parks and gardens</li> <li>- Maintenance of council buildings and vehicles</li> </ul>	<ul style="list-style-type: none"> <li>- Valuation for rates purposes</li> <li>- Real Estate Management</li> </ul>	<ul style="list-style-type: none"> <li>-</li> <li>-</li> <li>-</li> <li>-</li> </ul>

(b) Staffing

Staffing is a matter which is very closely linked to structure: there is hardly any restructuring which does not have staffing, staff redeployment, staff reduction, etc. as one of its main purposes. It is so because the primary asset of an organization is its staff. We usually speak of two main resources: human and financial. By far the former is more important than the latter; for the former can and does create the latter but not vice-versa. A study on local government would, therefore, be incomplete without a close look at the perennial problem of staffing.

In Windhoek, restructuring was made internally in 1998 ‘with the assistance of an outside consultant’. In consequence, 300 posts were abolished thus reducing the number of council posts in October of that year from 1800 to 1500 and the wage bill from 38% to 35%. The current staff strength is now 1444 not counting the vacancies. However, one out of every five staff members is said to be HIV positive and the council loses, on averaging, six of its staff per month to AIDS. This is of course alarming as the city cannot provide a pool of talents from which the council can recruit.

In the City of Tshwane the ‘whole municipality is in the middle of restructuring’. This was inevitable partly because eleven councils of the outlying areas were merged with the Metropolitan Council. As a result the number of staff rose from 11,000 to 14,000. Reorganizing and restructuring is a process which is currently going on, and it is a possibility that it may lead to the consolidation of some positions and consequent retrenchment of some staff. However, government employment policy may not allow this

and the existing tough labour laws are likely to discourage action in that direction. In spite of the increase in the staff as a result of absorbing eleven councils and despite the relatively high remuneration the wage bill is a tolerable 33%, which is indicative of the council's financial health.

Similarly, the linkage between restructuring and retrenchment is obvious in the case of Lusaka City Council. The Grant Thornton Report found that the councils of ten major cities in Zambia were overstaffed, but the redundancy with respect to Lusaka City Council was said to be at the staggering rate of 40%, which meant the reduction of staff from 1970 to 1140<sup>35</sup>. The report stated that the cost of retrenchment in terms of severance pay, retirement, repatriation, long service bonus and leave pay would be Kwacha 40,567,440,658<sup>36</sup> in June 2000 but that a year later (June 2001) this figure would rise to Kwacha 43,202,047,940<sup>37</sup>. It seems in fact that the staff strength has since increased to 2,137 instead of being reduced. Of these, 1,451 are 'general workers' and the remaining 686 are 'local government officers'.

The Council was unable to raise the money needed to effect the retrenchment exercise. In fact, the financial position of the Council is so bad that at the end of June 2001 salaries had not been paid for four months as the wage bill is at a high 75% of the budget. Yet, the vacancy rate is so high in every department that there are shortages in all critical areas. One is, in fact, struck by the paradox of a high vacancy rate coexisting with redundant posts. However, the redundancy is in semi-skilled and non-skilled areas

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<sup>35</sup> Grant Thornton Report, Ibid, p.8

<sup>36</sup> Ibid, Appendix IIA

<sup>37</sup> Ibid, Appendix IIB

while the vacancies are in the critical technical and professional areas. The following table shows the crippling shortages in some of the departments.

**LUSAKA CITY COUNCIL**  
**STAFF SHORTAGES IN CRITICAL AREAS**

<u>Department</u>	<u>Title of Posts</u>	<u>Number of Established Posts</u>	<u>Number of Encumbered Posts</u>	<u>Number of Vacancies</u>
1. <u>Legal Services</u>	Director	1	1	0
	Deputy Director	1	0	1
	Assistant Director (Estates)	1	0	1
	Assistant Director (Litigation)	1	0	1
	Legal Assistants (Estates)	2	0	1
	Legal Assistants (Litigation)	<u>2</u>	<u>0</u>	<u>2</u>
	Total	<u>8</u>	<u>1</u>	<u>7</u>
2. <u>City Planning</u>	Planners	9	1	8
	Assistant Town Planners	9	1	8
	Senior Town Planning Assistants	9	3	6
	Town Planning Assistants	<u>3</u>	<u>0</u>	<u>3</u>
	Total	<u>30</u>	<u>5</u>	<u>25</u>
3. <u>Engineering Services</u>	Architects	4	2	2
	Civil Engineers (Roads)	6	2	4
	Civil Engineers (Design)	3	0	3
	Electrical Engineers	<u>2</u>	<u>0</u>	<u>2</u>
	Total	<u>15</u>	<u>4</u>	<u>11</u>

There are other critical shortages not shown in the table. The Department of Public Health and Social Services, for example, is short of health inspectors and social workers. And in the Department of Valuation and Real Estate Management, the Director is the only registered evaluator. This has a crippling effect on the department because the seven unregistered evaluators in the department (being uncertified) are not allowed to sign an evaluation report and cannot appear before a court of law. If the director is on leave or is sick or is away for whatever other reason for an extended period, no valuation report can be signed. The department is quite new, having been created only in April 2001, but that is not the reason why there are no other certified and registered evaluators. The real reason is that they cannot be attracted to Council employment because of the poor conditions of service.

There can be at least two solutions: the unregistered evaluators can be trained so that they will pass the necessary examinations in order to be certified; alternatively, the council may improve its conditions of service in order to attract certified evaluations. Unfortunately, both solutions require money which the council does not have. But it can probably get bilateral financial assistance for training. However, without improving general condition of service evaluators who are certified after training may choose to resign and to go elsewhere, which will take the council back to where it was.

The municipal council of Windhoek, City of Tshwane and Lusaka enjoy the authority to recruit their own staff including the chief executive officer without the approval of or reference to a central body. But the

situation is rather different in Lilongwe. Although the screening and selection process originates with the City Assembly, appointment of the senior staff must ultimately be made by the Local Authority Service Commission (LASCOM) and, as previously stated, the present chief executive officer was appointed by the President of the Republic himself. Of the four councils studied, the City Assembly of Lilongwe has the smallest staff which number 270, each of the others having staff reaching well above the one thousand mark. The wage bill of 30% of the budget means that the staff are reasonably well paid and in fact the schedule of salaries so indicates.

Employee union is nowhere evident in Lilongwe City Assembly, but in Lusaka City Council there is a union for the staff members who are not in 'Management'. The Town Clerk, Directors of Departments, Deputy Directors and Assistant Directors are considered to be the 'Management'. But the union is not really strong. Again, we find here a similarity between the two situations obtaining in Windhoek and the City of Tshwane where each council has to deal with two strong unions, not just with one. In Windhoek, the council employees generally belong to "Namibia Public Works Union" (NAPWU), but there is an umbrella union, which is known as Local Authorities Union of Namibia (LAUN), which the city council also deals with from time to time.

The city of Tshwane Metropolitan Council has to negotiate with different unions: one union is said to be rightwing, predominantly white and opposed to the ruling party, the African National Congress (ANC), the other is said to be left leaning, pro-government party (the ANC) and is racially

mixed. It is a matter of common knowledge that although the Republic of South Africa has taken tremendous strides towards a non-racial society the vestiges of apartheid are at times disappointingly visible. The element of race, therefore, presents some unsavoury negotiating problems to the Metropolitan Council.

Finally, it may very well happen that where the councilors are dynamic, the mayor is executive and the council is at full liberty to recruit its own staff a degree of patronage may creep in or may in fact be inevitable. However, while this cannot be dismissed completely there has been no evidence of it in any of the councils. On the contrary, all the councils have well laid out recruitment procedures which ensure vacancy announcements to the public, fair competition and the selection of the most promising candidates. There is no conscious policy of giving preference to women candidates and the representation of women on the staff is woefully inadequate in all the councils. For instance, of the 12 most senior staff (chief executive officers and directors) in the Tshwane Metropolitan Council only 2 are women; in Lusaka where the situation is slightly better there are 3 women among 8 directors (including the Town Clerk). In Windhoek, none of the substantive directors (including the chief executive officers) is a woman. In Lilongwe, too, none of the staff in the upper echelon is a woman.

What is surprising is that all the councils seem to be oblivious to the need for gender balance in an age where the rights of women to employment is so widely recognized. But, what is even more surprising is that even

though the majority of councilors in Windhoek are women and half the candidates for council seats in the City of Tshwane are required by law to be women, Municipal bureaucracies in both cities have been almost completely insulated from gender politics and as a result women are poorly represented.

(c) Finance

The health of a council and its capacity to deliver needed services are determined by the financial resources available to it and the quality of its human resources. These two elements are inextricably intertwined: a quality human resource is needed in order to create resources for the finance resources for the council; but no council can attract a good-quality human resource without being in a good financial position, which will attract men and women equipped with the right knowledge and skills and are endowed with the personal qualities needed for leadership in administration and in the execution of council policies. The councils were, of course, created to provide certain services to their respective communities, not merely to fulfill the social goal of providing employment. Rendering these services cost money and there is need for qualified, energetic, responsive and responsible people to ensure that objectives are achieved with less cost, but with precision and within optimal time.

The influx of people into Windhoek from other areas has adverse financial implications to its city council. It is estimated that about 600 people come into the city every month and obviously the population of the city is bound to swell if this trend is not arrested. These people are a financial liability to the council in two ways: first, they are unemployed and

therefore unable to pay municipal taxes; secondly, the council spends money on the services (such as communal water points and toilet blocks), which it provides for them. Growth of population outside the tax base means in actual fact a shrinking of the tax base vis-à-vis growing expenditure. Furthermore, these migrants occupy (without permission of course) land, which has not been earmarked for development, and it is difficult to keep track of them because they are peripatetic; they keep on shifting from one place to another.

The financial year in Windhoek and the City of Tshwane starts on 1<sup>st</sup> July and ends on 30 June of the following year. This is also the case in Lilongwe. But Lusaka has departed from tradition (British colonial tradition) of avoiding a coincidence of the financial and calendar years. However, the budgetary process is more or less the same in all councils except it is most rigorous in the City of Tshwane where even community leaders, the business sector leaders and union representatives are brought at one stage into the process and participate in a budget conference so as to get a holistic view as to the needs and priorities of the community and base allocations on them.

But two important elements involving the central government impinge on budget preparation and consequently on the financial autonomy of a local government council. The first is the size and conditions of central grants or subventions; the second is whether the budget is subject to approval by the central government. In regard to this latter point, Lilongwe City Assembly is the only council whose budget is subject to approval by the

Department of Local Government which is not obviously a ministry though headed by a minister located in the President's Office. As for central grants and subventions, the Lilongwe City Assembly received last year a negligible 1% of its budget from the central government; ordinarily, it does not receive anything from the central government.

Neither the City Council of Windhoek nor the Metropolitan Council of the City of Tshwane receives any central grants to cover budgetary deficits ? only for capital projects in certain areas. In the case of the latter, for example, the provincial governments of Gauteng and Northwest Provinces contribute some grants to capital projects on the basis of application. The area of the metropolitan council straddles the two provinces and so the council gets grants from both. Last year, for example, it received R82 million from Gauteng and R62, from Northwest (a total of R142 million) for housing. Apart from the actual construction of housing units, this amount was also meant for the provision of the necessary infrastructure such as roads, storm water, water and sanitation, and, of course, electricity.

Similarly, in Windhoek the Ministry of Local Government provides an annual grant of N\$2 million to help the council build low-cost housing units. However, the council uses that money as a revolving fund out of which loans are provided for people who want to build their own houses. A small interest is charged and, naturally, the loans have to be paid back. The council can also borrow funds from the Ministry of Finance, if need be, for its capital projects.

By contrast, the central government in Zambia is, astoundingly, strangling the City Council of Lusaka financial as we have seen in the previous pages. But, a new government has come into being and a new council has now been elected. This may herald a positive change on the part of the center. The council is insolvent, incapable of paying salaries regularly, unable to collect its own revenue to the full because of government policy, and unable to get grants from the government in lieu of rates which the government owes the council. The government of Zambia seems to deny life and liberty to the City Council of its own capital and is keeping it in a state of suspended animation.

Although the Malawian government's financial control of the City Assembly of Lilongwe is not really too intrusive, it is nonetheless unwarranted owing to the fact that it does not provide any grant or subvention, which would provide it with the excuse of imposing conditions. Usually, central grants detract from the autonomy of local councils, while their absence enhances the freedom with which these council operate. But we have seen in this study two instances where central grants do not reduce autonomy. The councils of Windhoek and City of Tshwane, which enjoy considerable autonomy, receive central grants for projects. On the other hand, there are two other instances (Lusaka and Lilongwe councils) in which not only central grants are denied, but also the freedom that is the natural attendant of that denial.

Central grants or not, a local council, urban or non urban, has to have its own independent sources of revenue. Through byelaws the councils levy

taxes as their main source of revenue. But, they may also be allowed to engage in commerce and borrow as well, although borrowing should not be for the purpose of meeting recurrent expenditure. In Lilongwe the central government does not only allow, but it even encourages the City Assembly to run commercial activities in order to augment its revenue. Taking advantage of this policy the Assembly owns and runs on purely commercial basis what it calls a “Rest House”. This ‘Rest House’ is made up of three blocks of building consisting of 121 rooms, which are rented without providing food. The Council also runs a poultry farm and gets appreciable income from the sale of flowers from its own nurseries. Similarly, Lusaka City Council gets some revenue from commercial properties and other commercial undertakings.

A discussion of council revenue would be incomplete without a mention of the main source ? the rates. The following table shows the proportion of rates (assessed or flat) to the total revenue of each council:

<b>Council</b>	<b>Central Revenue/ Income</b>	<b>Total Revenue form Rates</b>	<b>Percentage</b>
Lilongwe	MK 189,371,984	MK 133,974,345	71%
Lusaka	ZK 46,143,971,000	ZK 22,472,860,000	48%
City of Tshwane	SAR 3,870,504,070	SAR 1,111,600,000	28%
Windhoek	N\$ 573,080,415*	N\$ 100,800,000	17.5%

In the case of Windhoek the 'Total Income' includes (as portrayed in the Estimates for 2001/2002) other incomes, such grants which are outside the normal sources of revenue. The rate of revenue from rates to revenue from other sources would otherwise be much higher. The case of Lusaka City Council is, as explained earlier, exceptional. A great deal of revenue it lost because most of the buildings in the city, being government owned or occupied by diplomatic missions, are exempted from rates and the government turns a deaf ear to requests for grants in lieu of rates or to correct the situation. To add fuel to fire the government has also unilaterally drastically reduced council rates, as we have seen, by selling council houses at very low prices on the basis of which rates are assessed. Were it not for adverse government policy Lusaka City Council would have been in a much healthier financial position.

Windhoek and the City of Tshwane councils have relatively rich economic bases and the backing of opulent governments, while at the same time serving about the size of the population as Lilongwe and Lusaka, respectively. By contrast, the central governments in Malawi and Zambia suffer from paucity of financial resources and are themselves unable to meet their own commitment fully. But this is not an excuse for them to deny their local government councils the financial independence they need so badly in order to be economically viable, render more and better services to their respective communities and relieve the heavy burden on the shoulders of the central government.

In the case of Lusaka at least the council has not run out of ideas as it has sent proposals to the central government on the way of its current impasse. The government is yet to respond and until it does will remain locked in its present

position. With pressure from Lusaka's own new MPs and a change of heart on the part of the new government, one can only hope that the financial situation of the Council will improve. The council, however, has been getting some donor funding from bilateral sources. For instance, the Danish Government gave the council an amount of DK59.7m for a solid water management project (DK16,7 million for the 1<sup>st</sup> Phase and DK 43 million for the 2<sup>nd</sup> Phase). But with ZK 16 billion of debt (see previous section of this paper) the Lusaka City Council, unlike any other, is likely to remain in dire straits.

Apart from loans, grants, bilateral aid, and the rates the councils get their revenue from traditional sources such as licencing, fees and charges, etc. The following shows the main sources of revenue, or council income, the main items of expenditure and the relative sizes of council budgets.

## City Budget Comparisons(all figures in '000s)

ITEM/CITY	LILONGWE MALAWI	LUSAKA ZAMBIA	TSHWANE (PRETORIA) R S A	WINDHOEK NAMIBIA
Size of Regular Budget	MK669,011	ZK46,143,971	R4,612,306.9	N\$567,611.19
Size of the capital budget	MK176,601	ZK6,973,403	R88,176.975	N\$264.386
Size of central Grant	MK6,245	ZK600,000	R99,062.4	
Five main sources of revenue	?? Rates ?? Sales/Fees/Charges ?? Government ?? Investment ?? Personal Levy	?? Rates ?? Ground rent ?? Rent of commercial properties ?? Rents of housing estates ?? Sale of fixed assets	?? Debtors ?? Direct income ?? Government grants	?? Water services ?? Electricity sales ?? Rates ?? Maintenance ?? Transport services
Five main items of expenditure	?? Running costs ?? Capital projects ?? Employees ?? Departmental reserves ?? World Bank Projects	?? Salaries/wages ?? Professional fees, consultancy ?? Repairs & maintenance of street lights & roads drainage ?? Equipment & tools	?? Remuneration ?? Repairs & maintenance ?? Raw & consumption materials ?? General expenditure ?? Capital charges	?? Transport ?? Maintenance ?? Water services ?? Bulk Electricity purchase ?? Salaries/wages
Loans	MK16,124		R17,000	
Bilateral aid	World Bank			
Surplus/(Deficit)	MK328			N\$ 5,469.225

A major item of expenditure in the regular budgets of all four councils is the remuneration package which is : 33% for the Metropolitan Council of the City of Tshwane; 35% for the City Council of Windhoek; 30% for Lilongwe City Assembly; and a very hefty 75% for Lusaka City Council. This means that while other councils spend between 65 and 70% of their regular budget on service items the situation of Lusaka City Council is the reverse: only 25% of the budget is spent on all the other items combined. Both Lilongwe and Lusaka City Council spend the balances from remuneration on items of recurrent expenditure and therefore nothing is left for development.

But development is supposed to be financed from the capital expenditure, which is funded by elements like grants, loans and donors. Still, the main element should come from the regular budget. In Lilongwe the 'Capital Programme' is divided into: (a) revenue-funded; and (b) loan/donation-funded. However, many of the items under the programme are really for maintenance and upkeep rather than development. An amount of MK66,432,500 was earmarked in the 2001/2002 budget for revenue-funded while an amount of MK92,899,000 was forecast to come from loan and donations. In Windhoek Council, four kinds of funds appear under "Capital Expenditure for 2001/2002". These are: (1) Capital Development Fund (N\$105,705,414); (2) Parking Provision Fund (N\$466,764); (3) Betterment Contribution Fund (N\$6,816,479); and (4) Endowment Fund (N\$5,457,523). The total capital budget of the council, however, is N\$264,386,000. For the other councils it is as follows: Lilongwe , MK176,601,000; Lusaka, ZK6,973,403,000; and City of Tshwane, SAR88,176,975,000.

But, looking at the figures alone will not give a proper comparison. First, the Malawian Kwacha and the Zambia Kwacha do not have the same exchange rate against other currencies while the Namibia Dollar is equal in value to the South African Rand. A proper comparison can only be obtained if all capital budgets are expressed in the same currency. What is important, however, is not so much as which council is richer or poorer but rather what the councils do with their capital budget however small it might be.

## 5. Delivery of Services

The raison d'être for local councils is to deliver services, and it is in the delivery of these locally needed services that political competition for power and allocation of resources lies. Structures, staffing and financing provide the strategies and the means necessary to achieve the delivery of services. The priorities and nature of services may vary from one council to another but there are some basic services that are common to all local councils: paved roads, beautiful parks and open spaces, good street lighting, clean streets; a properly functioning sewerage system, good supply of electricity and water, city planning, standards of cleanliness and health in public places (such as restaurants, market places, etc.) are the hallmark of a financially sound, technically competent, responsible and responsive municipality. On the other hand, dilapidated roads, garbage-strewn streets, open sewers, poor street lighting, unplanned physical development, etc. are clearly indicative of a mismanaged, financially starved municipality.

These are some of the ocular evidence on the basis of which we inevitably judge city councils. They give us the indisputable record of their performance.

When Mahatma Gandhi was condemning in his trial the record of British colonial administration in India he said: “No sophistry, no jugglery in figures can explain away the evidence that the skeletons in many villages present to the naked eye”<sup>38</sup>. Many councils find themselves in the same position with the evidence of their performance in the streets. Even a stranger cannot fail to see municipal record of performance and nothing can explain away the dirt, the stench of open sewerage, the garbage, the shantytowns, for they present the dismal record of a city council that exists only in name. The record of a successful council will also strive in the streets and will be reflected in the quality of life.

Inevitably, we are drawn to comparing the four city councils, which are the subject of this study on these bases. Using these criteria we can safely conclude that the two rich councils (those of Windhoek and City of Tshwane) have been more effective than the other much less endowed councils of Lilongwe and Lusaka. The difference lies in the fact that those that are doing better: (a) have a richer economic bases and so are better financed; (b) are relatively free from central interference; (c) have a better connection with their constituents; and (d) can attract better qualified and more experienced staff although they too are complaining of difficulties in finding people for the technical posts (professional, skilled and semi-skilled). These factors are lacking in the other two councils, namely Lilongwe and Lusaka.

The city councils of Windhoek and City of Tshwane have gone beyond the provision of commonly-known municipal services. They are actually promoting their cities for investments and trade promotion, as well as the promotion of the informal sector and tourism. In Windhoek the council is even actively involved in

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<sup>38</sup> Quoted in The World of Law: The Law of Literature, Simon and Schuster, New York, 1960,p464

the creation of employment opportunities. The aim of the two councils are to improve the economy of their cities because with improvements in the economy there is bound to be an increase in the ability of city dwellers to pay, rather than avoid, municipal taxes. As a matter of fact, the Metropolitan Council of the City of Tshwane has to this date SR 1.5 billion of uncollected property rates, water and electricity charges. In other words the public owe this amount to the municipality.

The services which municipalities are supposed to provide to their public are many and varied, and neither space nor time permits even a quick survey of the entire spectrum. We shall then limit ourselves to three services (water and sanitation, electricity and housing) and one major problem area ? squatter settlements.

(a) Water and Sanitation

The municipality in Windhoek uses and maintains water reservoirs and reclaims 35% of water from waste disposal. It recognizes the high risk involved, but has made substantial investment in it to ensure quality. There are twelve pressure zones and 1200kms. of pipelines. There are also water points, particularly where there are unauthorized settlements. Sanitation level is excellent and the sewerage network extends 960kms with three treatment facilities and pump stations, and so the purified waste is discharged into a dry river-bed. However, in Lilongwe the waste, also purified to a high standard, is emptied not into a river-bed, but into a running river at a location quite distant from the city. While in Lusaka responsibility for water supply and water sewerage was transferred to a private company

? Lusaka Water and Sewerage Company ? in which the city council is itself a major shareholder. Although this was not actually investigated, water is not treated and it is quite unsafe to drink straight from the tap. Water supply in the City Tshwane is excellent and so are the waste disposal methods. Recycling is used but not for the purpose of reconsumption. Sewerage is excellent and the standard of environmental cleanliness is very high as is expected from a capital city of a nation which is very rich and highly advanced by any ? especially African - standard.

(b) Electricity

While the city council of Lusaka is not responsible for electricity supply, those of Windhoek and City of Tshwane are. Lusaka is supplied by Zambia Electricity Supply Company (ZESCO) which does not belong to the city and in which the city has in fact no shares. Similarly, the council in Windhoek does not own or operate any electricity plant or powerhouse, but buys electricity from Namibia Power Authority (a public enterprise) and then distributes electricity to individual households. Each household pays the council the amount it can afford and when that amount is almost used up it has to replenish its account with more cash in order to ensure the continuity of supply. This system obtains, in fact, in certain parts of London, but it is a system which allows billing to be avoided, and electricity is cut off automatically as soon as the cash deposit has been used up. Unlike the Metropolitan Council of the City of Tshwane, Windhoek City Council has no debts to collect from the public because of unpaid electricity bills. In the City Council of Lilongwe the Electrical Section of the Department of Public Works is responsible only for street lighting and

the traffic lights but the city is supplied by the Electricity Supply Commission of Malawi (ESCOM).

(c) Housing and Squatter Settlements

These are two major problem areas ? two major headaches ? for city councils. Squatter settlements are by definition unauthorized, unplanned and unorganized – even disorganized – settlements. They are the symptom of the phenomenon called ‘the pull of the urban center and the push of the rural areas’. It is a problem, which is beyond the capacity of city councils to solve because it is symptomatic of the failure of national planning and of unbalanced economy. It is therefore a problem for national government to solve. The councils are in this regard the victims of ill conceived – or at times the absence of ? central policies to decentralize in order to achieve a fairly spread-out physical and economic development. Nevertheless, each council has to deal with the problem in its own way.

Most of the land, which has not yet been developed in Windhoek, belongs to the City Council. This means that the city has the obligation to provide that land with the necessary structure “—before it is sold to any potential resident or business entity”<sup>37</sup>. The squatters are found in the northwestern part of the city and border on the authorized settlements of Katutura, which was an area “designated for black people only”, during the

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<sup>37</sup> Martin K. Shipanga “Squatter Settlement in Windhoek”, unpublished master degree thesis submitted to the University of Namibia in association with the Institute of Social Studies at the Hague, November 2000, p.11

apartheid rule.<sup>38</sup> Outside the city, most of the land is owned by private individuals and the city has to negotiate with them and buy it from them in the event it needs more land for expansion<sup>39</sup>. Only 20% of the population lives in the city centre, which is called “Central Business District (CBD)”; the remaining 80% live in the suburbs and townships ? a term used for the black areas.

It is estimated that the influx of people from the rural areas into the city is at the rate of 600 per month. Perhaps this explains, albeit partly, why Windhoek’s population has grown from 178,626 in 1995 to 250,000 in 2001<sup>40</sup>. It seems that, if this influx is not arrested soon, Windhoek will be overpopulated and because squatters do not observe town planning, do not organize their settlements, do not observe health and safety requirements, and do not observe even the minimum standards of construction, the potential for crime, unemployment, other forms of social disorganization, and the change to the public purse is tremendous.

At present, it is said that the squatters are mobile and that it is difficult to keep track of them. But the council provides with them services such as communal water points and toilet blocks. In future, however, if squatter settlements grow out of proportion, it will be extremely difficult for the council to provide them with any services at all since demand will be multiplied and they do not pay any dues or fees to the council. If they do, the council will be obliged to provide them with substantial services, which

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<sup>38</sup> Ibid.

<sup>39</sup> Ibid.

<sup>40</sup> According to 1995 census the population in Windhoek was declared to be 178,626, but the unofficial results of the census of 2001 (which have not been published) put at 250,000

will be tantamount to recognition by the council that these settlements are legitimate.

The Government of Malawi, recognizing that something should be done about squatter settlements which ‘---surfaced in the urban centers due to increased rural-urban migration’, initiated as early as the 1960s a housing programme called ‘Traditional Housing Areas’ which is abbreviated as THA. Initially, THAs were the responsibility of the Capital City Development Corporation (CCDC) but this was dissolved and it was subsequently decided in April 1992 to transfer the responsibility to local authorities. THAs actually is a way of legalizing and organizing settlements. Small plots are allocated to individuals or families in designated areas and on them houses are constructed from ‘traditional building materials’. The municipality is responsible for the management of THAs. However, it is not responsible for building low cost housing since housing is the responsibility of the Ministry of Lands and Housing as well as the Malawi Housing Corporation, which is a para-statal. The Ministry allocates land for industrial and commercial purposes and for developing high-class residential areas.

The City Assembly experienced shortage of plots for the construction of traditional houses (TH) and because of that illegal constructions have mushroomed affecting open spaces and making nonsense of city planning. People even resorted to producing false documents to justify their illegal construction<sup>41</sup>. In this situation the challenge for the Assembly is to increase

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<sup>41</sup> See DEVELOPMENT AND MANAGEMENT OF TRADITIONAL HOUSING AREA (THAS) A Public Guide to Procedures for Administration of THA Properties. A Pamphlet Issued by Lilongwe City Council, 1993, p.2

the supply of plots in order to cover the current shortfall and to provide a steady supply in keeping with the growth in population. However, this is likely to encourage further migration into the city. It is also an admission that migration cannot be stopped.

Squatter settlement is also a major problem for the Metropolitan Council of the City of Tshwane. There are 30,000 squatter units in the outskirts of the city each unit consisting of 5 persons, the total number of squatters being, therefore, 150,000. People resist being moved from squatter settlements or 'informal housing' to formal housing because once they move to 'formal housing' they become part of the tax structure. Low cost housing is not a primary function of the council but the national government gives large grants to provincial governments for distribution to their local councils and for the express purpose of housing construction. The municipalities, however, have to apply to their respective provinces or else they will not receive any share of the grant.

The situation in Lusaka is unique. In the first place, 70% of the city's population live in squatter settlements causing disorderly development. In 1974 an Act was passed embodying a political decision to declare some areas as 'Improvement Areas'. In these areas roads were charted and waterlines, standpipes and drainage system were all made. Those who moved to these areas have had to dismantle their houses brick by brick, taking out windows, doors, iron sheets or roofing materials, tiles (if any) intact in order that these same houses are rebuilt in the newly designated 'Improvement Area' with the incentive of such amenities as water and electricity and a soft loan in the form of building materials ? no cash – and

free transportation of any materials they have salvaged from the demolition of their previous houses.

The 25 to 30 squatter settlements in the city are popularly known as 'compounds' although, actually, there are no walls around them. Many of them, however, are no longer officially referred to as squatter settlements because they have been designated as 'improved areas' with the provision of the services mentioned above and because their plots have been legalized with thirty-year occupancy licences, which are renewable. It should be noted that all these areas are located in the peri-urban areas and not within the city proper. All this notwithstanding the city council has not really solved the problems of squatter settlement. Simply, its meager resources in terms of finance and staff cannot permit the council to do much about such intractable problems.

Unfortunately, the problem of squatter settlement is not likely to disappear from urban areas any time soon. On the contrary, all indications are that it will even worsen so long as the causes we have mentioned persist: the key to any solution lies in changing central policies and, above all, in having a proper democratic system of governance which will allow rural inhabitants to live comfortably in their own areas without being forced by circumstances to flood the cities and towns.

## 6. CONCLUSION

Local government councils, being political institutions, can thrive properly only within the framework of a healthy polity. A system of local government cannot succeed where orders come from the top; for devolution is the very essence of decentralization ? genuine, not illusory, decentralization. While all governments express pride in having espoused decentralization most of them actually do lip service to it; they cannot simply tolerate the existence of other centers of power. That is precisely why their local councils fail.

This rather quick survey of the city councils of Windhoek, Lilongwe, Lusaka and Tshwane has established the absolute necessity of autonomy for local councils. The two successful councils (Windhoek and City of Tshwane) enjoy great and genuine autonomy. The other two (Lilongwe and Lusaka) suffer, as we have seen, from government interference and have not been successful. The case of Lusaka City Council is actually pathetic because it is denied the resources it needs to function satisfactorily, and it cannot tap new sources of revenue without having the blessing of the central government.

All four councils are elected fairly and freely but, again, democratic control of the council is more evident in Windhoek and the City of Tshwane. But if councils have no resources to manage and are deliberately starved of resources, municipal elections become an exercise in futility and voter apathy sets in. However, this has not been so recently in the case of Lusaka because voters came out in heavy numbers owing to fierce campaigning by the competing political parties.

Another point, which has been noted, is that there are many similarities between the councils of Windhoek and the City of Tshwane in the way they are structured and in the way of thinking and doing things. This is due to shared history and perhaps also the racial structure of their respective populations. Similarities are also evident between the City Councils of Lilongwe and Lusaka; for they also share a common colonial history and seem to be attached to the committee system of British local government.

All four councils complain of the difficulty of getting technical professionals. The problem in the Metropolitan Council of the City of Tshwane is getting enough black people in technical areas like engineering and science in order to get the right racial mix at the professional and technical levels. All councils, except one, have been able to recruit from the private sector through a transparent and competitive process. The CEO of Windhoek's council and the engineer directing the Public Works Department of the City Assembly of Lilongwe were both drawn from the private sector. The one exception, which is Lusaka City Council, has been unable to recruit and fill technical staff as it has also been unable to lay off redundant staff: the reason in both cases is the lack of money.

Ultimately, the raison d'être of local councils is to provide services to the community and to foster local development. All four councils have and do provide services in varying degrees of competence but only two (Windhoek and the City of Tshwane) have the thinking, the structure and the means to put together a programme of 'economic development' ? though the term has the ring of a central government function about it. Squatter settlement is a generic, if monumental, problem and all councils will have to live with it while trying to do something

about it. But ... there are two special challenges ? both of them formidable ? for Lilongwe and Lusaka which should be their greatest priority: breaking free from the grip of central hand; and pursuing a vigorous policy of augmenting their finance. Doubtless the former is a key to the latter.

## References

1. Ann Marie Hack-Walsh, The Urban Challenge to Government: An International Comparison of Thirteen Cities, Preger, 1969.
2. Ursula Hicks, Development from Below, clarendon Press, Oxford, 1961.
3. United Nations, Metropolitan Governance Toward a New Urban Century, Summary Report on the World Conference, 20 – 23 April 1993, Tokyo, Japan.
4. United Nations, World Conference on Metropolitan Governance: City Reports and Technical Papers, April 20 – 23, 1993, Tokyo, Japan.
5. United Nations, Metropolitan Governance – Patterns and Leadership, April 18- 20, 1995 Quito, Ecuador.
6. Estimates of the City Council of Windhoek, Namibia, 2001 – 2002.
7. City Council of Windhoek, Namibia, Operational Objective based on Strategic Thrusts of the city of Windhoek from 1 July 2001 onwards.
8. Martin Kalie Shipanga, Squatter Settlements in Windhoek: Analyzing the Challenge and Policy Response of the City Council, Unpublished Master Degree Thesis, submitted to the University of Namibia in Association with the Institute of Social Studies, November, 2000.
9. City Council of Windhoek, Municipal Tariffs, 20001/2002.
10. City Council of Windhoek, Annual Report of the Mayor of Windhoek, 2000 – 2001.
11. City Council of Windhoek, aloe, monthly Newsletter for the Residents of Windhoek.
12. “Government Notice No. 116, Promulgation of Local Authorities Act, 1992 (Act 23 of 1992), of the National Assembly”, Windhoek, Namibia.

13. Alison Matthews, Lee Myers and Nansie Jubitz, Lilongwe and the Central Region of Malawi, Central African Ltd. 1991.
14. Government of Malawi, Malawi Decentralization Policy.
15. Department of Local Government, Malawi, Decentralization Process in Malawi, Medium Term Implementation Plan, 2001 – 2004.
16. Local Government Act, 1998 Government Printer, Zomba, Malawi.
17. Lilongwe City Council, Integrated Development Strategy, 1991.
18. Lilongwe City Assembly, Draft Budget for the Year 2001/2002.
19. Lilongwe City Council, Development and Management of Traditional Housing Areas, a Public Guide to Procedures for Administration of THA Properties, 1993
20. Republic of South Africa, Government Gazette, Vol. 402, No. 19614, “No. 11 of 1998 Local Government: Municipal Structures Act, 1998”.
21. Republic of South Africa, Government Gazette, Vol 425, No. 21776; “No. 32 of 2000, Local Government: Municipal Systems Act 2000.”
22. The Constitution of the republic of South Africa, 1996.
23. City of Tshwane Metropolitan Municipality, ‘Local Economic Development Strategy’.
24. City of Tshwane Metropolitan Municipality “Purpose Structural of the Department of Economic Development”, November 2001.
25. Ministry for Provincial and Local Government, Republic of South Africa,” Municipal International Relations ? A Policy Framework for South Africa”, July 1999.
26. City of Tshwane Metropolitan Municipality, Marketing and Tourism Department ‘Business Plan”, 2001/2002.
27. City of Tshwane Metropolitan Municipality, Budget for 2001/2002.
28. The Local Government Act, Chapter 281 of the Laws of Zambia.

29. Grant Thornton, “Urban Local Government: Capacity Strengthening Project Phase II” September 2001
30. Grant Thornton, “Urban Local Government Capacity Strengthening Project: Workshop” October 2001.
31. Grant Thornton Associates Limited, “Urban Local Government Capacity Strengthening Project, Optimal Organisation Charts – Lusaka City Council” June 2001.
32. Lusaka City Council, “Estimates for the Year 2001.”
33. The Constitution of the Republic of Zambia.