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“You may fool all the people some of the time, you can even fool some of the people all of the time, but you cannot fool all of the people all the time.”

(Abraham Lincoln, 1809 - 1865)

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List of Abbreviations

ADC	Area Development Committee
CBO	Community Based Organization
CDC	Constituency Development Committee
CDF	Constituency Development Fund
CSO	Civil Society Organization
DA	District Administrator
DC	District Commissioner
DFA	District Farmers Association
DPO	District Planning Officer
DTC	District Tender Committee
FOSUP	Farmer Organisation Support Programme
GRZ	Government of the Republic of Zambia
MMD	Movement for Multiparty Democracy
MOF	Ministry of Finance
MLGH	Ministry of Local Government and Housing
MP	Member of Parliament
NGO	Non Governmental Organization
PF	Patriotic Front
SACCORD	Southern African Centre for the Constructive Resolution of Disputes
UNIP	United National Independent Party
UPND	United Party for National Development
WDC	Ward Development Committee
ZDC	Zone Development Committee
ZGF	Zambian Governance Foundation
ZRP	Zambian Revolution Party

1 Introduction

Decentralization of political and public administration systems in developing countries has been a paradigm for many years and authors as well as practitioners in support of decentralization measures claim the overall benefit for involved stakeholders. Increased government responsiveness to the needs of its citizens, increased participation possibilities and improved accountability of public officials towards the electorate by moving the state closer to the people are the most commonly claimed outcomes after decentralizing central government. Overall, supporters claim that decentralization will improve societal equity by allowing a broad range of social actors to be involved in the political game and thus can influence policy outcomes directly benefitting their lives.

The Constituency Development Fund (CDF) in Zambia was established as a decentralized policy mechanism for funding small scale projects at the community level aiming at reducing poverty from the grassroots. Central arguments for the introduction of the CDF in the mid 1990s were the outcry of elected constituency representatives, lack of financial resources of local authorities and thus their inability to deliver quality public services. While the public did not pay attention to the CDF during its first ten years of operation, central government slowly but steadily increased its commitment and constantly raised the amount allocated to the fund. Eventually, the CDF has reached a funding capacity which could not be ignored by the public anymore since in some regions the CDF increased local government budget by more than 100% and thus became the main source of income and operation of decentralized local governments in Zambia. Complaints of corruption and mismanagement by citizens and the media increased and discredited the CDF after it has been spotlighted by the public. This circumstance raised questions of decentralized governance. This paper thus aims to answer the question '*What causes mismanagement and corrupt practices in the CDF system?*'. I will answer this question by drawing back on two theoretical concepts, namely decentralization and local governance.

On the one hand, I will argue that the CDF governing rules facilitate mismanagement, intransparent operations, citizen exclusion and oversight deficits. On the other hand, I will demonstrate how political interests, lack of civil society knowledge and capacities, and non-adherence to the rules promote governance problems of the CDF as consequence of the weak CDF rules system.

This paper consists of five chapters (excluding the methodological chapter) addressing the above mentioned governance problem of the decentralized development fund in Zambia. The first chapter *Decentralization and Local Governance* theoretically sheds light on different types, purposes and problems of decentralization measures. This theoretical discussion contributes to a sound understanding why policies aiming at decentralization have to be implemented carefully and require a sound analysis of locality, for instance power-relations of involved stakeholders. The second part of this first chapter theoretically deals with the governance concept by discussing four governance principles, namely transparency, participation, accountability and equity. The CDF in Zambia will be assessed along these concepts.

The second chapter *Decentralization and Local Governance in Zambia* is more than just a historical background. The brief review of central decentralization measures in Zambia from the time the country gained independence provides an empirical framework by demonstrating patterns, motives and problems of de facto decentralization in Zambia during the past 45 years.

The CDF in Zambia: Governing Rules and Implementation is the title of the third chapter and consists of two parts. The first part critically analyzes the CDF underlying rules which are supposed to govern CDF operations on the grounds. Beside its descriptive function of the CDF process and functions of various stakeholder involved, the chapter critically examines the meaning of existing rules and areas in which rules are not defined. The second part is an examination of CDF operations in selected constituencies in Zambia. These operations are analyzed in respect of transparency, participation, accountability and equity and the chapter thus identifies empirical interdependences between those concepts. This part is based on the findings of a field research which was conducted from February to June 2012 in Zambia.

In the fourth chapter I will discuss possibilities to improve CDF operations by making it more transparent, inclusive and by improving accountability relations to spur oversight mechanisms. This can only be done in a comprehensively manner and thus, I will apply a multilevel strategy which aims at including various stakeholders on each level of the decentralized political system.

The fifth chapter will eventually conclude this paper.

2 Methodology

The aim of this research paper is to conduct an assessment of the governance of the CDF in Zambia. It thus tries to identify interaction mechanisms and relations between government and civil society in regards to *de jure* and *de facto* situation. The theoretical part contributes to a deeper understanding of governance determining elements and also raises awareness of problematic aspects of governance. It further provides a first starting point to design the empirical part of this paper. The theoretical discussion is solely based on literature review and aims at not just introducing governance principles, but also to demonstrate the nexus between these principles.

Qualitative research is applied in this paper due to several reasons. Firstly, the intended mixed-methodological approach could not be realized due to reasons I will discuss below. Second, conducting interviews with all sorts of persons allows me to enter a very subjective level contextualized in time and place. Interview partners ideally offer a deep insight into their living environment and experiences in regards with the object of study, the CDF. Thirdly, interviewing persons who are exposed to the object of the study on a constant basis is necessary to gain knowledge regarding how CDF governing rules are applied, enforced and challenged at the local level. This serves to identify mechanisms and patterns of state-society relation, especially in a situation where little research has been undertaken. Only three research papers on the CDF in Zambia exist. Most literature found on the CDF is from Kenya where a lot of attention was paid to the topic.

2.1 The Dilemma of Planning & Conducting a Field Research

When I planned this research I was only theoretically and also not fully aware of the many problems I might have to deal with when conducting the field research and how some insoluble problems will affect the research. Initially, I planned to conduct a qualitative-quantitative survey using a 15 paged questionnaire. The survey intended to include different societal actors, e.g. NGOs, scientists, politicians, development consultants and practitioners. The survey design was designed similarly to the semi-structured interview guidelines, but included a 'quantitative part' in which participants had to rate CDF governance. Every rating had to be explained and justified, and thus I provided ten rows

for every rating to be used for explanation/justification. Almost 45 people were contacted either via phone, email or in person as long as they lived nearby. All of them but one NGO agreed to participate in the survey. Every participant received one soft copy¹ of the survey and those I visited in person were given a hard copy as well. It took almost three weeks to contact and send the surveys to all the participants. Unfortunately, the response was very poor. Until now, only five surveys were sent back. Five surveys do not offer any adequate basis for quantitative research. However, the design of the survey was almost the same as the design of the interview guideline, and thus, I will consider them as email interviews.

Another challenge also derived from unreliable interviewees. Some interviewees with whom a meeting was arranged and confirmed² did not attend the interview. Some of them could be contacted later and a new meeting could be arranged. Others did not pick up the phones or returned phone calls, and thus, were obviously not willing to be interviewed. However, this aspect was very time consuming and also costly.

Another time consuming and cost causing factor was the distance I had to travel to the interview meetings. During the field research I travelled almost 4000 kilometers in only two months

2.2 Limitations of the study

The above mentioned distances I travelled and unreliability of some interviewees stopped me from conducting the number of interviews I initially planned to do. Especially in the case of Chongwe where most councilors are farmers and live on their farms which were located up to 70km off main roads without available public transport. Thus, I was only able to conduct three interviews in Chongwe Constituency and three in Kafue Constituency. In Chongwe, the District Council was not able to provide contacts of any member of the Ward Development Committees (WDC). That's why I interviewed the Managing Director of a locally based NGO named Chongwe District Farmers Association

¹ The soft copy was designed in a way that participants could only write in specific fields and tick boxes. The rest of the document was secured by a password, so that no participants were able to change the format or the content of the document.

² The interviews were usually confirmed in the morning of the same day it was supposed to take place.

(Chongwe DFA) which was engaged in policy work around the CDF funded by the Zambian Governance Foundation (ZGF).

2.3 Place and Quality of Research

Initially, the field research was planned to be conducted in three different places in Zambia, namely Chongwe, Lusaka and Chipata District. These districts were chosen due to several reasons. Firstly, the Districts' constituencies offered political variety since all three popular political parties, namely *Patriotic Front* (PF), *Movement for Multiparty Democracy* (MMD) and *United Party for National Development* (UPND) are found ruling in constituencies. Secondly, the Districts cover three different socio-economic/-geographic environments: rural, semi-urban and urban with poverty levels ranging from very high to low within Zambia. While Lusaka can be considered the financial capital in Zambia (UN-Habitat 2007: 12), economic environment in Chipata and Chongwe District are quite different. While both District are categorized as farming areas, trading in farm products are very different. While trade in Chipata is flourishing due to its geographical location at the border to Malawi and due to the fact that Chipata has very fertile land, most small-scale farmers in Chongwe are subsistent farmers selling their products on the very competitive local markets (Chongwe District Council *undated*: 1ff.).

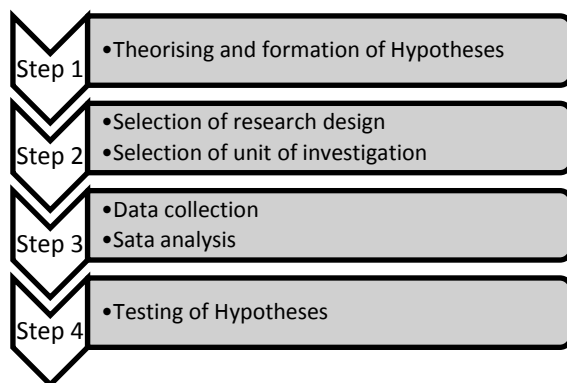
However, financial constraints limited my ability to travel in Zambia and thus I had to substitute Chipata District with Kafue District³ due to its near distance from Lusaka, and due to its similar political and socio-economic environment as Chipata. Kafue District is also of great interest because it was considered as best-practice example in CDF management by The Government of the Republic of Zambia (GRZ). Chongwe, on the other hand, experienced severe problems in managing and utilizing CDF funds. My decision to choose Districts with the above mentioned characteristics also derived from the idea of selecting Districts which are somehow representative for the whole country, knowing this representation is limited by only researching in 7 out of 150 constituencies in Zambia.

³ Kafue District contains of two constituencies, namely Chilanga and Kafue. However, the Zambian president recently announced Chilanga as a new District due to administrative purposes. Since this research focuses on the period of 2006-2011 Chilanga is counted as a constituency here.

2.4 Research Agenda

Research agenda refers to the procedure the various research activities are undertaken.

Figure 1: A linear research approach

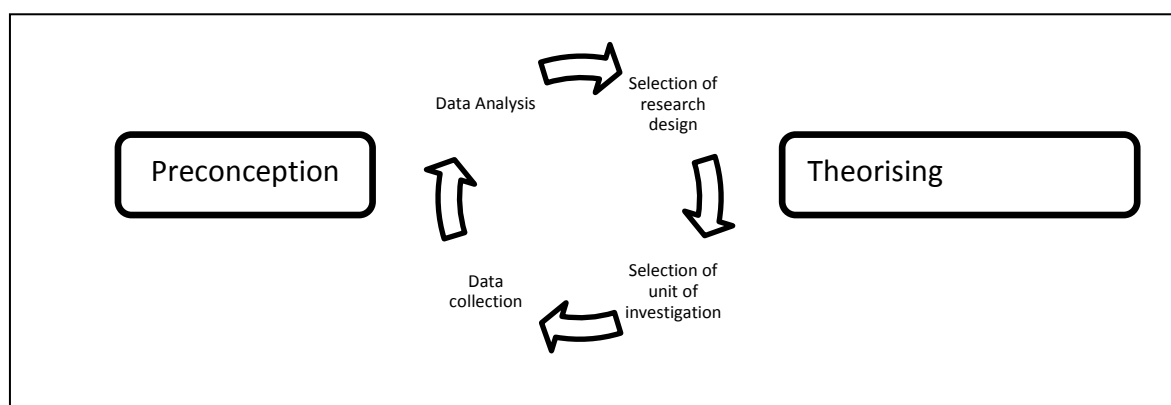


Source: Hablmayer (2010)

While quantitative research usually follows a precisely pre-defined linear procedure in which one step follows the next, this qualitative research employs a circulating procedure. A circular approach means that the next step on the agenda is influenced by previous results. The two images

illustrate the fundamental difference between these two approaches. The circular character refers to an approach in which newly collected information influences the next step of the research. For instance, if a researcher realizes that he/she cannot collect specific information through carrying out interviews, he/she should analyze the interview questions and the sampled interview partners and might adapt the next time. Thus, a qualitative circular research approach allows the researcher to adjust the next step in respect of newly acquired data or information. The more information is collected the closer a researcher gets to the goal of being able to explain a specific (social) phenomenon.

Figure 2: A circular research approach



Source: Hablmayer (2010)

2.5 Research Design

De Vaus (2001: 16) states that research design should not be understood as the same thing as data collection tool, e.g. interviews. The design of a research is strongly related to the research question someone tries to answer by conducting a research. Thus, the design of this research is connected to the question *What am I trying to answer?* And not *How am I trying to answer?*

Therefore, this study is an explanatory study which focuses on the *WHY?* Explanatory research always includes descriptive research as it is a necessary precondition to be able to explain casual relationships between observed phenomena. A further design aspect of this research is its explorative character. Explorative research is usually applied when only little is known about the object of research (Hiermansperger/Greindl *undated*: 3). Thus, employing a qualitative research approach here is useful since the research tries to formulate explanations of a social phenomenon.

Almost no research on the CDF in Zambia is available, and thus, to find the right instruments to collect new information and analyze it is crucial for the success or failure of an explorative study. I decided to employ semi-structured interviews as a tool for data collection which I will describe further below. Now, the difference between research design and a tool for collecting data is obvious. "Research design refers to the structure of an enquiry: it is a logical matter rather than a logistical one." (de Vaus 2001: 16)

2.6 Data Collection

2.6.1 Structured Sampling for Validity

Sampling refers to characteristics of interviewees participating in the research. A roughly defined pool of potential interviewees is defined by the research topic. But in order to increase validity it is important to specify the characteristics of interviewees and why they are chosen. Structured sampling is an essential part when designing field research since the sample design influences the interviews validity negatively or positively. Structuring the sample of interviewees aims at creating a balance of characteristics distribution of

interviewees. For instance, I included a broad range of actors who are directly or indirectly involved in the CDF. Most important characteristics which were considered when designing the research sample were: local politicians as members and as non-members of the Constituency Development Committee (CDC); citizens as members and as non-members of the CDC; political affiliation and political relation between interviewees; citizens as members of the Ward Development Committee. Unfortunately, I could not conduct any interviews with Members of Parliament (MP) since the MPs of the constituencies this research was conducted are the Minister of Tourism (Chongwe Constituency), Minister of Local Government, Deputy Minister of Trade and Commerce (Chilanga Constituency),

2.6.2 Semi-Structured Interviews

Semi-structured interviews belong to the group of guided interviews. Guided interviews can be categorized regarding their closeness or openness. It can be differed between structured, semi-structured and unstructured interviews. While structured interviews contain predefined answers of which the interviewee has to choose from, and unstructured interviews are akin to be 'small talk', a semi-structured interview offers enough freedom to the interviewer to deviate from the interview guideline, for instance, if things are unclear, or the interviewee wants to narrate contextual knowledge (Stangl 2012). Additionally, the interviewer has the possibility to adjust to the direction of the interview, e.g. the interviewee chooses to talk about a topic which was placed at last topic in structured interview. Semi-structured interviews also allow the interviewer to 'dig deeper' when sensitive but interesting issues are suddenly mentioned by the interviewee. As long as all important topics are covered, the interviewer does not have to stick to the interview guideline. Corbetta (2003: 270) states,

"The order in which the various topics are dealt with and the wording of the questions are left to the interviewer's discretion. Within each topic, the interviewer is free to conduct the conversation as he thinks fit, to ask the questions he deems appropriate in the words he considers best, to give explanation and ask for clarification if the answer is not clear, to prompt the respondent to elucidate further if necessary, and to establish his own style of conversation."

Semi-structured interviews are generally closely linked to the theoretical concepts the interviewer uses in his research. The interview guideline thus contains questions regarding the governance pillars discussed in the theoretical part of this paper. They “offer topics and questions to the interviewee, but are carefully designed to elicit the interview’s idea and opinions on the topic of interest, as opposed to leading the interviewee toward preconceived choices.” (Zorn 2003: 1)

2.7 Data Analysis

After the interviews were conducted a researcher finds him-/herself in front of mountains of information which need to be analyzed systematically to finally distill the collected information into explanatory, meaningful content. Thus, qualitative data analysis refers to a wide range of different analytical processes which ideally lead the researcher to explanatory outcomes of the collected and analyzed material. I decided to apply a method called content analysis to the data I collected.

2.7.1 Transcript of Interviews

The first step of analyzing the collected data is to transcribe it. Transcription means to change the format of electronically collected data (spoken words) into written data (text). The transcript of collected data can happen in many ways. Due to the quantity of the recorded data I decided to employ a record-based analysis. That means that the recorded data is not fully transcribed, but rather partially. In order to make the process of transcribing easier I took notes during the interviews which indicated a change of a topic in relation to the time of the interview. The partial transcription of the interviews is the preparation for the actually data analysis.

2.7.2 Content Analysis

While the commencements of content analysis date back to the 19th century when some sort of hermeneutic approaches were applied to analyze all sorts of popular texts such as

newspaper, adverts, speeches, etc. (Elo/Kyngäs 2007: 107; Mayring 2000: 2) the method at hand was mainly developed in the 1980s.

As a qualitative method content analysis does not solely focus on the physical content (here, the transcription of the interviews) as its name may suggest. Content analysis understands a text as a world of various layers of information which are somehow related to each other. Thus, contexts in which the physical material is embedded needs to be considered and analyzed as well. "Content analysis is a research method for making replicable and valid inferences from data to their context, with the purpose of providing knowledge, new insights, a representation of facts and a practical guide to action." (Krippendorff 1980; cited in Elo/Kyngäs 2007: 108)

Mayring (2000: 3) draws attention to basic principles of the process of content analysis. The focus of content analysis is on reducing the material in a way that in the end the most important information is distilled from the raw material. The process of doing so begins with *paraphrasing* the material. This first step aims at excluding data which is not important, which was repeated by the interviewee and at correcting the important data regarding grammatical and verbal aspects.

The second step is called *generalization* at which end general remarks should be identified on the level of abstraction defined by the earlier agreed on working hypotheses (cf. Hiermansperger/ Greindl *undated*: 7). The third and fourth step is *reducing* paraphrases to those of momentous character. While the described procedure is a purely inductive process of generating categories, the approach I chose was a mixed deductive-inductive approach. Some of the categories were predefined due to the study's theoretical embeddedness. I thus applied predefined categories on the transcribed material. A purely inductive approach is mostly applied when no categories, variables have been defined, and thus the process aims to distill them. Whereas a mixed inductive-deductive approach "is directed content analysis, in which initial coding starts with a theory or relevant research findings. Then, during data analysis, the researcher immerses her-/himself in the data and allow themes to emerge from the data." (ibid.: 2) This approach allows the researcher maximum freedom during the research process in a way that the procedure is more circular then linear. While an inductive research procedure goes linearly from *data collection* → *data analysis* → *generating theory*, a mixed

approach can vary its steps and reacts to specific circumstances during the research process. Thus, I began with a deductive approach with which I defined categories related to and deducted from the analytical framework of local governance/decentralization. During the process of data analysis more categories evolved from the material so that a circular work process between theoretical aspects and empirical findings influenced each other.

3 Decentralization and Local Governance

3.1 Decentralization

This chapter deals with purposes, forms and problems of the complex concept of decentralization. It aims at pointing out the important factors which in combination with the concept of governance are essential for the assessment of the CDF in Zambia. Thus, this chapter does not claim to be a comprehensive discussion of the current academic discourse of decentralization, but rather focuses on aspects playing a crucial role regarding the purpose of this paper.

I will begin by examining the term 'decentralization' and will point out some terminological issues of the concept and its contextual character. It will be followed by a brief description of different forms of decentralization. Though acknowledging the many existing forms of decentralization, only those of importance to the research topic will be discussed here. I will then discuss some main motivations for decentralizing a political system and also common pitfalls which can have a negative impact on decentralization outcomes.

3.1.1 Terminological Issues

A varying number of forms, motives and measures of how to re-locate the remits and/or political and fiscal decision-making power of a centralized political system to its subordinated units hide behind the concept of decentralization (Agrawal 1999: 56). In the context of its cross-disciplinary character, attempting to find a universally accepted definition of the concept of decentralization is moribund. Dubois and Fattore (2009: 706)

examined definitions of decentralization which evolved since Second World War. Though some definitions have been quite different, all of them were applicable in their own context. Thus, I rather concentrate on important elements of decentralization, which are of specific importance to assess decentralization measures in the context of local governance and the CDF in Zambia.

Decentralization cannot be cooked by following a recipe ignoring local ingredients. It rather requires a politico-economic assessment of local needs, institutions and capacities to find out the extent to which a decentralization policy can be implemented. A decentralization policy which plans to fully decentralize at once – taken to extreme – is likely to fail on the same day it is implemented (Rondinelli et al. 1989: 59). Thus, it is somewhat likely that initially different types of decentralization co-exist and some sectors are more decentralized than others.

3.1.2 Typologies

Studies on decentralization illustrated abundantly the many different types of decentralization. These types are above all different in extent of their transferred administrative and decision-making competencies to sub-national levels. However, I will only discuss those of importance in context of the CDF in Zambia, and thus, offer a brief discussion of *deconcentration, fiscal decentralization and devolution*⁴ (Manor 1999: 5).

3.1.2.1 Deconcentration

Deconcentration describes a political form of organization in which specific work areas are transferred to sub-national government authorities. Characteristically, central government mainly deconcentrates administrative tasks to local branches of government ministries, departments, and more the like. “In this form of decentralization, subordinate lower units of the central government [...] have very limited authority and independence

⁴ Agrawal (1999), Manor (1999) and Dubaois/Fattore (2009) draw attention to the fact that rarer types of decentralization are ruthlessly neglected in the majority of literature. I also do not see any reason to discuss them since they do not matter to the paper’s research topic. However for the sake of completeness I want to mention them at least. Those are *silent decentralization, unintended decentralization, privatization and delegation*.

in policy formulation, decision making, financing and resource management.” (Job/Kathola 2011: 3)

Local government officials are not elected democratically which makes their performance non-assessable to those who are directly affected by it. Their performance if at all can only be measured and evaluated by central government which can turn out to be a very costly and difficult task. Thus, Rondinelli (1989: 76) describes *deconcentration* as the weakest form of decentralization. Some scholars urge to clearly separate the term *deconcentration* from *decentralization* since decentralization should always include the transfer of power (Rüland 1993: 185). Manor (1999) draws attention to the fact that deconcentration only or in combination with fiscal decentralization can actually lead to centralization. He argues that accountability in deconcentration only exists between central government and its sub-units at local level. Thus, deconcentrated government authorities lack local rootedness and therefore remain disconnected from local citizens. Job and Kathola (2011: 3) further argue that the

„[...] offices and employees at the local level fall under the jurisdictional authority of the central government, employees respond to the central government’s direction and control even though they work at the local level. Thus staff accountability is upwards to the central government that employs, hires, motivates and dismisses them.”

In sum, deconcentration refers to the transfer of mainly administrative tasks to sub-national units of central government assigned by central government. Political and fiscal decisions cannot be made autonomously from central government and downward accountability does not exist. That makes deconcentrated forms of political organization appear to be mainly an extension of central government to local levels without transferring any relevant powers to them.

3.1.2.2 Fiscal decentralization

Fiscal decentralization refers to a specific set of fiscal policy principles in order to move fiscal decision making authority to lower levels of central government to support decentralization policies. Chitembo (2009: 2) observes that “financial arrangements [are] put in place to support decentralization in the form that finance follows functions.” A

fiscally decentralized system allows government sub-units to make decisions in both financial and budgetary regards. However, as much as local units are allowed by central government to make decisions, the much they can be restricted by it. The extent of fiscal decentralization is, among other things, demonstrated by local government's share of tax income of consolidated tax revenues. Another indicator is local government's income ratio of national ordinary revenues (without transfers by central government) (DIW 2003⁵; Prud'homme 2003: 18). However, to take income indicators in account only can be misleading. If local government spending is massively restricted by central government the former cannot be considered as being independent because tax and fee collection of public goods is solely an administrative process without any decision making power. Such cases are better referred to as *fiscal deconcentration*. In context of fiscal decentralization similar problems occur as with deconcentration. Both decentralization measures do not really aim at establishing democratic structures at local level, but rather at relocating central government's control to local levels of the political system.

3.1.2.3 Devolution

The concept of *devolution* (or *democratic decentralization*) describes a process in which "resources and power (and often, tasks) [are transferred] to lower level authorities which are largely or wholly independent of higher levels of government, and which are democratic in some way and to some degree." (Manor 1999: 6) Ideally, mechanisms which support active grassroots participation in specific political arenas are put in place to ensure that local democracy goes beyond the walk to the ballot boxes. This can be realized, for instance, through establishing community committees on the local level or community representing committees on district or provincial level. Characteristic for this kind of decentralization is the legal autonomy of local government what in turn enables it to collect revenues and do public spending independently from central government (*fiscal devolution*).

Devolution prerequisites the existence of adequate administrative and financial capacities, so that transferred decision making authority can be applied accordingly.

⁵http://www.diw.de/deutsch/wb_23/03_fiskalische_dezentralisierung_und_wirtschaftswachstum_in_reich_en_oecd_laendern_gibt_es_ein_optimum/31092.html#HDR1 (zugriff 3.11.2011)

Therefore, local authorities find themselves in a situation in which they have to maintain their financial independence⁶ from central government authorities. If they are able to do so local authorities can prepare their own budget what in turn ideally enables them to respond to local needs more efficiently. If this is done in a transparent and accountable manner local authorities will gain acceptance from local citizens (Fünfgeld 2004: 21) who in turn will recognize local government units as an important authority which is responsible for quality public service delivery and also as an authority which allows them to participate in local issues (Rondinelli 1983: 25).

3.1.3 Purposes of Decentralization

3.1.3.1 Administration purpose

In highly centralized political systems administration processes take place in spatial difference regarding their origin and their designation. The said spatial distance implies additional time, money and coordination because the paths of administration are much longer than in decentralized bureaucratic systems. In addition, the responsiveness of central government to local needs take longer. Administration-wise, so it seems, many reasons exist to decentralize.

Decentralization policies aim at reducing the spatial distance, for instance, by moving decision-making procedures directly to the respective administrative level where need for regulation exists (Fünfgeld 2004: 22f.). Beside improved local accessibility to the administration system, increased responsiveness and decreased financial burden for central government (only if the local capacities, e.g. qualified staff, will not cause higher expenses⁷), even central government's bureaucracy will be relieved. If the required capacities for successful decentralization cannot be found at local level central government shall not consider this as a good enough reason against decentralization. Decentralization policies should include staff training to also decentralize well trained and highly qualified staff to sub-national levels (Rondinelli 1983: 11).

⁶ The ability to collect enough revenues from taxes and fees to remain independent.

⁷ The initial cost will be probably higher if staff members have to be trained. Eventually the cost will be reduced after some time.

Moving planning, management and decision making authority to the local level should be seen in the light of increasing interregional imbalances regarding social development and poverty levels. For instance, the Zambian NGO *Civil Society for Poverty Reduction* (CSPR) red-flagged the huge differences in urban and rural poverty in Zambia. According to CSPR 85% of Zambia's rural population live in poverty while urban poverty counts 34% (Lusaka Times 31.03.2010). A sound decentralization policy can increase government's knowledge of development influencing aspects at local levels, e.g. environment, socio-demography, physical and social infrastructure, etc. which in turn can be used more efficiently by local government. „When decentralization is seen as a strategy that makes the achievement of various social aspirations more efficient, the argument hinges on more effective use of information.” (Agrawal 1999: 56) Newly acquired knowledge of local characteristics shall translate into demand-driven public service delivery frameworks of local government.

3.1.3.2 Economic Purposes

It is often argued that decentralization results in a number of economic benefits. Prud'homme (2003: 19f.) identifies three policy areas on which decentralization has a significant impact: *economic efficiency* (allocative and productive), *macro-economic stability* and *income distribution*. However, I will only briefly discuss economic efficiency and income distribution, since macroeconomic stability goes beyond the scope of this paper.

On *allocative efficiency* he argues that that the local population's welfare can be increased by moving output-consumption structures towards a locally preferred service delivery. Decentralization can do so by receiving reliable information about people's need (ibid.: 19). The World Bank observed that improved allocative efficiency in Uganda and the Philippines depended on the willingness of local government officials and the extent of devolved authority to lower tiers of government. While it was found that lower level officials knew more about local preferences they were not given the necessary authority to change output-consumption structures and thus failed to allocate resources more efficiently (World Bank 2001: 2f.). Thus, the extent of decentralized authority is an important factor to transfer local knowledge into allocative efficiency gains.

The *productive efficiency* argument simply says that through decentralization more output can be produced by using the same input or the same output is produced with less input. Again, the World Bank (ibid.: 2) argues that decentralization lowers the risk of corrupt transactions, and thus in turn productive efficiency will increase. However, this will only be the case if local participation, local government transparency and effective accountability systems are put in place effectively (Manor 1999: 91f.).

Income redistribution aims at reducing inter-regional income imbalances. This is found in many countries in the world, for instance, in Germany where socio-economic indicators between the eastern and the western part of Germany still vary significantly (Statista 2012). However, these imbalances are often more drastic in developing countries where finances, economic activity and employment are often concentrated in capital cities. Redistributing income can be realized by specific inter-governmental transfer systems which allocate government revenues from richer to poorer regions in a country (Prud'homme 2003: 20).

3.1.3.3 Political Purposes

Beside administrative and economic purposes to decentralization which are closely connected to each other, there are also political reasons in support of decentralization. By moving political decision making authority to sub-national levels of a political system it is hoped to increase political stability in the country. „A variation on this theme has been decentralization as an outcome of long civil wars, as in Mozambique or Uganda, where opening political opportunities at the local level has allowed for greater participation by all former warring factions in the governance of the country.” (World Bank, *undated*)

Ideally, democratic decentralization allows local citizens to participate in decision making procedures and thus contributes to efficient demand-oriented resource utilization of local governments (Agrawal 1999: 58ff.; Fünfgeld 2004: 24f.). Especially marginalized social groups have better opportunities to make their voices been heard. „Such a view of decentralization can give deeper meaning to the concept of democracy. Decentralization changes the opportunity structures for participation, and makes available to citizens multiple channels through which to access and shape governance and the exercise of power.”(Agrawal 1999: 58ff.)

However, automatism between decentralization, participation of the local citizenry and increased responsiveness of local authorities does not exist. Participation⁸ can lead to increased responsiveness when effective accountability systems are in place. The effectiveness of accountability system largely depends on incentive structures which should enforce appropriate government activities⁹. „Tracking the impact of participation involves assessing the operation of accountability mechanisms, both internally within local institutions [...] and externally in relations between local institutions and the public [...].” (Crook 2003: 79) In this context, Crook refers to accountability as not just simply increasing the volume of citizens’ voices, but increasing the reception of government officials. (ibid.)

Through decentralization central and local governments are able to increase their political legitimacy if they enhance responsiveness what can be understood as the “congruence between community preferences and public policies” (Fried/Rabinovitz 1980; cited in Crook 2003) If community feels like their preferences have been heard and addressed is best examined by representative field surveys. As demonstrated above, Decentralization has many purposes and as many reasons in support of decentralization policies are in existence. However, in the end it is a highly political matter and its success depends on central government’s commitment to implement decentralization plans (Agrawal 1999).

3.1.4 Pitfalls of Decentralization

Decentralization is a controversially discussed policy measure. As many reasons one can find in support of decentralization, as many can be found against. It is a discussion which is embedded in the conflict of theory versus practice. The expectations raised by the theoretic concept of decentralization have not always been vindicated (Crook 2003). In most cases failed decentralization was rather connected to the way decentralization policies were implemented and to central government’s support instead of to decentralization being a faulty concept. Thus, many circumstances exist which hinder implemented decentralization plans to yield fruits. The below discussed problems are thoroughly selected in regards of their importance for the analysis of the CDF in Zambia.

⁸ I will discuss the concept of participation its enabling and disabling factors below.

⁹ Issues of accountability will be addressed further below.

3.1.4.1 Initiators of Decentralization

A crucial factor influencing the success of decentralization is connected to its initiating actors. Ideally, decentralization should be rooted in local initiatives. However, in most cases central government and external actors like international donors are the driving force to shift competencies to sub-national levels. This in turn can lead to a situation in which central government cancels implementations plans when donors are satisfied or when decentralization disappears from the donor's agenda. If decentralization is solely driven by central government its commitment is crucial for its extent and success (Agrawal 1999: 61).

In turn, if decentralization is demand-driven by local initiatives the latter can increase political pressure by interregional collaboration. However, even if decentralization is driven by local forces, eventually it is central government which decides to what extent the political system will be decentralized. Thus, local forces should try to collaborate with actors on the national level who are in support of decentralization to develop and implement a sound decentralization strategy.

3.1.4.2 The Problem of Opportunistic Local Elites

As mentioned above, decentralization does not automatically translate into improved civic participation, and even if, participation does not automatically translate into better responsiveness of local government to local needs. Thus, shifting power from central to local government institutions does not necessarily go in hand with increased local accessibility to the latter. If shifting power translates into increased spaces of local participation those newly created spaces run into danger to be occupied by local elites (Gaventa 2004: 32). This phenomena is referred to as 'elite capture' "where resources transferred for the benefit of the masses are usurped by a few, usually politically and/or economically powerful groups, at the expense of the less economically and/or politically influential groups." (Dutta 2009: 3) For instance, in a field study of participatory development initiatives in Cameroon and Nicaragua, Bastiansen et al. (2005) observed that local elites occupied spaces of participation by 'representing' local citizens to eventually

become the project's beneficiaries. In this case, the elite used their position as community representatives to award themselves contracts for supplying of project material. Even though the community benefitted from the project in some way, the local elite benefitted the most from it (ibid.: 2005). This is a quite devastating example of how elite capture influences well-intended community projects. There are a number of cases which demonstrate a positive correlation between decentralization, participation and improved public service delivery and responsiveness (Gaventa 2003: 32). Therefore, these contrary findings draw attention to examine local contexts – e.g. information asymmetries, socio-economic and cultural conditions, access to power, etc. – to identify the reasons for elite capture of participatory spaces and the measures ordinary local citizens can apply to use the newly created spaces for their own benefit.

3.1.4.3 The Problem of Adequate Resources

The already mentioned commitment of central government to decentralization refers to more than just political rhetoric strategies by national level politicians. Here, commitment refers to very practical issues, which – depending on the extent of commitment – either hinder or contribute to successful decentralization, such as adequate financial and human resources (Rondinelli et al. 1983: 69).

Financial Resources

Adequate financial resources for local government units are an absolute precondition for successful decentralization. Public investment for improved service delivery and adequately paid staff members of local authorities affect the effectiveness and efficiency of local governments. Capital endowment of local governments depends on the strength of the local-economy and intergovernmental fiscal transfers (Rondinelli 1983: 69ff.). However, this is a quite simplified view but it helps to analyze these two aspects separately before analyzing their intertwingularity in the empiric part of this paper.

The extent of locally sourced financial resources is among others determined by the extent of economic activity which is a source for taxes and fees, the so called local tax base. Inter-regional economic disparities also result in unequally distributed revenues for

local tiers of government. Obviously local tiers of government would not be able to deliver satisfactory public services and goods only financed by locally sourced revenues. Inter-government transfers shall equalize these disparities, e.g. by using progressive tax systems and poverty head count ratio formula to redistribute the country's wealth from poorer to richer regions to spur social and infrastructural development nationwide.

However, local government's possibility to raise and spend revenues locally can also be negatively affected by central government's tax policies (The Post Newspaper 04.11.2009). For instance, if local governments have an adequate local tax base central government can determine if and what kind of taxes and fees local tiers are allowed to keep and spend. In some cases, central government orders their local counterparts to submit most of locally raised revenues. It thus depends on the central government's commitment to decentralization how much will be transferred and on what criteria the transfer is based on.

Beside these types of fiscal transfers central government also provides additional grants. In Uganda, for instance, these grants accounted for 87.8 per cent of transfers to local governments. Muhumuza (2008: 71) observed that these grants were quite problematic because conditions attached to them caused a higher workload of local government officials and also led to increased upward accountability structures and thus threatened "the essence of devolution" (ibid.: 71.). Other countries in which central government grants are the main source of funding local expenses are Nigeria, Botswana, Swaziland, Zimbabwe and Tanzania. In every one of these countries the grants "erode local political authority, decrease incentive and opportunity to engage in a local political process by grassroots and, over time, inhibit development of a stable resource base for local governments." (Wunsch 2001: 284)

Human Resources

The availability of adequate human resources at local level is in many reasons a crucial factor for the success or failure of local government ability to deliver quality public services and manage public affairs. In many developing countries which experience urban bias qualified staff is located mainly in the capital and other, often few urban settings. Central government agencies, ministries, etc. and private sector employment are more

attracting to civil servants than their decentralized bodies. Other reasons might be a nation-wide lack of trained personnel as it was the case in Sudan which also affected central government agencies (cf. Rondinelli 1983: 69).

In other cases local governments employ sector specialists to carry out planning and implementation of development projects. For instance, an agricultural scientist has a vast knowledge in his field, but does not necessarily have a deep understanding of monitoring project activities. Such activities require project management training for projects to be managed in an efficient and effective manner.

Beside from the fact that many people simply prefer to live in urban environments some local governments also fail to pay civil servants' salaries and are unable to engage their staff members in capacity building activities when financially ill equipped. Thus, civil servants and local managers need to be given incentives to move and stay at the local level or local government units will constantly be in danger of brain drain (Zambian Economist 30.03.2012).

Lack of skilled civil servants does not just affect the quality of decentralized planning and management of local government activities it can also erode the authority of local politicians (Wunsch 2001: 281) and furthermore even the extent and quality of public participation. Authority or legitimacy of local politicians is closely connected to issues of what they were able to change for the electorate. If local administration does not have the capacities for efficient problem identification, project planning and implementation, local politicians are likely to lose credit.

There is a controversial debate about how and when capacity problems should be solved. Some support the view that with time local capacities will develop and thus it would be best to wait to decentralize. Others negate this view and argue that decentralization and capacity development is a simultaneous process, and lack of human capacity is a poor argument not to devolve power. Kauzya (o.J.: 7), for instance, uses an analogy of a football team to support this argument:

"It is impossible to build the capacity of a team if the team is not constituted in the first place. It is not possible ever to build the capacity of local governments if local governance structures are not put in place within a clear policy that provides for, among other things, building local governance capacity. How would the capacity of a local council, a local

executive committee, a local community development Non Governmental Organization, a local development planning committee etc, develop if such structures were not constituted in the first place?" (Kauzya o.J.: 7)

3.2 Local Governance

Although the term 'governance' evolved from the field of economics in present days it is more related to political science (Benz/Dose 2010: 12; Schuppert 2008: 14). 'Governance' is a diluted term of which no commonly accepted definition exists. However, Benz (2014: 12) observe that this circumstance should not keep social science from using this relatively new concept since that problem refers more to the complexity of the social world than in scientific inaccuracy. Contrary to the technocratic governance understanding of the World Bank who introduced the term in development discourse in the 1989, this paper understands governance in reference to Graham et al. (2003: 1):

"Since governance is not about government [...] it is about how governments and other social organizations interact, how they relate to citizens, and how decisions are taken in a complex world. Thus governance is a process whereby societies or organizations make their important decisions, determine whom they involve in the process and how they render account."

When governance refers to a process of governing it is the rules which determine the process and the process itself which are of importance to be analyzed, also in respect of their interconnection. Since no commonly accepted definitions of governance exist I decided to choose four governance principles which will be analyzed in the context of the CDF in Zambia. These are transparency, participation, accountability and equity which are discussed further below. The spatial adjective 'local' thus only refers to the above described aspects in the context of local affairs, as it is the case here, the Constituency Development Fund. It also implies the prerequisite of existing decentralized government structures.

3.2.1 Transparency

For some decades economists have been arguing that information is necessary for profitable economic transactions and therefore necessary for a well-performing economic

system. Similarly, though not referring to economic issues, in 1598 the English philosopher Francis Bacon wrote: "Knowledge itself is power!" And James Madison, one of the founding fathers of the USA wrote: "A popular Government without popular information or the means of acquiring it is but a Prologue to a Farce or a Tragedy or perhaps both. Knowledge will forever govern ignorance, and a people who mean to be their own Governors, must arm themselves with the power knowledge gives." (James Madison, Letter to W.T Barry in 1822; cited from www.democracyweb.org)

However, the degree of knowledge depends on the accessibility and the quality of shared information, which can be called *transparency*. Kaufmann defines transparency as the "increased flow of timely and reliable economic, social and political information, which is accessible to all relevant stakeholders." (Kaufmann 2002, cited in Bellver/Kaufmann 2005: 4) Transparency, or issues closely related to it, was and still is the subject of many political thinkers of then and now. From Jeremy Bentham, John Stuart Mill to Amartya Sen, all of them consider transparency as a central mean of either public scrutiny or *development as freedom* (Stiglitz 2002: 30). Transparency as the quality, extent and accessibility of shared information is of peculiar importance in the context of political processes. It is not only the prerequisite for an effective system of checks and balances. It is also a good in itself in the context of information ownership (Stiglitz 1999: 7). Jeremy Pope argues, that

"[...] all information belong to the public. For unless there are compelling reasons why it should be withheld, information is held in trust by a government [or public officials] to be used in the public interest. [...] If the reverse position is adopted – the starting point being that information belongs to the State and is to be used in the interest of the government [or public officials] of the day – then any residual rights of the citizen will be of little value in advancing a democratic environment or informed debate." (Pope 2007: 133;)

On the one hand, the question of information ownership asks for the existence of a sound legal framework in support of transparent government, e.g. *Freedom of Information Act*. The 'Right to know' requires laws and policies which legally back up transparency and openness in government and public administration. It regulates the extent and quality of information being disclosed determines the mechanisms through which the public can get access information. However, though the GRZ is working on such a law it has not yet been

implemented in Zambia and thus government, public officials and civil servants are not legally forced to disclose any information, but it is left to their judgment whether to disclose information or not.

If political processes lack flow of information, it becomes difficult to detect a public official whose behavior can be seen as not according to the law or to certain rules or guidelines of political processes. This situation is considered as being an agency problem between those in power and those whom they are suppose to serve¹⁰ (Bellvere/Kaufmann 2005: 12). Thus, accurate and timely provided information to the public can increase the risk of public officials to get caught when acting corruptly or not following rules and guidelines. Publishing information offers citizens the possibility to get informed about the conduct of a public official. The latter is then 'in the spotlight' and many eyes can observe his behavior which in turn makes it more difficult for him not to act accordingly (Kolstad/Wiig 2009: 522f.). More transparent processes can thus be seen as an incentive to public officials to act in respect of the laws and regulations. However, the effectiveness of incentive structures depends on the enforcement of possible sanctions (Bellvere/Kaufmann 2005: 2). If sanctions are not soundly enforced it might lead to a situation of powerlessness of the "[...] 'power of shame', then its influence over the really shameless could be quite limited." (Fox 2007: 665; *emphasis in original*)

Though being an important function of transparency it should be seen as more than just a mean to scrutinize the conduct of public officials and sanction them if necessary. In fact, transparent decision making, budget formulation processes and governments' expenditure which are open to be reviewed by the public is a precondition to participate meaningfully in public life. It enables civil society to monitor government and public officials. Thus, a transparent government can contribute to build up trust and increase legitimacy of its decisions¹¹.

¹⁰ This can be between government and citizens, or public officials or citizens, or public official and government.

¹¹ As discussed in chapter 'Participation'

3.2.1.1 Transparency of decision making

The question of transparent decision making procedures asks for procedural fairness of those who make the decisions and thus are supposed to be held accountable for them. On the other hand, transparent decision making procedures can also protect decision makers of false accusations when, for instance a decision making process is recorded by taking minutes which can prove accusations wrong. It eventually builds up or strengthens trust between the public and decision makers. While some scholars argue that public decision making makes the public realize that not all decisions are made in a rational manner and thus the public would rather be disappointed (Grimmelikhuijsen 2009: 24). However, transparent decision-making does not only aim at generating trust but on examining control. This is even more important in situations in which mismanagement and abuse of public funds have been detected ex-post. An OECD-EU paper states: "On the one hand, they [openness and transparency] they protect the public interest as they reduce the likelihood of maladministration and corruption. On the other, hand they are essential for protecting individual rights, as they provide the reasons for the administrative decisions." (OECD-EU 1999, cited in Darbishire *undated*: 11)

3.1.2.2 The linkage between transparency and accountability

Above, I referred to Francis Bacon who in turn referred to knowledge as power. Correctly, Bacon should have said that knowledge carries the great potential in itself to evolve into power. The equation of knowledge and power does not work in the context of transparency and accountability. For transparency to evolve into accountability some specific criteria need to be met. Fox (2007) developed a conceptual framework to draw the path from transparency to accountability and thus 'puts the cart before the horse'. If the goal of transparency reform is the enhancement of accountability the first thing to do is to identify the accountability-holdee (ibid.: 666). The identification of 'who is to be held accountable?' determines the following strategies what to focus on. If a transparency reform aims at improving institutional performance through budget transparency "the [...] strategy [...] would focus more on the impacts of public spending: how agencies actually used the funds, and to what effect. This strategy requires both highly

disaggregated public-spending data and reliable, publicly accessible, third party policy evaluations.” (ibid.: 666)

The second aspect influencing the effectiveness of transparency reforms on accountability is related to the quality of information being disclosed: the type of disclosure. It can make a huge difference if information disclosed voluntarily or by legal obligation. If the disclosure of information is based on voluntary basis and the individual or institution disseminating information does not have to fear consequences if it lacks quality, information recipients need to assess information accuracy which entails further costs. Fox (2007: 667) distinguishes between *opaque* and *clear transparency* of which the former refers to

“information that does not reveal how institutions actually behave in practice, whether in terms of how they make decisions, or the results of their actions,”

and the latter to

“information-access policies and [...] programmes that reveal reliable information about institutional performance, specifying officials’ responsibilities as well as where public funds go. Clear transparency sheds light on institutional behavior, which permits interested parties (such as policy makers, opinion makers, and programme participants to pursue strategies of constructive change.”

If only opaque information is disseminated it will be necessary to transform this information into clear one. For example, if only highly aggregated data is disseminated to the public it makes it necessary to disaggregate this information to get a clear picture of all the details hiding in aggregation. This, in turn, requires a public which has sufficient capacities to do so. If these capacities are absent, the disseminating party does not have to fear to be held accountable.

Against the backdrop of capacities of the public realm, it is necessary to link the types of transparency to the types of accountability. Supposing clear transparency exists, either by having information disseminated in a clear manner or by having it processed by a capacitive public, a last question remains: how exactly can the public hold their agent accountable? In general, this is a question of efficient incentive mechanisms and thus

refers to the possibility to sanction which will be discussed in the next chapter. In sum, transparency is a central but insufficient precondition for accountability.

3.2.2 Participation

Participation has been linked to development practice for decades. During this period of time and still today the way participation has been understood and thus has been applied in practice differed a lot. In general, however, participants were considered as project beneficiaries whose stake in participation was limited to the project level. These limitations evolved to new understandings of participation which started to concentrate on power relations also. (cf. Cornwall/Gaventa 2001: 2ff.) This chapter serves to outline how participation is understood in the light of governance. In order to do so, I will briefly sketch the path which led to this understanding by discussing how different views on participation were applied.

3.2.2.1 Social and Project Participation

The need for participation in development activities was announced in 1970s when disillusioned development practitioners began to realize that their efforts were not yielding fruits and poverty levels remained high. The notion of post-war development was a top-down, thus government driven approach, “derived from the legacy of colonial rule, especially the planning systems of the late 1930s and post-World War period.” (FAO, *undated*) That kind of understanding of development which was supposed to be brought to the people by their governments did not consider any stakeholder involvement, but regarded the public as consumers of developmental efforts.

When participation was introduced into development practice in the 1970s it went along with the notion of ‘the excluded community’ and aimed at gaining “control over resources and regulative institutions in given social situations, on the part of groups and movements hitherto excluded from such control.” (Stiefel and Wolfe 1994: 5; cited in Gaventa/Valderrama 1999: 2) This kind of participation separated the social from the public sphere and was solely understood as means and thus can be called an instrumentalist view on participation. Examples for such participatory approaches in

communities are user/beneficiary committees which should have helped providers of social services to better understand community needs (Cornwall/Gaventa 2001: 3). A similar understanding of participation as means and where communities are viewed as beneficiaries played a crucial role in the 1980s. Back then participation was considered as a tool to improve the quality of development projects. This type of participation involved the community as a source of information (as described above), and also during every stage of a project cycle and thus the community was allowed to make decisions for themselves. The World Bank (1994) defined it as “a process through which stakeholders influence and share control over development initiatives and the decisions and resources which affect them.” Gaventa and Valderrama (1999: 2) observed that even if projects “[...] are funded by government participation within them participation was seen not as related to broader issues of politics or governance, but as a way of encouraging action outside the public sphere.”

3.2.2.2 Political Participation

Obviously, political participation refers to some kind of participation in which participants actually involve themselves in the public sphere. The concept of political participation is a broad concept and identifies activities such as going to the ballot box as well as influencing those who make the decisions through public meetings, private consultation, etc. being related to it (Smith 2003: 34). The following two definitions of political participation illustrate the broadness of it. Political participation can be seen as “those legal activities by private citizens that are more or less directly aimed at influencing the selection government personnel and/or the actions they take.” (Nie/Verba 1972: 2) Another view of it was offered by Day et al. (1992: 16) as he describes political participation as “taking part in the process of formulation, passage and implementation of public policies.”

A central characteristic for political participation can be illustrated along its underlying mechanisms of participation. “Traditionally in representative democracies, the assumption has been that citizens express their preferences through electoral politics, and, in turn, it is the job of the elected representatives to make policy and to hold the state accountable.” (Gaventa 2004: 28) As demonstrated political participation is a

participatory space in the public realm and thus differs significantly from project participation. However, the strategies or tools offered by political participation are not sufficient to many citizens to effectively influence policies which affect their lives by utilizing what a representative democracy has to offer.

3.2.2.3 Participatory Governance – Participation, Citizenship and Local Governance

In 1998, the UK Government published a White Paper on Modern Local Government in which it emphasizes a more direct democratic interaction between local councils and citizens and “design a system of [local] governance” (UK Government 1998: 24) to make local governments more accountable and more efficient to the local citizens. These changes in local government and citizen interaction require a shift of the paradigm of participation to democratic governance (cf. Gaventa 2004: 28).

When Governance refers to a state in which non-hierarchical principles are applied “the state must collaborate with a wide range of actors in networks that cut across the public, private and voluntary sectors, and operate across different levels of decision-making.” (Newman et al. 2004: 204) And Magnette (2003: 144; cited in Newmann et al. 2004: 204) further argues, that

“contrary to the classic form of ‘government’, contemporary governance is not imprisoned in close state institutions and is not the province of professional politicians. Though rarely defined with precision, it refers to patterns of decision making taking place in a larger set of institutions, with a broader range of actors and processes. One of the ambitions of those who defend this new concept is indeed to enlarge the accepted notion of civic participation beyond the well established and constantly declining procedures of representative democracy.”

The need to move participation towards a more direct involvement of citizens in the public sphere led to the evolution of a new concept of participation – *participatory governance*. It can be defined as “empowering citizens to influence and share control in processes of public decision making that affect their lives.” (CIVICUS 2006: 2) Participatory governance differs significantly but not entirely from other concepts of *participatory development*. The most significant changes compared to earlier participatory approaches

are made in the self-perception and political identity of participants, their area of involvement and the functions they perform and thus “it is based on the premise that citizens have both the right and the responsibility to contribute to process of public decision making.” (Malena 2009: 7)

Figure 3: The shift towards participatory governance

<i>From</i>		<i>To</i>
Beneficiary	→	Citizen
Project	→	Policy
Consultation	→	Decision-making
Appraisal	→	Implementation
Micro	→	Macro

Source: Gaventa and Valderrama (1999)

While former ideas of participation left stakeholders with already in place programs, allowing them to voice their interests in the scope of pre-defined spaces, this “shift in participation” was understood as a way to shape these spaces, to be more actively involved in “provisioning and policy formulation.” (Cornwall/Gaventa 2001: 4)

The shift from beneficiaries, consumers and users to a concept of citizenship within the discourse of participatory development was contested by many scholars due to its liberal implications of ‘universalistic rights’. It was argued that ‘citizenship as universalistic concept’ purports an image of false uniformity and could enhance marginalization (cf. Ellison 1999: 58). However, supporters of ‘participation as citizenship’ quickly responds to critics of the liberal view of citizenship which

“tend[s] to rely on legal definitions concerning the formal status of citizens, and focus on narrow forms of ‘political participation’ (e.g. voting). This juridical focus tends to mask the fact that the ‘sociological realities are those of subjects, clients and consumers, not those of citizens of equal worth and decision-making capacity.’” (Hickey/Mohan 2004: 66; and Stewart 1995: 74; cited in Hickey Mohan 2004: 66)

The bridge between participation and citizenship is not based on legal, juridical aspects, but on a civic republican notion of political membership (cf. *ibid.*: 66) and thus citizen “becomes an identity that extends beyond the bundle of rights defined by the liberal view.” (Cornwall/Gaventa 2001: 6) At this point when users become citizens and start to engage themselves in decision-making processes and to interact with those who provide public services they enter the governance arena. It is argued, that citizenship by the above re-conceptualization is a more actor-oriented approach which is determined by the “agency of citizens themselves, based on their diverse set of identities. Such an approach also extends rights from the civil or political spheres, to encompass economic, social and cultural rights, including the right to participation itself, at local, national and global levels.” (Gaventa 2002: 2)

3.2.2.4 Disabling and Enabling Factors of Participatory Local Governance

Participation in local governance is neither guaranteed through decentralization reforms, nor will participation if taking place automatically benefit communities. Many influential factors exist affecting citizens’ possibilities to participate in local governance. On the other hand there are also aspects which enable participation influencing its extent and quality. Discussing enabling and disabling factors of participation in local governance will thus generate an analytical framework for participation in the context of the CDF in Zambia. The interconnection of some of those enabling and disabling factors will be distilled in the empirical part of this paper.

Power and Participation

As argued in the Chapter ‘Pitfalls of Decentralization’ public participation is influenced by existing power relations between different social actors. Power to create participatory spaces for local citizens to engage in policy processes and influence their outcomes is located within local governments (supply driven participation). The public-state or local citizen-local government relation is only one of many relationships in which power has to be assessed. Categories like ‘local citizens’ run into danger to ignore existing power

structures within a local community due to a falsely produced image of community homogeneity. Power relations shaping space for participation within a community are often to be analyzed more carefully because power is hardly channeled through formal but informal institutions. "Power relations help to shape the boundaries of participatory spaces, what is possible within them and, and who may enter, with which identities, discourses and interest." (Gaventa 2004: 34) As described earlier in the chapter *Decentralization* powerful elites are likely to capture participatory spaces if it benefits them.

Participation Skills

The capacity of local citizens for policy engagement is a crucial factor to successfully participate at least in two ways. Firstly, it determines the way in which local citizens are able to participate in so called 'invited spaces'¹² for participation (Cornwall 2004). Being engaged in complex policy processes demands various skills, e.g. leadership, managerial, analytic, knowledge, experience, etc. (cf. Dukeshire/Thurlow 2002: 3; Gaventa/Valderrama 1999: 8). For instance, who are key stakeholders in a policy-making process? What is the best point in time to influence policies? And what is the best strategy for successful influencing the making of a policy? This holds true for any social actor who plans to wield influence on policies affecting their lives¹³. For instance, if a huge educational gap exists between councilors representing their wards, their respective Member of Parliament (MP) and technical council staff, the former might find it very difficult to represent his ward's needs due to lack of technical knowledge or feels intimidated by the MP's authority and social status (cf. Gaventa/Valderrama 1999: 8).

Secondly, it also determines citizen capacity to invent 'own spaces'¹⁴ of participation. This is what Cornwall calls organically arisen spaces which emerge "out of sets of common

¹² The concept of 'invited spaces' describes a circumstance of supply-driven participation and refers solely to spaces "as mechanism for enabling public engagement in governance, rather than simply as instruments for local development and, as such, [are] primarily implementation-focused. These "invited spaces" offer an important vehicle through which development intervention can support more transformative participation." (Cornwall 2002: 17; 2004: 76)

¹³ All actions undertaken in spaces of participation are what Cornwall (2002: 17) calls 'the spatial practice of participation'.

¹⁴ Cornwall somehow neglects power relations within these invented or organic spaces when she says: "Making real the promise of transformative participation calls for processes that strengthen the possibilities

concerns or identifications [and] may come into being as a result of popular mobilization, such as around identity or issue-based concerns, or may consist of spaces in which like-minded people join together in common pursuits.” (Cornwall 2002: 25)

The Extent of Participation

Participation has become a policy and development buzzword (Brodie et al. 2009: 7) and was exposed being applied as rhetorical strategy for donors, citizens and party oppositions, e.g. when drafting the initial Poverty Reduction Strategy Paper (PRSP) in Zambia (Eberlei 2001). There is danger of that happening when terms are diluted and applied in an incoherent manner. This, in turn, makes it necessary that spaces being portrayed as participatory should be assessed in regard of participation boundaries. Institutionalized participatory mechanisms in local governance, for instance *Participatory Monitoring and Evaluation* (PME), though being legally backed up might turn out to be a purely consultative mechanism, and thus, citizens are not involved in decision making procedures, but in implementation processes (Gaventa/Valderrama 1999: 9).

Lack of Financial Resources

Involving citizens in local policy processes is a complex, time-consuming and more expensive initiative instead of them being left out of local governance. If local government is serious about involving its citizens actively and effectively in policy process it has to conduct capacity building trainings and workshops. Here, local government is either able to raise resources by itself or it depends on central government to allocate grants. If neither one of them is able to do so, citizens solely depend on themselves to raise resources, for example from international donors, or depend on receiving training from local NGOs. This aspect is of importance especially in rural areas where access to adequate resources is very limited (Dukeshire/Thurlow 2002: 2).

of active citizen engagement *both* with those institutions into which the powerful extend invitations to participate, and those through which citizens make and shape their own conditions of engagement and find and use their own voice.” (Cornwall 2004: 85)

Lack of information

Local citizens need access to information about government programs and policies, and information about (local) government key stakeholders to effectively engage themselves in policy making to influence policies which affect their lives. Urban citizens can access information (demanded or supplied) easier than rural citizen as long as information is made available to them since distances in urban areas to local government are usually shorter than in rural areas (cf. *ibid.*: 3f.).

Determining factor of information utility is the quality of the provided information, bearing in mind the existing educational differences between rural and urban citizens and also between rural and urban council staff. This means that even if quality information is provided or accessible it requires specific capacities to make this information useful to citizens. Thus, civil society organization and the media are important social agents to 'translate' difficult information to the general public so that information is not just physically available.

3.2.3 Accountability

I will introduce the concept of *accountability* using a definition given by Mark Bovens. He differs between *accountability in a broad sense* and *accountability in a narrow sense* (Bovens 2007: 449f). The former, he argues, is constituted by too many concepts like 'answerability' or 'responsibility' which again need further operationalization and therefore contribute to further complications. The latter refers to accountability as a 'social relation': "Accountability is a relationship between an *actor* and a *forum*, in which the actor has an *obligation* to explain and to justify his or her conduct, the forum can pose questions and pass judgments, and the actor may face *consequences*." (*ibid.*: 450) A principal-agent view on accountability helps to identify many accountability regimes without limiting accountability to the nature of its conduct, e.g. political, administrative, etc.

The social relation between the *actor* (*agent/accountability-holdee*) and the *forum* (*principal/accountability-holder*) (Behn 2001: 2) is based on four elements: obligation,

disputability, justification and the possibility of the forum to pass a judgment and sanction either in a positive or negative way. Obligation refers to the existence of formal or informal enforcement mechanisms (O'Brien/Stapenhurst, *undated*: 1) which somehow force the actor to inform the forum about his or her conduct. The actor has the possibility to explain, to hand out data, reports, etc. with which his conduct might be explained. The forum conversely has the possibility to ask the actor regarding his or her conduct, "question the adequacy of the information or the legitimacy of conduct – hence the close semantic connection between 'accountability' and 'answerability'." (Bovens 2007: 451, *emphasis in original*). Boven does not include the possibility to justify as a separate element of 'accountability as social-relation', but rather sees it implied. I chose to handle it separately due to my view on accountability also as a tool for communication between 'the political realm' and the 'public realm'. Treating 'the possibility to justify' as a separate element demonstrates accountability – especially *social accountability* – as a type of public dialogue. The last element of 'sanctioning' is featured in this reading of accountability also as a type of public dialogue. Passing a judgment of the actor's conduct "may approve of an annual account, denounce a policy, or publicly condemn the behavior of an official or an agency. In passing a negative judgment, the forum frequently imposes sanctions of some kind of the actor." (ibid.: 451) The possibility to sanction is not necessary held by the forum the actor is accountable to. For instances, if financial audit of local government departments is undertaken and money abuse is detected, the financial auditor is not the one in charge to sanction, but rather to report to authorities who are able to sanction.

3.2.3.1 Types of Accountability

Scholars and practitioners of accountability do not necessarily agree on Bovens' accountability concept, for instance, as some do not put as much weight on sanctions as Bovens does. Not surprisingly, less agreement exist on the various types of accountability. Thus, this chapter intends to shed some light on some commonly known accountability types and discusses the reasoning of their typology. Most common accountability manifestations are categorized pairs categorized of polar opposites. It can be differed between *horizontal vs. vertical*, *internal vs. external* and *political vs. social accountability*.

Howsoever big their difference might appear these concepts actually have a lot in common. Others may choose different categories, e.g. strength or weakness or/and source of control (Lindberg 2009: 12).

Horizontal vs. Vertical Accountability

Scholars do not agree on a clear terminology of 'vertical' and 'horizontal accountability'. For instance, O'Brien and Stapenhurst (*undated*: 1) define vertical accountability as "the means through which citizens, mass media and civil society seek to enforce standards of good performance on officials." Here, the term vertical accountability is solely used to describe a state-society relation. While a state-society relation is definitely a vertical accountability relation, not all of the latter can be considered as former. Vertical accountability also exists in state-state-relations, for instance between central government ministries and their local tiers. This type of accountability is best to be called bureaucratic or administrative accountability (Lindberg 2009: 15). Vertical accountability relation can further be grouped in up- and downwards accountability depending on who is the accountability holder. For instance, if state agents render account to the public realm the accountability relation is directed upward. I will discuss this relation further below, using the term social accountability. Downward accountability exists when central government agencies hold their local tiers accountable.

Horizontal accountability on the other hand exist "when the legislature engages in executive oversight or the constitutional court reviews acts adopted by the legislature, this is a form of accountability that runs horizontally 'among equals'. (O'Donnel 1998, cited in Lindberg 2009: 11; *emphasis in original*) Other scholars consider the concept of horizontal accountability misleading as it would purport absence of hierarchical relations between those who are held accountable and those who hold accountable because "[...] the relations of subordination [are] found in all such forms of accountability [...]." (Smith 2007: 202) However, this judgment is based on a misconception of horizontal accountability as Smith does not distinguish between bureaucratic accountability and horizontal accountability forms like legal or audit accountability. In theory a horizontal accountability relation exists between the different levels and branches of government. In

practice, however, this separation of powers does not always exist, and thus, horizontal mechanisms might not work effectively.

Political vs. Social Accountability

Every state has a minimum set of accountability mechanisms. These mechanisms are considered being internal mechanism because they are an integral part of the state and are supplied by it. Malena/McNeil (cf. 2010: 5) differ between political, fiscal, administrative and legal mechanisms. These mechanisms refer to, for instance, separation of powers, auditing, public service code of conduct and independent judiciary. Again, Smith does not consider legal mechanisms as mechanisms of political accountability because

“the concept of political accountability does not mean keeping public officials within the rule of law. It means ‘punishing’ those of them who are elected for making wrong decisions, even when made within the law. It means voting elected representatives out of office at the earliest opportunity because of their policy errors, failures to act, or broken promises.” (Smith 2007: 21; *emphasis in original*)

This argument demonstrates that scholars of governance and accountability are not in agreement about the exact meaning of terms and concepts. In this paper, voting is considered being a weak mechanism of social accountability in representative democracy due to its temporal character and passive citizen involvement. That is why “citizens [are only] allow[ed] to select from only a limited number of individuals or political parties. The do not offer citizens to express their preferences on specific issues, to contribute in a meaningful way to public decision making, or to hold public actors accountable for specific decisions or behaviors.” (Malena/McNeil 2010: 6).

As mentioned above, state-driven or internal accountability mechanisms are not sufficient to hold the state accountable – neither in developed nor in developing countries – since the state would act as its own watchdog. Hence, further mechanisms are necessary to do so. Social accountability can be viewed as a specific way of exacting accountability based on civic engagement, thus social accountability refers more to

specific accountability mechanisms than to a type of accountability (O'Brien/Stapenhurst *undated*: 3).

"In practice, social accountability encompasses an array of approaches, strategies, and methods that may be initiated by a wide range of actors [...], occur at different levels [...], use diverse strategies [...], employ different forms of formal and informal sanctions [...], [and] vary by the extent to which they are institutionalized and collaborative." (Malena/McNeil 2010: 6)

One characteristic of social accountability relations is the fact that they directly or indirectly influence horizontal accountability relations. Fox (2000: 1f.) points out that they directly influence horizontal accountability "by encouraging the creation and empowerment of institutional checks and balances, and indirectly, by strengthening the institutions of vertical accountability that underpin them, such as electoral democracy and an independent media." However, similar dynamics can flow reversely. Weak horizontal accountability institutions, e.g. the legislature, can weaken social accountability relations initiated by civil society agents (*ibid.*).

3.2.3.2 Parameters of Social Accountability Initiatives

Beside the above mentioned aspects influencing participatory governance Ackermann (2005) further suggests six key parameters to be considered when designing and implementing a social accountability initiative. These are "incentive structures", "accountability for what", "level of institutionalization", "depth of involvement", "inclusiveness of participation", and "branches of government".¹⁵

Incentive Structures

For accountability to be an effective oversight mechanism sanction is a crucial element. Civil servants or any public official have to know about the consequences of his/her wrong-doing in regard for them to prevent such behavior (Bovens *undated*: 9). On the other hand excessive punishing can lead to paralyze politicians and undoubtedly will

¹⁵ Chapter titles borrowed from Ackermann (2005): *Social Accountability in the Social Sector. A Conceptual Discussion*. Social Development Papers: Participation and Civic Engagement, No. 82. Washington: World Bank.

affect creativeness, reform initiatives, etc. It might lead to a state in which public officials only operate stolidly along rules in expense for performance (Ackermann 2005: 12). At the other end of the line a reward-based incentive structure is found. This refers to accountability-holdees who will benefit if they are identified as rule-follower and well-performer. Reward-based accountability is mostly found in social accountability relations, as many sanction-based initiatives either don't have a legal basis, or are considered to be blunt instruments (e.g. elections). A reward-based mechanism in social accountability of positive proof is, for instance, the *Citizen Report Card*¹⁶, though it has been criticized to be not tough enough on government officials, or service providers since it is more like a feedback or a citizen survey, and thus does not sanction adequately. Additionally, these cards do not yield fruits if government officials and service providers are ignorant of inadequate service provision (Jenkin/Goetz 1999; cited in Ackermann 2005: 13). Thus, most scholars call for a combination of reward- and sanction-based mechanisms for the 'tiger not to be toothless' (Malena/McNeil 2010: 216). Demoting (or firing) and promoting, for example, is a sanction- and reward-based mechanism mostly found in political accountability. Some accountability initiatives created an "independent anti-corruption ombudsman that is both in close touch with civil society and has the right power to directly sanction or prosecute government officials." (Ackermann 2005: 13)

Rules or Performance Based Accountability

Actions of government and its agencies are supposed to follow specific procedures and rules. These rules are known by the public or at least are publicly accessible, for instance, tender procedures. Thus, the public has the possibility to monitor government actions based on the questions 'Does government follow the existing rules?'. But that does not necessarily increase government responsiveness due to the missing outcome focus. Rules-based mechanisms are process-oriented mechanism to ensure that government officials are rule-governed. If government actions are solely evaluated on the grounds of

¹⁶ The *Citizen Report Card*-mechanism "was therefore developed in order to expose government agencies to the 'consumer feedback' they are lacking. The guiding idea behind the methodology is to introduce market-type incentives to the functioning of the government. Through the report card methodology, agencies can see how their performance changes from year to year as well as compare themselves to other agencies in a comparative, competitive dynamic similar to that imposed by the market." (Ackermann 2005: 14)

rules, its performance is neglected and the possibility to change existing rules to increase performance does not exist. 'Managing for results', on the other hand, refers to an accountability system which focuses more on outcomes of government actions than on obeying rules. When obeying rules is not prioritized over outcomes, government gains chances to find solving problems creatively, but also to become malfeasance (ibid.: 15). It is not supposed to be an 'either or' situation in which only one solution will solve a problem. Both, rules- and performance-based mechanisms can be applied at the same time. Engaging citizens by applying measures like social audit can achieve and ensure both, following rules and efficiently generating outcomes (Centre for Good Governance 2005: 14).

Level of institutionalization

Social accountability mechanisms aim, among others, at establishing a long lasting partnership and dialogue based on participatory principles between citizens and the state. There is thus need to define a minimum system of rules for all involved stakeholders to coordinate action. Eberlei (2001: 9) criticized the ad-hoc character of many participatory activities, such as social accountability mechanisms which lack coordination and planning and as such public officials might not pay enough attention to them (Ackermann 2005: 17). This is what can be referred to as 'under-institutionalization'.

Social accountability mechanisms and other participatory activities can be institutionalized to varying extent. The World Bank (2007) differs between low, medium and high level of institutionalization. Participatory activities are of *low level institutionalization* when they are "more temporary measures — which may or may not be sustained over time—to enhance citizen access to information and promote citizen participation in public policies." (ibid.) Inclusion of participatory practices in government strategic plans can be considered as such. *Medium level institutionalization* refers to a situation in which government agencies are set up to build synergies between citizens and government. High level institutionalization, in turn, describes a situation in which civic engagement is backed up by law by, for instance, inscribing social accountability in legislative frameworks (cf. Ackermann 2005: 17; World Bank 2007).

While the above levels of institutionalization refer to state-driven measures, evidences show that most social accountability initiatives are not state-driven. But exceptions prove the rule, for instance, Porto Alegre's participatory budgeting at local level. However, even if legal frameworks are in support of social accountability initiatives civil society needs the capacity to utilize these possibilities (capacity building activities).

Legal frameworks such as a country's constitution or a national participation policy if in existence can both support and hinder actions of social accountability. While this refers more to a wider legal/policy context, specific initiatives can have their own policy context. However, it can be argued that, for instance, the existence of a *Freedom of Information Act*, or a *National Participation Policy* theoretically contributes to an enabling environment (McNeil/Malena 2010: 190; Kihongo/Lubuwa 2010: 53ff.). But research findings from many countries show that one shouldn't lay too much weight on the *de jure situation*, but should focus solely on *de-facto implementation*. Other findings show that social accountability can work to some extent even if the legal context in which such activities are embedded in does not support them (Muchahaiwa 2010: 109ff.).

Inclusiveness

The aspect of inclusiveness should only be discussed briefly here because it has been discussed elsewhere in this paper. Inclusiveness or *breadth of participation* asks for adequate access for and representation of different groups of society. Here, the focus is on vulnerable groups of society, e.g. the elderly, women, children, disabled. This is of importance because "as with almost any development intervention, social accountability initiatives risk being captured by more powerful of influential stakeholder." (Malena/McNeil 2010: 204) Another reason to ask for inclusiveness is the fact that it was found that only "'well-behaved' NGOs, middle class professionals, and centrist politicians" (ibid.) are involved in social accountability initiatives. Cooperation between the 'usual suspects' who come from the same societal background, share similar values, speak the same language come, in sum, come from the same "epistemic community" (Ackermann 2005: 22) is much easier than dealing with people of various educational and economic background, social values, different languages.

Ackermann (ibid.) states three reasons why choosing the “easy way out” is a mistake. First, broad-based participation increases effectiveness of such initiatives because public officials are less likely able to expect time, place and issue of being held accountable. “[T]oo much predictability is dangerous because it may tend towards complicity. Social accountability can be most effective when it keeps government officials on their toes.” (ibid.) Second, he criticizes that ‘well-behaved’ NGOs run into danger to trust public officials too much and refers to Smulowitz’s question under what conditions the Rule of Law can rule? She considers ‘distrusts’ as a crucial factor of effective oversight and calls for need of “[...] multiple external eyes with interests in the enforcement of law and denunciation of non-obedience.” (Smulovitz 2003; cited in Ackermann 2005: 22). Third and lastly, the legitimacy, ownership and acceptance of accountability mechanism will rise with engagement of citizens of various parts of society

Depth of involvement

While the aspect of *inclusiveness* focus more on breadth of citizen participation in accountability, depth of involvement asks ‘how strong citizens can probe into the state machinery?’. This absolutely depends on how far government allows citizen to enter the state’s core. Does government allow citizens access to ‘recipes how state meals are prepared’ or are they only allowed to ‘taste it after it was cooked’? Here, authors refer to process accountability and outcome accountability.

Some scholars argue that if citizens are too deeply involved they run into danger to lose objectivity. To some extent, this argument contains truth in itself since this kind of deep citizen involvement is based on state invitation only, and thus, should be considered as ‘invited space’ which risks have been mentioned earlier.

Branches of Government

This aspect of social accountability issues refers to two things. First, it refers to the question of who is targeted, who should be watched, asked and if necessary punished? Ackermann observes that social accountability initiative “tend to emphasize the punishment of executive officials for breaking the rules and involve a small group of ‘well

behaved' societal actors, in under-institutionalized and externalist practices such as consultation and workshops." (Ackermann 2005: 26) Social accountability initiatives, however, ideally focus on all three branches of government. On the other side, this aspect also refers to possibilities of collaboration between social and horizontal political accountability, e.g. together with member of the political opposition, government officials, etc.

3.2.4 Equity

The concept of equity is closely related to, but not entirely the same as social justice. Social justice can be based on principles of equity and of equality depending on what dimension are put into consideration. While equity refers to fairness, equality is better understood as sameness (Pan American Health Organization 1999: 3). For instance, if a national fund for poverty reduction is distributed to all the country's provinces in equal shares the allocation is based on equality. But if the amount distributed to the provinces considers the number of people living in poverty in relation to the national ratio of the population living in poverty the fund is based on the concept of equity. That's why equity goes along with what Skillen (1999) calls "positive discrimination when meaningful differences exist."

Different types of equity exist, but only some of them are of importance in context of the governance assessment of the CDF in Zambia. Thus, I will only briefly introduce to those types and leave out others, such as inter-/ or intragenerational equity. Equity types of importance are *distributional*, *procedural* and *outcome equity*.

3.2.4.1 Distributional Equity

Distributional equity is mostly known in the context of discussions about economic growth. Here, since I focus on a national fund for poverty reduction distributional equity refers to the extent of putting socio-economic indicators into consideration when allocating the fund. As I will demonstrate later, Zambia like many other countries bears the stamp of inequality among its sub-national political units. Thus, it is a fact that

“meaningful differences exist.” (ibid.) Distributional equity research on the CDF in Zambia will be applied on a national and on a local scale. Since the governing rules of the CDF are formulated on a national level, I will assess the fund in terms of existing policy determining allocation equity. The decision regarding local allocation is left to the CDC. In sum, I am going to identify the existence or absence of distributional equity guiding principles in the national CDF policy (*de jure*) before local distributional patterns of the CDF will be analyzed (*de facto*).

3.2.4.2 Procedural Equity

Procedural equity refers to the application of fairness principles in a process at which ends outcomes are produced. Procedural equity is based on principles such as participation, equal treatment of all before the law, application of equity principles in the context of pro-poor funding (cf. Shukla 1999: 5). Similar as above, CDCs in Zambia enjoy some freedom of how to implement CDF guidelines on a local scale. It is thus interesting to focus on specific means CDCs undertook to generate procedural equity, if any.

4 Decentralization and Local Governance in Zambia

Firstly, this chapter serves to explore the different decentralization measures the GRZ undertook from independence till today and thus provides some contextual knowledge regarding the CDF in Zambia. This period can be grouped in four parts of which the first period marks the time from independence till the implementation of the *Local Administration Act* in 1980. The second period covers the time from 1980 till the end of the one-party-rule of the *United National Independence Party* (UNIP) in 1991, which was, in turn, the starting point for the third period and the reintroduction of multiparty democracy in Zambia under the rule of the *Movement for Multiparty Democracy* (MMD). The last and current period was marked by the launch of the National Decentralization Policy in 2004. Another purpose of this chapter is to demonstrate local institutional settings, stakeholders and their relations at the local level. Finally, this chapter also serves to show the problems of local governance and limitations for citizen policy engagement

and thus, will be serving as a starting point when formulating recommendations at the end of this paper.

4.1 From Independence to the 1980s

In October 1964, when Zambia gained independence, its administrative structure was a “diffuse collection of government departments enjoying a large measure of autonomy and only loosely controlled by any central, coordinating body, whether bureaucratic or political” (Mukwena 2001: 4) which purpose was to serve colonial interests, and not the one of development of a nation state. In 1965, the GRZ reformed administrative structure at provincial level to brush off colonial heritages and “transform [it] [...] into an instrument of economic development.” (Tordoff 1980, cited in Mukwena 2001: 4) Thus, the GRZ removed the so called *Native Authorities*, which were viewed as symbols of colonial repression and manipulation and [introduced] new local governments under the *Local Government Act* (No. 30) of 1965.” (Chikulo 2009: 99, italics in original). In general, the administrative structure after gaining independence was hierarchically organized, in a way that sectoral units of government were deconcentrated to sub-national levels to administer decisions and policies made by the central government in Lusaka (cf. Fünfgeld 2004: 51f.; Mukwena 2001: 4). The other purpose of reforming the administrative and political system in Zambia was to extend party control to provincial and district levels which was reflected in a speech of President Dr. Kenneth Kaunda (1968, Speech to UNIP National council, cited in Chikulo 2009: 99):

“I define this decentralization in centralism as a measure whereby through the Party and Government machinery, we will decentralize most of your Party and Government activities. While retaining effective control of the party and Government machinery at the centre in the interests of unity.”

Thos post-independence reform measures remained unsatisfactory since provincial and district governments lacked coordination due to “an erosion in of functions and powers; a decline in numbers of personnel; and the introduction of political control.” (GRZ 1979: 20f., cited in Mukwena 2001: 6)

The extension of political control of central government to district level of the public sector in Zambia was also demonstrated by the installation of the *District Governor* whose responsibility was to implement, coordinate and oversee development policies. Thus, he became the chairperson of the *District Development Committee* (DDC). The District Governor as well as his counterpart at provincial level – the *Provincial Cabinet Minister* – acted as central government representatives and thus were the “chief government coordinating officers” (ibid.: 7) who were appointed by the President.

It is argued that decentralization measures should not be analyzed in the light of their stated goals, but rather in the light “of unstated goals being the major determinants of the reforms” (Chikulo 1981: 56) and since decentralization is mostly about politics (Agrawal 1999) the political context is of peculiar importance when decentralization in Zambia is analyzed. In 1972 Zambia was officially declared a one-party state, ruled by UNIP. This was accompanied by a politicization of Zambia’s bureaucracy by UNIP. Government, bureaucracy and the party became one, so that the “UNIP’s Central Committee” became the supreme policy-making body in the country with final authority even over the cabinet.” (Chikulo 1985: 73)

He also observed that the trend of party control of the whole country’s political system took place hand in hand with a trend to centralization. This is demonstrated by the number of civil servants at sub-national levels and the de facto power local authorities have. For the former, it was recognized that the number of civil servants decreased though the burden of administrative work increased. For the latter, local authorities were expected to “seek approval for local action.” (Chikulo 1981: 57)

Despite from the politically motivated changes in local government, most writers agree that the period from 1965 to 1972 can be considered as the most stable period in regards of service delivery (Habasonda et al. 2004: 4). From 1973, central government revoked its commitment to local government by divesting important income sources, such as taxes and central government grants (CRC 2005: 486). This can be explained by the economic decline Zambia began to face from the end of the 1960’s.

In sum, during the time from independence till 1980, decentralization could only be seen as political rhetoric rather than a government policies guiding principle. In fact, this

period is characterized by strengthening the political control of UNIP and centralizing political power in Zambia's capital Lusaka.

4.2 The Local Administration Act 1980

From the end 1960, Zambia experienced a harsh economic decline what led to a fast rise of poverty levels in rural areas. Since District and Provincial Governments – though they were left understaffed and underfunded by central government (Mukwena 2001: 7f.) – ought to be responsible for community level development “the Secretary-General of UNIP called for sweeping changes” (Chikulo 1985: 74) of the administrative system in Zambia. Thus, the Local Administration Act 1980 was formulated.

The main objective of the *Local Administration Act 1980* was “to combine together the primary organs of the Party and other organs of local administration within a single a single, unified framework provided by the district councils and thereby to achieve [...] an integrated local administration” (Mukwena 2001: 8) to reduce duplication and improve coordination of work between party, central and local government. Thus, fiscal decision making power, responsibility for the planning, implementation and coordination of district development programs were delegated to District Councils (Caritas Zambia 2011: 6f.; Fünfgeld 2004: 32; Mukwena 1992: 239). While under the *Local Government Act 1965*, central government controlled all finances of local governments, the *Local Administration Act 1980* ought to allow District Councils to raise money locally. These measures ought to serve the declared Party's goal to “decentralize power [closer] to the people” (Caritas Zambia 2011: 7), but somewhat remained diametric to the fact that UNIP filled every position in District Council, as well as of the Ward Committees (CRC 2005: 487).

However, for several reasons the *Local Administration Act 1980* remained beyond expected outcomes. Firstly, the integration of district and provincial government department did not occur statutory and thus continued to operate independently from the District Councils. They also remained depending on funds from their headquarters in Lusaka which made it difficult for the District Councils to coordinate their programs together with the government departments. (cf. Mukwena 1992: 241)

Secondly, the promised increase of District Councils' share of central government budget from 9% to 50% did not take place, but rather District Councils experienced a reduction from 9% to 4%. Regional disparities in financial endowments made it difficult for District Councils in rural areas to perform their duties, since urban areas received more funds from central government than their rural counterparts and also had more sources to raise money from due to different economic realities of rural and urban settings (Chikulo 1985: 77; Fünfgeld 2004: 52f.).

Thirdly, accountability structures were seriously undermined since "[local] personnel who were drawing their salaries from the Ministry of Finance or Personnel Division before the Act continue[d] to do so" (Mukwena 1992: 242) what made it difficult for the District Councils to hold them accountable.

Fourthly, District Councils seriously lacked qualified staff members. As Mukwena (ibid: 243) further observed, only one out of 55 District Councils, namely Ndola District Council, had one person equipped with the qualifications needed to his job in the sector of public accountancy.

Fifth, as mentioned above, decentralization measures should always be interpreted within the given political environment. Thus, throughout the 1970s dissatisfaction of party members at the local level increased, and hence party support decreased. "The unwillingness of the national politicians and the civil service to provide governments jobs for middle-level party functionaries and the lack of action on the Chona Commission's¹⁷ recommendation that branch and constituency officials should be paid allowances resulted in a considerable loss of morale among those officials." (Scott 1980: 155, cited in Mukwena 1992: 245) It is widely recognized that political interferences by UNIP hindered any decentralization attempt to be successful.

"The defects of the 1980 Act that justified its repeals may be summed up, among other things, as follows: Local authorities were dominated by (one-party) politics, local authorities' administrative, technical and professional considerations were subordinated to political objectives and priorities, decision-making and finance became even more centralized than before, people were appointed to Council posts on the basis of party (UNIP) loyalty rather

¹⁷ The Chona Commission was one of Zambia's constitutional commissions which in 1972 published a report which aimed at a more liberal type of UNIP rule in Zambia compared with the one Kaunda had in mind.

than their ability to do the job, and the thief officers in the councils literally became tools of their masters.” (Caritas Zambia 2011: 7)

4.3 Democratic Decentralization?

The first democratic elections in Zambia after the country was declared a one-party-state were held in 1991. UNIP which ruled the country since independence lost against the *Movement for Multiparty Democracy* (MMD) with its leader Frederick Chiluba. After elections, MMD implemented the *Local Government Act 1991* which replaced the *Local Administration Act 1980*. The replacement was necessary due to the fact that the 1980's Act served to integrate the party with central and local government system and that Zambia was now declared a multiparty democracy (cf. Mukwena 2001: 12). The new government's commitment to decentralization was expressed in a press release in 1993 when the MMD government promised to:

“Strengthening the management of local authorities by devising mechanisms to facilitate deconcentration of certain functions to Provinces and devolution of selected functions to Local Authorities, as their management capacities improve and in order to provide for and facilitate democratic Governance at the Local Authority.” (British High Commission, Lusaka: Press Release No. 12, 19 March 1993, cited in Tordoff/Young 1994: 288)

Thus, political administration is characterized by a dual system of deconcentrated departments of central ministries, and devolved spheres of competences to democratic elected local governments¹⁸. “This local government system is basically a return to that which existed during the 1965-1980 period.” (CRC 2005: 488)

The re-introduction of multiparty democracy also brought back representative democracy to local government system at district level. Each district consists of *wards* as the smallest political units. Each ward elects a *ward councilor* who represents his or her ward in the respective local council. Noteworthy, most districts in Zambia consist of 2 or 3

¹⁸ Zambia has 54 District Councils, 14 Municipal Councils and 4 City Councils. This differentiation refers to local councils in rural, semi-urban and urban areas.

constituencies, of which each consist of 10 to 15 wards. However, due to population density in urban settings, one finds 4 to 7 constituencies in urban areas¹⁹.

As mentioned above, local councils in Zambia were able to increase their de jure decision-making power compared to the period before 1991. Their work is coordinated by the *Ministry of Local Government, Housing, Early Education and Environmental Protection* through the installation of respective district offices. Additionally, the local councils are also composed of the elected *Members of Parliament*²⁰ (MPs) in the district representing their constituencies, two representatives of the traditional leaders appointed by them, and a mayor and deputy mayor for city and municipal councils or chairman and vice chairman for district councils.

“The councilors constitute the legislative wing while the appointed officials, headed by town clerks (city and municipal councils) and council secretaries (district councils), constitute the executive wing of the councils. The councilors, elected through the provision of the Local Government Elections Act, represent their constituents and are responsible for policy making and supervising the implementation of the policies.” (Caritas Zambia 2011: 10)

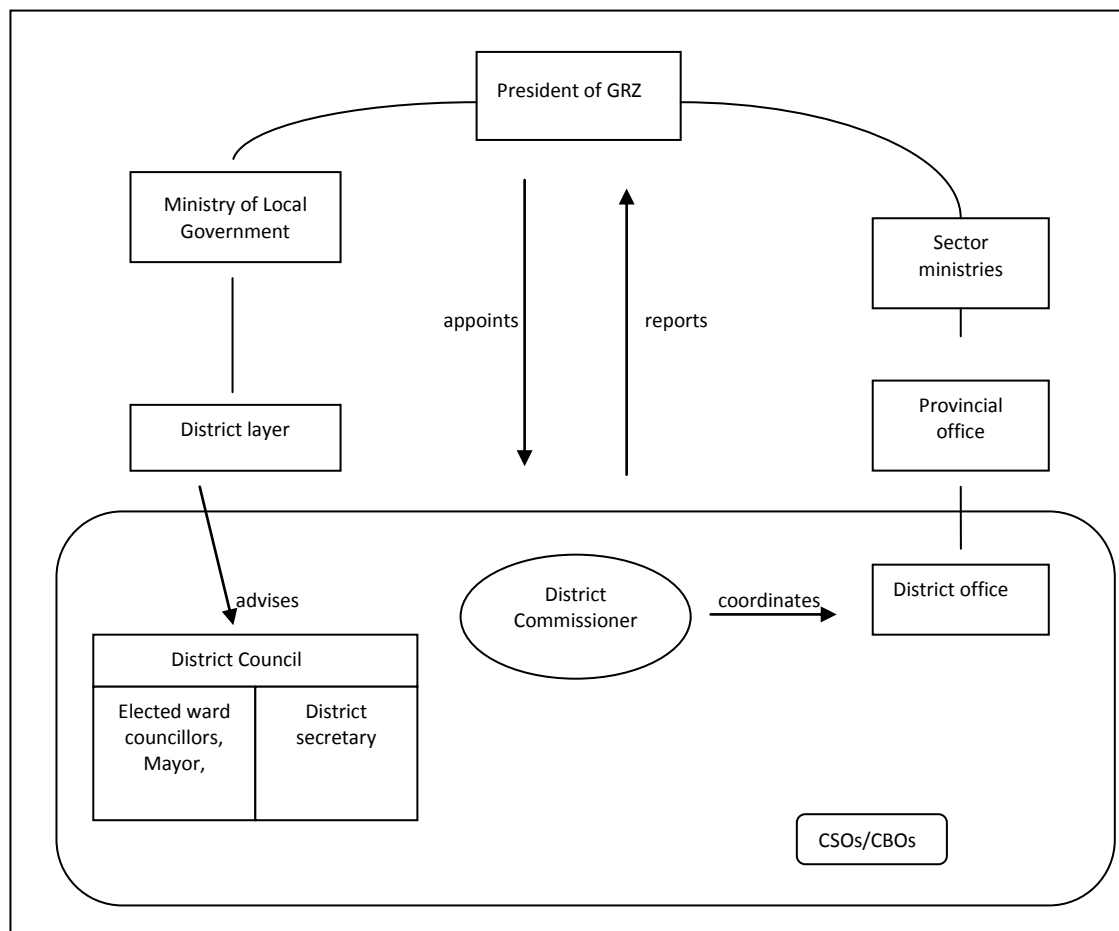
This devolutionary pillar of the decentralized administrative system is complemented by the already mentioned deconcentrated layers of sector ministries at the local level. These layers serve to implement sector development plans on provincial and district level (Crook/Manor 2001: 15f.; Fünfgeld 2004: 55f.). In 1999, the GRZ introduced the position of the *District Administrator*²¹ (DA) who is solely accountable to the president and acts as his political appointee at district level. The DA is supposed to coordinate the work of the deconcentrated layers of central government ministries. This action was seen as undermining the “autonomy and discretion of local governments [...] [since] District Administrators [...] are responsible to the central government rather than to local people.” (Crook/Manor 2001: 20)

¹⁹ This accounts for the cities Ndola, Kitwe, Chipata and Lusaka which in sum have a population of more than 3 million people or 25% of Zambia’s total population.

²⁰ The 1991 Act initially did not consider an MP automatically as a councilor. This change only occurred in 1992. It strengthened the role of the MP at district level and implanted the political factor into local government system. The MPs also decided regarding employment at senior level at local councils (cf. Mukwena 2002: 12).

²¹ Under the new Patriotic Front (PF) Government in 2011, President Michael Sata announced to abolish the position of the District Administrator. In fact, he only changed the name of the position to District Commissioner, but it still remains with the same functions.

Figure 4: Present decentralized Local Government System in Zambia



Source: adjusted from Fünfgeld (2004: 56)

The 1991 Act was supposed to harmonize the work of the dual-system of local governments and deconcentrated layers of sector ministries through the installation of the *District Development Coordination Committee* (DDCC) or *Provincial Development Coordination Committee* (PDCC). While the DDCC is headed by the DA, its provincial counterpart is headed by the *Provincial Permanent Secretary* (PPS). The absence of horizontal accountability relations between sector ministries' officials and the committees makes the DDCC and the PDCC not having any legal power over sector ministries. Sector ministries' officials are only accountable to their headquarters in Lusaka. The same powerlessness over sector ministries' officials accounts for the District Secretaries or the Town Clerks (cf. Crook/Manor 2001: 15). Manor (2003:11) pointed out, that "in theory [funds are] coordinated by [...] DDCCs. Representatives of the elected District Councils sit on the DDCCs, but these Committees are dominated by the District Administrators who chair them and who deprive them of most of their authority."

Similarly to the period from 1980 to 1991, local governments in Zambia faced severe financial restraints after the 1991 Act was implemented. In mid-1990, Zambia ranked far below the average of local governments' expenditure in total public expenditure in developing countries. While the average in developing countries was 15%, Zambian local governments' expenditures in total public spending were only 3% (World Bank 2000, cited in Crook/Manor 2001: 16f.). Central government only contributed 1% to 3% of local governments' funds. "Zambia is also unusual in the low proportion of total public revenues which accrue to local governments (5% on the average over 1990s)." (Crook/Manor 2001: 18). This trend continued in the 2000s. As Chitembo (2009: 11) showed using aggregated data, central government contribution to local government revenues remained at 3%, while local taxes almost contributed 60% and other fees and charges account for 18% of total local government revenues in Zambia. Taking a look at disaggregated data of central government's contribution to local governments' revenues as shown in the table below demonstrates central government's inconsistent support to local councils²².

Figure 5: Central Government Support as Percentage (%) of Total Council Revenue

	2002	2003	2004	2005	2006
Kasempa	70,66	n/a	4,73	n/a	48,41
Kaoma	n/a	n/a	36,32	10,94	4,98
Solwezi	2,5	36,48	9,12	39,69	25,87
Mongu	15,99	0	2,91	44,85	25,12
Kitwe	19,86	0,5	1,84	11,01	4,42
Petauke	42,04	26,92	32,36	27,26	n/a
Livingstone	n/a	n/a	3,2	13,96	6,12
Chipata	4,56	0,48	8,96	20,08	7,88
Monze	n/a	n/a	1,58	n/a	29,36
Chibombo	n/a	2,83	10,26	14,89	18,56
Mkushi	19,76	0,16	9,95	0,85	11,6
Mpika	6,5	2,69	15,16	30,47	19,04
Kasama	4,52	0	6,16	24,47	13,85

Source: Chitembo (2009: 12)

²² This table only shows 13 of the 72 local councils in Zambia.

The above mentioned financial restraints local councils had to face during the 2000s (and even before) were also recognized by the new President Michael Sata when he said:

“As a signatory to the habitat agenda and the Istanbul Declaration of 1996, Zambia committed herself to promoting decentralization through democratic local authorities and strengthening their financial capacities. Unfortunately in the last two decades, the country has witnessed greater centralization and consequently drastic erosion of the revenues base of local authorities. This situation has rendered the functioning of local authorities ineffective to the extent that service delivery has been compromised with infrastructure in district being in a very dilapidated state” (Lusaka Times 14.10.2011)

As shortly mentioned above, accountability relations between the various stakeholders at district level contribute to a loss of authority of local governments in Zambia. Successful decentralization needs horizontal accountability relations at the local level, as well as downward or social accountability relations between the public and local authorities who are supposed to act in the local people's interest. Looking closely at the existing patterns of accountability in decentralization in Zambia, one finds two competing vertical accountability relations. Firstly, personnel from the line ministries at district level are accountable to their respective headquarters at national level and thus undermine local initiatives of policy engagement, e.g. DDCCs. Secondly, they are also held accountable by the DA at district level. Manor (2003: 9f.) pointed out, that the latter accountability relation seems to be horizontal. Nevertheless, in fact it is just another vertical to central government in Lusaka since the DA is a political right-hand man of the president. These vertical accountability relations undermine efforts of devolution, since the real devolved elements of local authorities, the councils, are not able to hold the deconcentrated layers of central government accountable at all. This in turn also hinders people to participate effectively, since those committees in which the public can participate are not able to exercise any legal or financial power over them. However, some of the deconcentrated units of sector ministries have provided participation possibilities in forms of *user* and *stakeholder committees*. As Manor (2003: 12) noted, the establishment of these committees purports a false image of downward accountability by claiming to involve citizens due to “the processes by which these committees are constituted, are much of

the time, influenced by line ministry officials. In such cases, this makes it very difficult for members of these committees to hold those officials accountable.” (ibid.:)

4.4 National Decentralization Policy 2004

The formulation of the National Decentralization Policy (NDP) ended in 1997, approved in 2002 and only launched in 2004. The former president Chiluba obviously did not commit himself to decentralization, and thus the NDP remained in the shelf, before former President Mwanawasa came into power in 2002. The implementation of the NDP is planned to be finalized this year in 2012 (SACCORD 2008: 13). The GRZ seems to have recognized poor decentralization performance for the past years, for instance centralization of decision-making power, exclusion of any serious involvement of citizens and inadequate, intransparent and unaccountable service delivery by local authorities, lack of legal framework for district operations as stated in the situation analysis of the NDP (GRZ 2002: 8). The NDP thus aims at establishing a new decentralized structure and provide every level with necessary legal back up in regards of its operations, e.g. planning, collection of revenues, implementation. This also includes sub-district structures, namely the wards, which are a focal point of local policy engagement. These measures should contribute to the overall aim and the theme of the NDP – “Towards empowering the people”. (GRZ 2008)

Unfortunately, it seems as if implementation is a chronic illness in Zambia²³. After 10 years of the NDP launch only little of it has been realized so far. District level authorities are still heavily underfunded and its financial management is of poor quality (SACCORD 2008: 9). Thus local governments fail to deliver quality service to its citizens. Additionally, the problem of financial constraints in regards to regional disparities was supposed to be tackled by employing an equity formula which guaranteed the application of equity principles in disbursing funds to the districts (cf. Caritas 2011: 20). Most of policy decision-making is still kept by central government since district by-laws need to be approved by central government. The coordination between government line ministries and local authorities has not been harmonized nor legally revisited. Democratically

²³ It could be observed in the past that implementation of policies did not take place as intended (regarding timeframe and content-wise), e.g. the implementation of the PRSP.

elected local authorities are still not able to engage themselves in government line ministries' operations since legal frameworks are not provided (SACCORD 2008: 11). Thus, accountability relations between those two tiers of decentralization are still missing, not to mention the obvious missing accountability link to local authority's respective citizens.

5 The CDF in Zambia: Governing Rules and Implementation

5.1 An Overview

In the past 40 years more than 20 developing countries²⁴ all over the world introduced a decentralized participatory policy tool named *Constituency Development Fund*²⁵ (CDF) to meet local needs more effectively and efficiently and to spur local social and infrastructural development. While Papua New Guinea introduced the CDF in the 1970s, Zimbabwe only started to draft the law in 2010 (Baskin 2010: 11). In Zambia the CDF was approved by Parliament in mid 1990 under the Local Government Act (GRZ 2006: 1).

Reasons to channel money from central government to subdivided politico-administrative units are²⁶:

- to demonstrate central governments' commitment to decentralization whilst empower local authorities as being the spearheads of local development planning,
- to enhance government responsiveness to citizen's needs and preferences through bypassing central bureaucracies, and thus combat poverty from the grassroots' level,
- to empower citizens through local decision-making participation,
- to reduce regional imbalances of availability of financial resources due to lacking possibilities of collecting revenues by local authorities,

²⁴ These are Bhutan, Ghana, Honduras, India, Jamaica, Kenya, Liberia, Malawi, Malaysia, Mongolia, Namibia, Nepal, Nigeria, Pakistan, Papua New Guinea, Philippines, Rwanda, Solomon Islands, Southern Sudan, Tanzania Uganda, Zambia, and Zimbabwe.

²⁵ Here, CDF is used as a generic term although it is also referred to as 'District Assemblies Common Fund' (DACF) in Ghana, or as 'Member of Parliament Local Area Development Scheme' in India. For a cross-country overview of the fund's management view: *Baskin (2010): Constituency Development Fund (CDF) as a Tool of Decentralized Development. State University of New York Center for International Development.*

²⁶ See also Chapter on decentralization.

- and to increase cost-effectiveness of government spending.

The manner in which CDF is employed in respect of allocation, disbursement, community participation, decision making, functions of involved stakeholders, oversight mechanisms etc. varies from country to country. CDF in Uganda, for instance, is allocated equally to each constituency, while the Kenyan Government employed an equity-based allocation system which considers varying poverty levels and population rates in its constituencies (Gikonyo 2008: 6). Van Zyl (2010: 4) argues that the application of equality principles on fund distribution “has the net effect of regressively redistributing resources from poorer to richer constituencies”, and thus weaken governments’ already weak capacity “to fund and manage service delivery.” However, a progressive allocation system does not necessarily strengthen government capacity to deliver quality public goods, since other factors like political interference by the MP, project identification in favor of the neediest, commitment of the CDF committee to developmental purposes of the fund, the role played by the community within the CDF mechanism etc. have a huge impact on the effectiveness of the CDF and thus the quality of service delivered by it.

The amount governments contribute to the CDF also differs from country to country, but once the CDFs were introduced the amount available to them usually tends to rise²⁷ (van Zyl 2010: 2). However, in countries such as Kenya, Ghana and Pakistan which adopted a flexible funding scheme the amount available to the CDF depends on government’s revenue. Whereas countries like India and Bhutan adopted a fix funding scheme so that fixed amount of government’s revenue will be transferred to the CDF mechanism on an annually basis (Baskin 2010: 8pp.).

This brief introductory part of how the CDF is employed in different countries and how its employment affects the governance system of the CDF, its effectiveness and efficiency gives cause to have a closer look at the legal framework of the CDF in Zambia by analyzing the CDF guidelines. Thus, this chapter intends to scrutinize closely the institutional arrangement of the CDF, the CDF process (CDF project cycle), the procurement system, project implementation, and monitoring and evaluation.

²⁷ This circumstance might also be explained by the „dynamic of ‘buying’ compliance from the legislature” (van Zyl 2010:7) when the executive and the opposition have the increase of CDF on their campaigning agenda.

This chapter then is followed by five case studies which were undertaken in two constituencies in Lusaka District, and in one constituency each in Chongwe, Kafue, and Chilanga District. These case studies serve to demonstrate the de facto CDF operations on the ground and will examine key elements influencing the success or failure of the CDF.

5.2 The CDF in Zambia and its Governing Rules

In 1995, the Zambian Parliament approved the CDF funding scheme “in accordance with section 45 (1) and (2) of the Local Government Act chapter 281 (*as amended by Act No. 19 of 1992 and Act No. 30 of 1995*).” (Chipata DFA 2011: 4, italics in original)

“(1) The Minister may, on such terms and conditions as he may determine, make constituency development grants or loans of money to a council for the purposes of the discharge by the council of any of its functions.

(2) Any constituency development grant or loan made by the Minister under this section shall be paid out of moneys appropriated by Parliament for the purpose.” (GRZ 1995)

“As part of their annual capital programmes, each Council is mandated to include Constituency Development Funds for community based projects in the Capital Budget. The Council shall be required to account for the funds in accordance with the law.” (GRZ 2006: 1)

The main reason to introduce the CDF in Zambia was to fight poverty at grassroots level, since most local authorities were (and many still are) ill equipped with substantial financial resources due to a lack of income sources of local governments²⁸ of either transfer from central government, or sources in form of tax and fees. Beside local authorities’ failure to deliver basic service and infrastructure²⁹, also deconcentrated line ministries failed to deliver satisfactory services to the citizens (cf. FOSUP 2012: 4). However, from 2006, the amount available to the CDF constantly increased, and is now a major funding source of development projects at constituency level.

²⁸ See chapter on decentralization in Zambia

²⁹ “The Local Government Act mandates Councils to provide social services like housing, recreation facilities, education, water, health, road and waste disposal.” (Caritas 2012: 16)

The table above only shows the amount budgeted for CDF. Real disbursements differ since some constituencies did not utilize the whole CDF from previous years (The Post Newspaper 20.06.2010), others could not account for utilization of funds, and thus GRZ froze the account for further investigations (The Post Newspaper 01.07.2011).

Table 6: CDF Allocation 2006 - 2012

YEAR	Constituency Development Fund (Total ³⁰ in ZMK million)	% Change to previous year	CDF per Constituency (in ZMK million)	Total Government Revenues ³¹ (ZMK billion)	% of Government Revenue
2006	9,000	-	60	16,824.9	(0.05)
2007	30,000	333.33	200	10,625.8	(0.28)
2008	60,000	100	400	12,289.5	(0.49)
2009	88,800	48	600	12,182.3	(0.73)
2010	99,750	12.33	665	15,198.4	(0.66)
2011	108,000	8.27	720	19,170.9	(0.56)
2012	150,000	66.67	1000	21,831.2	(0.68)

Source: Adjusted from Caritas (2011)

The money allocated to the CDF in Zambia comes from Government ordinary revenues, such as value added tax (VAT³²), pay-as-you-earn-tax (PAYE³³), taxes on imported, agricultural and manufactured items/goods, etc. Zambia, unlike Kenya and other countries, employed a fixed-amount-equally-shared CDF allocation system. Geographic distribution of the population, head count index³⁴ and other social development indicators are thus not considered. The employed system raises some questions of fairness due to huge regional imbalances of poverty levels within the country and within constituencies. In Lusaka and Copperbelt Province, for instance, 30% to 40% of the population lives in poverty. Whereas in other provinces 72% to 84% of their inhabitants living in poverty (GRZ 2011³⁵: 205). Sound pro poor disbursement would be based on

³⁰ Figures from Caritas (2011),

³¹ Figures from: <http://world-economic-outlook.findthebest.com/l/8449/Zambia> (last access 30/05/2012)

³² VAT is collected from different items such as food, clothing, etc.

³³ PAYE is the general income tax every formally employed person in Zambia has to pay.

³⁴ The head count index is an indicator which indicates the proportion of a population living below the defined poverty line. It was developed by the World Bank. Compared to the 1 US Dollar per person Index, the Head Count Index is based on estimations of national basic-needs costs.

³⁵ Though published in the 2011 Sixth National Development Plan the figures were adopted from the 2006 Census in Zambia.

equity principles, so that amounts being disbursed are calculated using a formula which considers the huge socio-economic and –demographic differences in spatial contexts.

5.2.1 Institutional Arrangement: Who is involved and how?

Introducing the many stakeholders involved in the CDF in Zambia and examining their functions and relationships is an absolute precondition to understand the CDF process and its governance.

5.2.1.1 The Community and the Public: Zone and Area/Ward Development Committee³⁶

The CDF in Zambia is by its guidelines a funding scheme based on community participation and empowerment. It thus, makes it possible for every Zambian citizen to participate. The possibility to participate in any developmental activity at zone or ward level is guaranteed through the establishment of non-partisan Zone and Area/Ward Development Committees (ZDC, ADC/WDC). As shown in the image below a ward is constituted of zones, and a parliamentary constituency of wards. The idea behind the introduction of ZDCs stems from the geographical size of the wards in Zambia. Most of them “are too big to facilitate efficient and good administration, it is therefore felt that ward be divided into [...] zones.” (LGA Zambia, *not dated*: 1)

The mobilization and coordination of

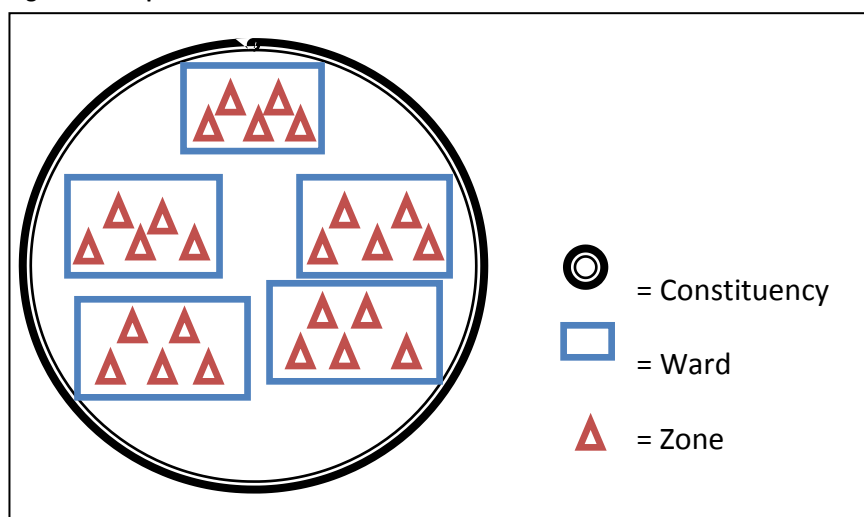
“community participation requires the establishment of local bodies which can take a leadership role and serve as a point of contact for other stakeholders in the development process. [...] Zone and Ward Development Committees, a citizen participation and representation mechanism [...] to stimulate and coordinate development in local communities [are] established by Local Authorities.” (ZDC/WDC Constitution, *not dated*: 1)

The WDC is elected by representatives of the zones who in turn are elected through secret ballot on the basis of a plurality vote in accordance with Article 5.1.2 of the ZDC/WDC Constitution to ensure democratic principles on local level (GRZ *undated*, 5).

³⁶ The terms ADC and WDC refer to one and the same community-based committee. These committees are called ADC in rural and WDC in urban areas, though politico-geographically they remain wards even in rural areas.

The committees should get involved in every stage of the CDF process to play a crucial role in identification, implementation and monitoring of CDF projects, and thus are considered to be an essential stakeholder in demanding good practice of the CDF through, e.g. social accountability initiatives (GRZ 2006: 3).

Figure 7: Composition of Constituencies in Zambia



Source: illustrated by Author

The public is also involved in the CDF through the media, NGOs, church organizations, and all types of clubs or groups (youth, women, faith-based, etc.). Especially the involvement of well-established NGOs is necessary due to their technical expertise, e.g. monitoring and evaluation, and their financial resources which allows them to be more actively involved than the WDCs and are also able to act as agents and watchdogs on behalf of the general public.

5.2.1.2 The Constituency Development Committee (CDC)

The CDC is the central management authority of the CDF in Zambia which is empowered by the CDF Act to decide which community projects should be submitted to the Council for final approval (GRZ 2006: 2).

The CDC is comprised of nine persons: one Area Member of Parliament (MP), two councilors nominated by all Councilors in the Constituency, one chief's representative nominated by all chiefs in the constituency, one Director of Works in the case of District Councils or Director of Engineering Services in the case of Municipal and City Councils,

four community leaders from civil society, NGOs, churches Community Based Organizations (CBOs) identified by the Area Member of Parliament and Councilors in the Constituency. However, in practice it is the MP who appoints them³⁷. After the identification, election, appointment of all the CDC members the nominees' names should be sent together with their CVs and a record of community participation in local development activities to the MLGH for final approval (ibid.: 1). After approval the CDC should elect its Chairperson and its Vice Chairperson annually on a rotational basis limited to one year. Neither the MP nor any of the two councilors are allowed to be Chair or Vice Chairperson to avoid any political affiliation of the CDC.

The CDC is supposed to be the connecting link between communities and the Councils in context of the CDF. It receives lists of prioritized community projects through the WDCs, and should then consult about the feasibility and costs projection and makes changes³⁸, if necessary. It lies within the authority of the CDC how the funds are allocated in the constituency, and thus if the CDF finances projects which target people living in poverty.

The composition of the CDC and its underlying rules of membership raise critical issues concerning democratic principles of the fund since the guidelines allow the MP to appoint 4 out of 9 members of his own choice whose position is to represent civil society interests. The appointment is usually undertaken in a non-consultative manner with the community, and thus a non-partisan composition of the CDF can no longer be guaranteed. This contradicts the above mentioned principle of who is allowed to be the Chairperson of the CDC in order to prevent any political affiliation of the CDC.

It can be argued that the councilors who sit on the CDC are democratically elected by the citizens of his/her ward, and thus function as citizens' representation. However, the CDC only allows two councilors to sit on it, but constituencies in Zambia comprises of much more than two wards. The expectations of the CDC being a comprehensive democratic representation can thus not be fulfilled. Furthermore, as Chipata District Farmers Association observed in Chipata Constituency in Eastern Province,

³⁷ It is noteworthy that a similar system is employed on national level where the President is allowed to appoint eight MPs, beside those who have been elected democratically.

³⁸ This is important especially when it comes to fund complex infrastructure projects of which the WDCs do not have the capacities to foresee real project costs. This expertise is delivered by the Council through the CDC membership of a Director of Works/Engineering.

“the two [...] councilors [...] tend to be more biased to the issues concerning their wards. In areas where the councilor has a good working relationship with the community, local chief and CDC, they can greatly assist in CDF implementation. However, in practice, the councilor can also be a stumbling block if he/she decides to collude with corrupt CDC members, or if they decide to undermine the sitting MP for political reasons.” (Chipata DFA 2011: 9)

The role of the MP in the CDF is probably the most concerning due to exclusive rights the MP has been prescribed by the CDF guidelines. Additionally, the role of the MP should be discussed further in the context of separation of powers in democratically organized societies since s/he acts in executive and legislative function. I will further discuss the issue of the MPs role in the CDF in the case studies which will shed some light on practical implications, for instance accountability relations of the CDF.

To sum up, the CDF only provides an insufficient inclusion in decision making procedures of citizen regarding the composition of the CDC, for instance the Chairpersons of the WDC, and thus, citizen participation in decision-making totally depends on the leadership style of the MP and the capacities of other CDC members and citizen engagement to create social accountability. The MP will either appoint members who are committed to the community in a whole and intend to utilize the CDF as a pro-poor funding mechanism, or s/he appoints members who are loyal to him/her what again might turn the CDF scheme into a source for clientelistic practices³⁹ and a tool to support political party agendas (cf. FOSUP 2012: 4). On the other hand, the political nature of the CDF might undermine its effectiveness due to differing political interest frictions of CDC members.

³⁹ According to Roniger (2004: 2) “clientelism involves asymmetric but mutually beneficial relationships of power and exchange – a non-universalistic quid pro quo between individuals or groups of unequal standing. It implies mediated and selective access to public resources and markets from which others are normally excluded. [...] Those in control [...] provide selective access to goods and opportunities and place themselves or their supporters in positions from which they can divert resources and services in their favour. Their partners – the so-called clients – are expected to return their benefactor’s help, politically and otherwise, by working for the patron at election times or boosting the patron’s prestige and reputation. In the political realm, clientelism is associated with the particularistic use of public resources and with the electoral arena, and entails votes and support given in exchange for jobs and other benefits handed over by incumbent and contesting power-holders as favours.”

5.2.1.3 The District Councils

Decentralized policies tool for local development such as the CDF prerequisite a decentralized administration, planning and management unit. Thus, District Councils are involved manifoldly in the CDF. Their involvement begins with the receipt of the funds which are disbursed from MLGH into CDF specific bank accounts. The funds are kept in those accounts until the CDC submitted the project proposals for local development initiatives to the District Council for final approval. After approval the Council together with the CDC prepares the cheques for the contractors. The Councils are represented on the CDC through the membership of the Director of Work/Engineering, who is the only member “whose membership is based on professional competency.” (FOSUP 2012: 5) He/she advises the CDC regarding costs projections and feasibility of high-cost infrastructure projects, i.e. roads, construction of clinics, police posts, schools, etc.

The councils (represented by the Director of Work/Engineering) – together with the benefitting community (represented by the WDC Chairperson) and Government line ministries (represented by the Director of Socio Economic Planning) – are also involved in monitoring and evaluation (M&E) of implemented projects in the constituencies since they are equipped with the necessary technical expertise. The guidelines state that monitoring visits should take place on a monthly basis “or as often as necessary depending on the nature and stage of the project.” (GRZ 2006.: 6)

5.2.1.4 The DDCC and its Sub-Planning Committee

The DDCCs were introduced in 1993 as forum for any development activities (from planning to evaluation at district level). Their mandate includes the creation of district-wide development plans and coordination of development activities. These forums consist of heads of government line ministries and various development agencies at district level, as well as executives of the councils (cf. Chikulo 2009: 104). The problem which occurs here was mentioned briefly in the previous chapter about decentralization in Zambia. The DDCCs are not legally constituted local government institutions but rather patched together from different authorities and thus find themselves being accountable

to different accountability holders. Most of the DDCC members belong to deconcentrated government line ministries and thus are only accountable to their mother institution, the respective ministries. “The council has no legal administrative authority over central government line ministries. The deconcentrated sector ministries which provide services within the council’s area of jurisdiction, report directly to their parent ministries in the capital of Lusaka.” (ibid.: 104) The function of the DDCCs in regard of the CDF mechanism is twofold. First, they have to make sure that no duplication of project funding takes place in respect of district development plans and constituency project funding of which the Sub Planning Committee of the DDCC is responsible for. And second, the DDCCs receive CDC approved project proposals to write an appraisal report to the council. This step serves to harmonize proposed projects at constituency level with projects to be undertaken through the district development plans. The two-tier decentralization structure in Zambia (government line ministries and local government units) calls for this bureaucratic procedure.

5.2.1.5 The District Tender Committee

The District Tender Committee (DTC) is composed of ten members of who most are heads of Council departments. The chairperson of the DTC is the District Administrator who is the extension of the president at district level⁴⁰. The DTC is involved in the CDF process when contractors/suppliers need to be sourced for infrastructure projects. The Zambia National Tender Board Act (amended in 1995 and 2000; also called Tender Regulations 2000) provides the guidelines for tender procedures from national to district level. At district level the DTC has to invite at least three tenders from contractors/suppliers, and assess them before any contract is given to a bidding company. Problematic here is the fact that the strongest type of accountability is upward accountability from the DA to the president and since the head of council departments are civil servants social accountability here is missing. Neither the guidelines nor the Tender Regulations Act provide any information regarding transparent tender procedures.

⁴⁰ See chapter *Decentralization and Local Governance in Zambia*.

5.2.1.7 Ministry of Finance (MoF)

The funds for the CDF come from government ordinary revenues and thus the amount of the CDF is based on annually budget forecast. Since Zambia experienced constant increase of government revenues (Table 3), GRZ kept on increasing the amount available to the CDF. MoF's role in the CDF mechanism is to allocate the funds to MLGH, the CDF responsible institution at national level.

5.2.1.6 Ministry of Local Government and Housing (MLGH)

The MLGH plays various parts in the CDF process. First, the CDF guidelines clearly state that the MLGH is responsible for allocating the funds to the respective councils' CDF accounts (GRZ 2006: 4). Second, the MLGH acts as accountability holder to the District Councils. The latter has to report directly to MLGH and does so by sending copies of each and every CDF meeting in all the 150 constituencies on a quarterly basis (ibid.: 5). Another accountability mechanism are the regular audit inspections (in accordance with the Local Government Act 281 and the CDF guidelines). These inspections shall go beyond the standard procedure of accounts and books auditing, but shall also include physical verification of completed projects in all the 150 constituencies in Zambia which is the basis of an annual report MLGH has to present to parliament and cabinet (ibid.: 6).

5.2.2 The CDF process

Taking a close look at the CDF process will help to gain a deeper understanding of the possibilities and limitations of stakeholder action in context of transparency, community participation, accountability, and equity aspects. Furthermore, examining the *de jure* CDF process makes it easier to compare it with the *de facto* procedures taking place on the ground as will be examined in the next chapter.

The CDF project cycle illustrates the different project stages and stakeholders involved. The first stage is called 'project identification and selection' and will be addressed in the next chapter. It consists of varying processes in which many stakeholders are involved as briefly addressed above. Project selection is then followed by procurement procedures

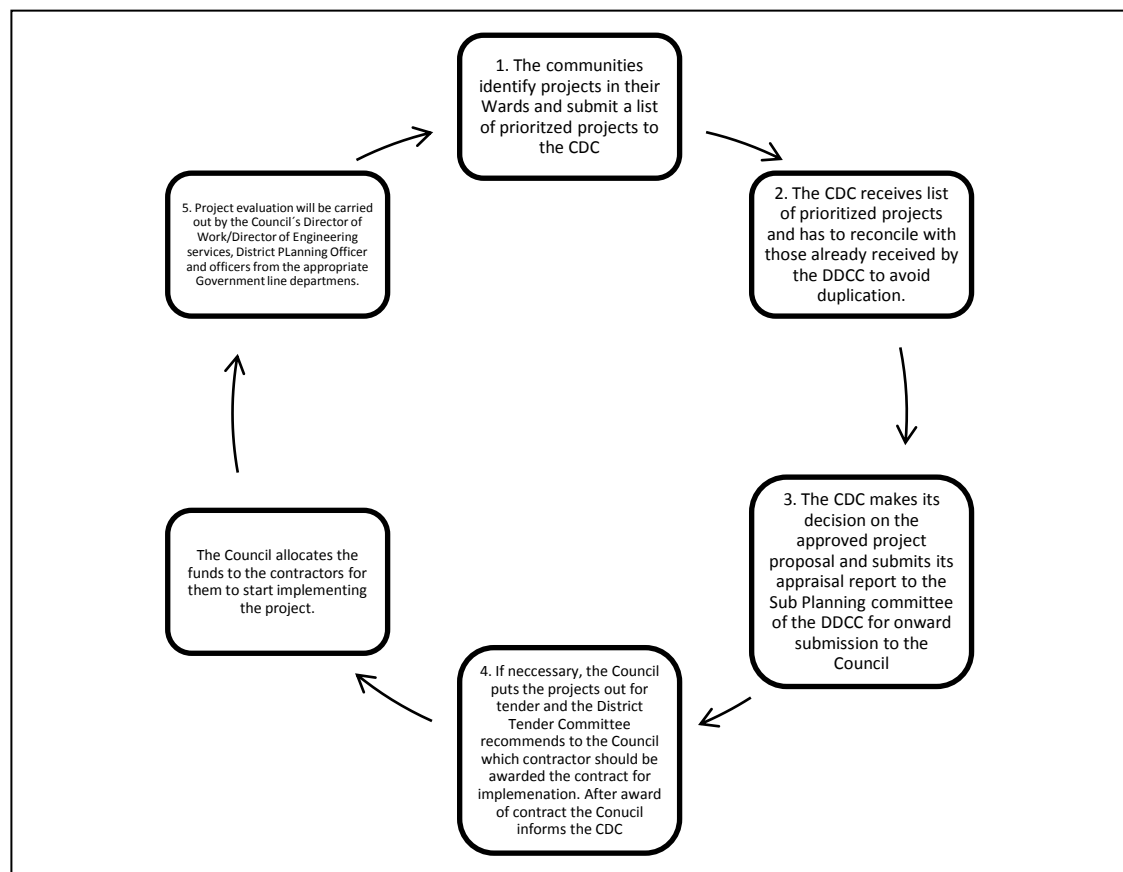
and allocation of the funds to the respective project. After allocating the funds the project can be implemented what is then followed by monitoring and evaluation activities.

5.2.2.1 Project Identification and Selection⁴¹

Step 1: Project Selection and Prioritization

The CDF process starts by identifying projects at ward level which is supposed to be done entirely by the community. This identification is carried out in collaboration of ZDCs and WDCs whose task is to consult the community regarding local needs (GRZ 2006: XX).

Figure 8: Project Cycle of the CDF process



Source: Illustrated by author

⁴¹ Adapted from Gikonyo (2008: 16ff.)

The councilor of the respective ward community should also be involved to act as an informant and partner to the community, since he/she deals with council issues everyday and is in a position to deliver valuable information to the community. The councilor's involvement is based on the fact of being democratically elected by the ward community, and thus has to represent community matters at the council or the CDC depending if he/she is a CDC member.

As mentioned in the theoretical part of this paper, a crucial factor influencing community participation is the extent of knowledge of the community regarding the CDF. The CDF guidelines state that "[the] Council shall invite project proposals from the communities during the first quarter of every year by way of **advertisements**, open meetings and fixing of posters in conspicuous locations such as Notice Boards [sic!] of schools, clinics and churches including notifications through letters to Chiefs and Village Headmen." (GRZ 2006: 3, bold in original) Many NGOs in Zambia observed that community knowledge concerning the CDF is limited or non-existent especially in rural areas where Council offices are up to 200km away from rural communities. The Councils' effort to put up posters only at Council offices has a very limited outreach effect and increases urban bias (Chipata DFA 2012*; FODEP 2012*; SACCORD 2012*)⁴². Additionally, illiteracy rates in rural areas are relatively high. In some areas in Zambia more than 60% of the rural population is not able to read and write (CSO 2000⁴³: 55). Furthermore, some can only read in vernacular but information on the CDF is only available in English (including the guidelines), if any. Chipata DFA (2012*) remarks that the councils should have been using local radio stations as the stations have a wider coverage and is also a cost-efficient outreach and awareness-raising strategy. Reasons for limited outreach of many Council to inform rural constituencies about the CDF and the role they are allowed and supposed to play in it are lack of staff capacity and scarcity of financial resources (SACOORD 2012*). Financial constraints of local authorities in Zambia are widespread and are demonstrated, for instance, by the inability of local authorities to pay their staff for years (Lusaka Times 16.12.2007).

⁴² * marked sources are interviews which were conducted via email.

⁴³ The only data available for rural illiteracy in Zambia is from 2000. Other figures on literacy in Zambia are not disaggregated.

The extent of community participation in project identification is also determined by the councilor's leadership style and his/her knowledge regarding CDF. In areas where the majority of the population lives far away from the Council offices people depend on the Councilor's commitment to disseminate information regarding the CDF, e.g. arrange community meetings. In other areas, for instance in Chipata District many ward councilors did not have an adequate knowledge or were not aware of the CDF guidelines⁴⁴ at all (Chipata DFA 2012*).

Additionally, an important aspect influencing community participation is the interaction and relationship between Councilors and MPs. If an MP acts arbitrarily and tries to make decisions by him-/herself holding the MP accountable pretty much depends on the capacity and willingness of Councilors to do so. If this is combined with low capacity levels of civil society MPs would be able to do as they please. These issues will be further addressed in the subsequent case studies.

Step 2: Application for Funds

After the community decided and prioritized which projects should be funded it submits the project proposals to the CDC. Proposals should contain a brief description to outline the purpose, the location and a rough cost estimation of the proposed project. These requirements should be communicated to the community by the CDC in order for them to apply successfully for CDF funding.

Step 3: Consultation with DDCC

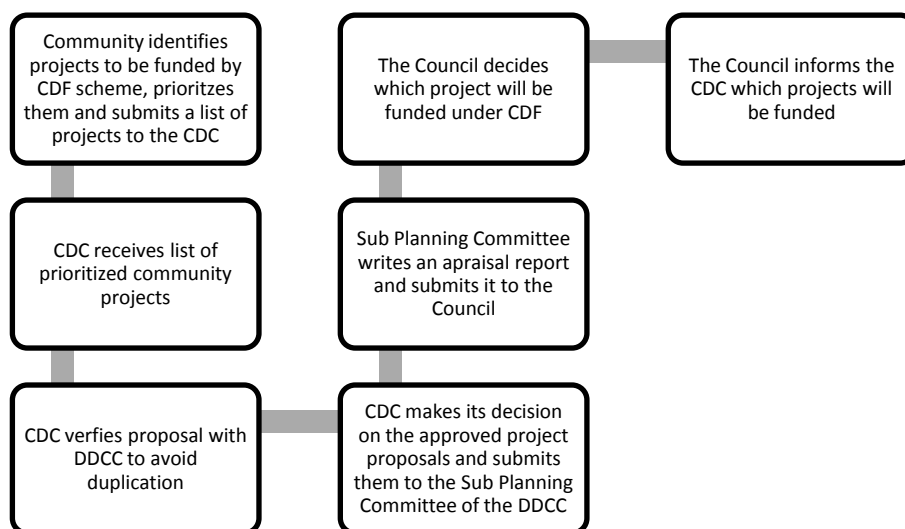
To avoid any duplication of funding, e.g. project to be funded already prepared by government line ministries, the CDF guidelines requires the CDC to verify community project proposal with the DDCC. Thus, the CDC has to send all project proposals from the wards to the DDCC therewith the DDCC can examine them. Projects which are already in the pipeline shall not be funded and the DDCC has to notify the CDC of the respective projects.

⁴⁴ Chipata DFA implemented an intensive awareness raising campaign funded by the Zambia Governance Foundation (ZGF) to improve the management of the CDF in Chipata.

Step 4: Discussion, Prioritization and Approval of Submitted Project Proposal

Generally, the CDC receives project proposals from the community exceeding the funding capacity of the CDF. Therefore, the CDC finds itself in a situation in which it has to prioritize the submitted projects. In this case, the CDF guidelines do not provide any rules to be followed so the CDC decides at its own discretion. The CDC has to make a decision within two weeks after verifying projects with the DDCC (GRZ 2006: 3).

Figure 9: From Project Selection to Project Approval



Source: Illustrated by author

Step 5: Submission to the Sub Planning Committee of the DDCC

Before the proposals reach the Council for final approval and implementation the Sub Planning Committee of the DDCC assesses the proposals the CDC approved and compiles an appraisal report for the Council. The Sub Planning Committee has to submit the report to the Council within two weeks.

Step 6: Onward Submission for Final Approval

The final approval of community projects funded under the CDF scheme is done by the respective District Council. The Town Clerk/Council Secretary notifies the CDC on which

projects have been approved by the council for funding and implementation. (cf. GRZ 2006: 4)

On critically taking stock with the CDF governing rules of decision making procedures we see that the guidelines lack provision of serious community participation. The community is not supported by any legal framework to be involved at any stage of decision making. Acknowledging that participation can be realized through adequate representation not all councilors are allowed to sit on the CDC and thus not all communities in a constituency can be represented. At the end, it is not even the CDC which is granted the final approval but the Council which “can disapprove, depending on whatever reason, any project despite it being priority to the community.” (Chipata DFA 2010: 10) The CDF in Zambia is due to its guidelines at risk to be a top down approach. This is aggravated by opaque decision making procedures and missing downward accountability mechanisms. The CDF guidelines do not provide adequate measures for the CDF to be considered as an open and transparent local funding mechanism in which involved stakeholder can be hold accountable by the general public. Thus there is need to assess how the *de jure* affects the *de facto* situation.

5.2.2.3 The Procurement Procedure

The procurement process is not just a highly technical procedure where engineers assess bidding contractors to guarantee work is done at whatever project site. This stage of the project cycle is crucial for ensuring that citizens get value for their money. However, the procurement process is also very prone to corrupt transactions since it is the process handling huge amounts of money (Gikonyo 2008: 31; Lusaka Times 21.05.2012). This is reflected by the Anti Corruption Commission (ACC) Zambia workshops on corruption prevention and accountability in the conduct of procurements (cf. ACC Zambia 2005⁴⁵: 34). Effective oversight mechanisms are thus of great importance to ensure transparent and corrupt-free transaction of public investments and efficient service delivery.

⁴⁵ <http://www.acc.gov.zm/wp-content/uploads/2011/10/2005-annual.pdf> (2. Juli 2012)

As mentioned above, the procurement procedures are solely done by the DTC and the Council. After a project is tendered the DTC evaluates a minimum of three bidders and “[shall] recommend to the Council for award of contracts, which shall be given to local contractors and suppliers.” (GRZ: 2006: 4) After awarding the contract to the supplier “the Chairperson of the WDC together with the Town Clerk/Council Secretary shall be signatories to all contracts.” (ibid.: 4) The contract to be signed should include the following documents:

- the letter of acceptance from the contractor,
- the said tender,
- the tender notices,
- documentations and correspondence,
- conditions of tender,
- specification of a particular application,
- the standard specification
- and the priced Bill of Quantities.

The attachment and provision of the above mentioned documents should ensure a transparent procurement procedure by disseminating important information to the public. This in turn is a crucial aspect in respect of monitoring the project because the provision of adequate information to the public allows citizens to effectively engage in project implementation. However, the exclusion of the CDC the WDC in the DCT meetings raises some concerns. The CDC and Council are both allowed to change project applications handed in by the community without communicating these changes to the community. Thus, the community represented by the chairperson of the WDC is supposed to sign a work contract which details they might not be fully aware of.

5.2.2.4 The Project Implementation

After the projects have been approved and the contractors have been sourced by the Council, projects are yet to be implemented. The implementation process consists of different stages. The funds need to be disbursed to the contractor/supplier, materials

need to be purchased to the project site, the work has to be monitored and eventually the project has to be handed over to the community.

After MLGH has disbursed the funds to the Council the latter shall only allocate the funds to approved and tendered projects, if tendering was necessary. Funds are only disbursed by cheque and require a two panel signatory system. Panel A includes the Councils, or more precisely the Town Clerk and the Director of Finance. Panel B consists of the Chairperson of the respective CDC (ibid: 5). The cheque shall be addressed to the contractor/supplier directly. After the money is disbursed to the contractor/supplier the project can be implemented physically.

5.2.2.5 Monitoring and Evaluation

M&E is an important project management tool which helps project stakeholders through systematic data collection to improve

“the efficiency and effectiveness of a project or organization. It is based on targets set and activities planned during the planning phases of work. It helped to keep the work on track, and can let management know when things are going wrong. If done properly, it is an invaluable tool for good management, and it provides a useful base for evaluation.” (CIVICUS undated.: 3)

As mentioned earlier, monitoring is supposed to be undertaken in collaboration of the District Council, government line ministries and the beneficiary community, called the monitoring team. Therefore, monitoring activities are considered to be a participatory process of various societal actors. However, the guidelines do not clearly state how citizens are supposed to participate in monitoring activities. Are communities only considered to be a source of data collection for monitoring progress reports? Or do monitoring activities focus “on the information needs of the program stakeholders rather than the agency doing the evaluation?” (Anatole 2005: 1) The lacking of a clearly outlined participatory monitoring framework jeopardizes serious civil engagement in overseeing project implementation. Here, there is need to assess how monitoring activities especially undertaken by citizens take place on the ground.

Furthermore, the CDF guidelines lack provision on citizen participation in regards of project evaluation. “The evaluation of the project shall be carried out by the Councils’s Director of Works/Engineering Services, District Planning Officer and officers from the appropriate Government line departments [...] [and] shall be done upon completion of the project but before the disbursement of the following year’s Constituency Development Fund.” (GRZ 2006: 6) Considering the timeframe suggested in the guidelines evaluation activities seem to be output oriented instead of evaluating project impact in the constituencies.

5.2.3 Summary of CDF Governing Rules

As demonstrated above, the CDF guidelines lack provision of many CDF governing rules to ensure citizen participation in decision-making, project implementation, monitoring and evaluation. The guidelines lack provision of how information is supposed to be shared with the public and thus runs into danger to be an intransparent funding tool if relevant stakeholders do not share it voluntarily. This circumstance gives cause to believe that citizens will experience serious problems to hold decision makers, e.g. Tender Board, CDC, District Council, accountable.

Citizens are not provided with any mechanisms to hold decision-makers at whatever stage of the CDF cycle accountable, e.g. reporting mechanisms. Social initiatives undertaken by citizens are not supported by supply-driven accountability mechanisms, e.g. performance-based monitoring framework. How this absenteeism influence CDF operations in the respective constituency will be addressed in the next chapter.

5.3 Operation of the CDF: The Constituency Level

The analysis of the CDF guidelines in the previous chapter aimed at scrutinizing the CDF operations governing rules in order to gain knowledge of the CDF procedures from project identification to monitoring and evaluation, to examine the quality of the rules in respect of the four governance principles and to point out dangers in a situation where

rules are not properly formulated and thus leave room to arbitrary behavior of relevant stakeholder of the CDF.

This chapter serves to analyze *de facto* CDF operations in six constituencies in Lusaka, Kafue and Chongwe District in order to explain how the CDF guidelines are implemented, if stakeholders adhere to the rules, and if not what factors contribute to non-adherence. Thus, I will also shed some light on existing enforcement mechanisms. In order to do so, I will examine the said operations in the light of transparency, participation, accountability and equity.

5.3.1 Transparency – Access, Extent, and Quality of Information

As argued earlier, the constant, timely provided and accessible information at any stage of a policy process is crucial for not only overseeing public officials' actions, but also to make citizen policy engagement possible. Meaningful citizen involvement in policy is highly affected by the quality, extent and accessibility of information. These aspects will be assessed in regards of different key players, namely the CDC, local government, ward councilors and the WDC in all the constituencies. Information flow will be examined between local government and the CDC, between the CDC and the wards, and also between the wards and local government.

The procedure of sensitizing the wards, and thus the communities' knowledge in respect of CDF operations in Zambian constituency varied heavily from ward to ward. Variations were found in respect of the facilitator of sensitization measures, their extent and quality, as well as the perception of sensitization responsibility. While some of the wards were sensitized either by their ward councilor or the CDC regarding CDF procedures, some were totally left out as much as they have never seen the guidelines nor were informed about any projects funded through the CDF mechanism. While the Chairperson of the WDC in Kabwata Ward, Paul Bwalya, was provided with the CDF guidelines by the local council, other WDCs in the constituency have never seen them. He explained that this might be explained by his privileged position as he was able to establish a good relationship with the council (Bwalya 09.05.2012). In Kamwala Ward, for instance, the ward was only sensitized through its ward councilor who happened to be a member of the CDC. This sensitization was also explained due to a good relationship between the

councilor and the WDC (Banda 13.06.2012). Sometimes the CDC acted as source of information and sensitization to the wards, as it was the case in Chilenje Ward (Mr. Muwaika 03.05.2012). In Libala, for example, no information was provided to the chairpersons of the WDCs in order to let information regarding the CDF guidelines flow down to the zones to ensure comprehensiveness and inclusiveness of awareness rising measures. Cooperation between councilors and WDC chairperson did not take place (Mr. Ngoma 07.06.2012). In fact, some of the interviewees, both ward councilors and WDC chairpersons, argued that some ward councilors tend to anticipate the WDC as their opponents who try to contest their political office since the WDC operations take place on the grounds and thus WDC members are closer to the people than councilors since they 'only' form the legislative wing in local government (Barron 31.05.2012).

The WDC chairperson of Kabwata Ward criticizes local government's inactivity in raising community awareness of CDF operations as the WDC is supposed to play an important role in exercising checks and balances on both the CDC and the Council (Bwalya 09.05.2012). Workshops regarding CDF operations were only conducted for members of the CDC. Interestingly, though the council does not make an effort in sensitizing its citizens about the CDF, a survey was conducted to gather information provided by the community regarding its satisfaction with the operation of the CDC. However, this survey was only confirmed to have been conducted in one of the wards this research was undertaken (Muwaika 03.05.2012). As Chilenje WDC chairperson confirmed, this situation of unaware citizens led to a situation in which some part of the community considers the CDF as the MP's money, and thus overseeing any action of the CDC would not make sense (ibid.)

A different situation from the one described above was observed in Kafue Constituency. Here, local government conducted sensitization workshops for members of the WDC, councilors from all the wards, and the members of the CDC. Kafue District Council put in a lot of effort to muster all the stakeholders considering the size of Kafue District of being more than ten times bigger than Lusaka District. Participants of the workshop confirmed that all the members of the WDCs and the councilors from all the wards in the District participated and were provided with the guidelines of CDF operations (Muuka 25.05.2012). However, as CDC members observed during some field visits, community

knowledge about the CDF in this vast district correlated strongly with distance to urban settings. In some very remote areas people had never heard about the CDF (Chilomo 23.05.2012).

In Lusaka Central Constituency the CDC made sure that CDF guidelines were reproduced and distributed to all the development committees in the wards (Mwambaluka 27.04.2012). This pro-active procedure led to sound understanding of the WDCs regarding the roles and responsibilities the various stakeholders play. Citizens in Lusaka Central Constituency were thus able to get information regarding the application procedure made being available to the constituency.

Councilors in Chilanga Constituency used the existing sub-local structures of wards and zones intensively, called for meetings with the community in cooperation with ward and zone leaders and shared information regarding the CDF. (Barron 31.05.2012; Chilongo 29.05.2012). This was of importance especially in the remote farming area of Chilanga Ward where many people are illiterate and have only little access to media, e.g. newspaper (Barron 31.05.2012).

Information about the CDF in Chongwe Constituency were spread using the Ward Councilors who were expected to carry these information back to their communities. Prior to spreading the word in the communities the council conducted orientation workshops for the members of the CDC to familiarize every CDC member with the CDF governing rules. According to the CDC members the committee at some point pro-actively engaged all the ward councilors (instead of just two being elected) and ward officials to participate in the CDC meeting to distribute information in the wards (Kalichini 14.05.2012; Kalimakwenda 15.05.2012). However, District Council in Chongwe was not able to provide contacts of the said ward councilor in remote areas. This circumstance raises some concerns if the Council actually invited all of them. Considering the size of Chongwe Constituency (10500 km²), its underdeveloped road infrastructure and high poverty levels, it is unlikely that ward councilors or citizens from remote areas had the possibility to travel to the District Centre in Chongwe town and back which cost between 6 and 7 US-Dollar. According to a local NGO, Chongwe District Farmers Association, sensitizing citizens was not done in an appropriate manner (Chongwe DFA 14.05.2012). Chongwe DFA, currently funded by the Zambian Governance Foundation (ZGF),

undertook community research and awareness raising programs in the very remote areas of Chongwe Constituency and found most communities with no or little knowledge regarding the CDF.

The strong information dependency of the community from the councilor's will or commitment was confirmed by Ward Councilor of Chongwe's Kanakantapa. At the time of his election in 2006 he found his ward being totally unaware of the CDF since his predecessor did not carry out any information about the fund into the rural areas (Kalimakwenda 15.05.2012). It could be interpreted as lack of political will or commitment to closely cooperate with the community he represented. Admittedly, the CDF was of very little impact and was not institutionalized before 2006, and thus not much attention was paid to it by the public. However, lack of data for the period before 2006 does not allow any comprehensive analysis of the management and utilization of the CDF. A CDC member of Chongwe confirmed that the CDF system before 2006 was based on a pocket-money system for MPs who received funds on their private bank accounts without any system of control. Thus, no one knows what actually happened to the money MPs received (Kalichini 14.05.2012).

In sum, the provision of information of the CDF to sensitize citizens in the researched constituencies varied heavily and faced many challenges. In some areas citizens depend too much on political figures, e.g. ward councilors, to receive valuable information. Accessibility of basic information about the CDF is very low, especially in rural constituencies and rural wards within semi-urban constituencies as it is the case in Chilanga Constituency. Citizen knowledge is thus influenced by the working relationship between communities and councilors, and by the councilors' commitment to transparent processes. This is enhanced by CDF guidelines only being produced in officialese language. No guidelines are produced in vernacular language. Additionally, illiteracy is found in all the constituencies and then often concentrated in specific wards, as it is the case for Kabulonga Ward (Bauleni compound) in Lusaka Central Constituency, many wards in Chongwe Constituency, in Chilanga Ward of the same titled constituency. General knowledge is also usually concentrated among those who are closely engaged in the WDCs. Knowledge outside this structure is often very low (Chongwe DFA 14.05.2012).

However, broad sensitization of citizens is necessary when new policies are implanted to give citizens the opportunity to fully participate. Since the CDF is a devolved funding tool for development projects it is local government's responsibility to engage citizens for which it should utilize existing local structures to channel information. Geographical size of districts and financial equipment of local government surely play a role in local government ability to conduct widespread sensitization workshops. However, it raises questions in the case of local government in Lusaka District. Lusaka is the smallest and economically best equipped District in the country but its local authority was not able to conduct sound citizen sensitization by holding public meetings, using the media, or made sure that WDC officials were provided with the necessary information and resources to conduct community workshops.

While citizen sensitization is only the starting point for a transparent process of policy implementation, details made available to the public, e.g. disaggregated information on community projects, is supposed to be a continuous procedure to ensure citizens engagement during implementation and monitoring of CDF funded projects.

As mentioned in a previous chapter, the project proposals are assessed by different actors who have the right to change proposals when, for example, the projected costs by the community were inadequate to successfully implement the project. The CDC and the council are thus eligible to recalculate project figures. In fact, Musaiwale (26.04.2012) confirmed, that the local authority in Lusaka changed some of the proposal due to lack of technical knowledge of communities. However, changes in this regard can jeopardize any serious attempt of the community to monitor project implementation if these changes are not being adequately provided. Basic information, such as bill of quantities, final project costs, etc. is a crucial prerequisite for effective participatory project monitoring. It was observed that details of either changed or original project applications were rarely provided to the applicants (Bwalya 09.05.2012) In Kafue, for instance, citizens through the WDC applied for CDF support to fund an infrastructure rehabilitation project (*road grading*). After applying the WDC was not informed about the application's progress. Eventually, the WDC chairman was informed by the ward councilor to go to the project site to oversee the offload of building material without being told specific details regarding quantities, costs, name of the contractor, etc. (Muuka 25.05.2012). A similar

picture emerges in Libala and Chilenje Ward where projects also have been implemented without providing any useful data to the public (Muwaika 03.05.2012; Ngoma 07.06.2012).

This is a clear case of non-adherence to the guidelines by local authorities. The CDF guidelines state that the project contract between council and contractor should be signed by the WDC chairperson and should include all the necessary detailed project information⁴⁶. The provision of such information would ensure cost transparency and would allow citizens to oversee project implementation. Councilor Musaiwale (26.04.2012) of Kabwata Ward confessed that providing information to the public “was not done very well.”

In Kamwala Ward, project information was provided by the ward councilor upon request by the WDC chairperson. However, the provided information were not detailed enough to effectively oversee project implementation since only information of the total project costs was provided to the WDC (Banda 13.06.2012).

In most constituencies citizens are not provided with adequate project details from any of the involved stakeholders of the CDF. Most members of the CDC also complained that they were not given any details, except of the total amount allocated to the project after local authorities finalized the tendering process and sourced a contractor for cost-intensive construction projects (Mwambaluka 27.04.2012). Thus, citizens were not able to get any detailed information about projects from the constituency offices – the closest focal point to engage with the CDF on constituency level.

However, if stakeholders do not act pro-actively support citizen engagement through transparent policy processes, citizens have the possibility to engage themselves by various means. As it was observed citizen engagement in demanding transparency was undertaken by local NGOs, for instance Caritas Zambia, FOSUP, SACCORD, Transparency International Zambia, and various District Farmers Association. Unfortunately, most of their initiatives were implemented just recently wherefore no impact of this kind of citizens engagement had taken place by the time this research was conducted. Most ward officials complained about the extent of non-transparency mainly employed by local authorities but only a few of them demanded information from public officials.

⁴⁶ See previous chapter.

This was the case in Chilongolo Ward of Chilanga Constituency where citizens formed a project committee for each project which was implemented in the ward. These committees are elected democratically and consist of ten community members who are not supposed to hold any executive position in the WDC. Thus, these committees play a crucial role in overseeing the implementation of the projects. Project details were provided by local authority upon request. Hence, citizens had the necessary information to effectively engage themselves in operations of the CDF and ensure its smooth implementation.

As demonstrated above extent, quality and accessibility of information regarding the CDF and its funded projects is very limited in most constituencies this research was conducted. Citizens and also the CDC are hardly provided with disaggregated data of projects which are implemented in their constituencies. Thus, meaningful citizen engagement is seriously hampered and prerequisites cost-intensive and time consuming data collection. The Lusaka-based NGO FYOZ conducted field research employing a social audit method which they used to assess cost-effectiveness of CDF funded projects in Kanyama Constituency in Lusaka. This was made possible due to external funding by the Zambian Governance Foundation. This situation points out the need to support local stakeholders in order to apply some sort of control, though this type of social audit was conducted ex-post.

5.3.2 Participation

The analysis of the CDF guidelines in the previous chapter gives reason to believe that participation in *de facto* CDF operation is rather limited. However, limited participation does not only derive from the guidelines governing rules. Citizen participation can be self-initiated as I briefly demonstrated above referring to Chilanga Ward. Thus, this part will be descriptive and analytic as I will examine other factors influencing citizen participation in the CDF.

Rules governing the CDF allow citizens to participate in project identification following a community needs assessment and prioritize those needs to generate a list of projects. In most constituencies project identification was done at ward and zone level using the sub-local structures of WDC and ZDC. While inclusive participation is generally possible in

direct-democratically organized sub-location structures, basic participation skills should be in place to effectively participate. Knowledge about CDF procedures, stakeholders, and its governing rules is thus a very important prerequisite for participation. In most constituencies general knowledge of citizens about the CDF is very low to non-existent. As demonstrated above, intransparent procedures play a crucial but not the only role in what determines community knowledge. Other factors are financial constraints of WDCs and ZDCs which affects them negatively regarding community awareness raising. Local authorities who set up the WDCs and ZDCs do not fund them adequately so that committees are forced to use limited private money to carry out their work (Banda 13.06.2012; Muuka 25.05.2012). Inadequate provision of resources to sub-local structures is also demonstrated by lack of office facilities. Most WDCs in the researched areas do not have these facilities and thus are forced to either hold meetings in public spaces or in their private homes (Banda 13.06.2012)

Chongwe constituency is a textbook example for how power and political interests do not just influence citizen participation in the CDF, but also how central government and power-hungry MPs fight an uphill battle on the back of rural population living in extreme poverty. Members of the CDC confirmed the MPs misuse of the CDF by instrumentalizing the fund for political purposes. She encouraged citizens of Chongwe Constituency to register clubs and societies to benefit from CDF funding. In the period from 2009 to 2011 which was the time in which presidential by-elections⁴⁷ and general presidential elections were held a sudden increase of small scale projects (200 US-Dollars), for instance giving out chicken and pigs to women's clubs can be observed (Chongwe DFA 14.05.2012; Kalichini 14.05.2012; Kalimakwenda 15.05.2012). The current chairman of the CDC in Chongwe clearly pointed out the political dimensions of the CDF operation in Chongwe. He confessed that the reason why he was appointed was based on his position as Party Secretary of the then party in power, the MMD, and thus his anticipated loyalty towards the MP who was then still a member of the MMD. When he was confronted with the list of projects provided by the council on which the above mentioned small scale projects were documented, he said:

⁴⁷ The by-election in 2009 was held due to the sudden death of late president Mwanawasa who died during attending the African union summit in Egypt suffering from a stroke.

“2009, you should realize, it became a political situation where we were having presidential by-elections. So the party wanted to be felt by the people. [...] The government or the party in power wants to exect [sic!] to the people, ‘Look, we are caring more for you!’ [...] We wanted that personal touch [...] and as you see in 2009 it worked well for our party president. Unfortunately, in 2011, I think it didn’t work well in certain areas.” (Kalichini 14.05.2012)

Though he confirmed the ineffectiveness of such project and local authority advised not to fund such projects anymore the CDC went on using the CDF as a campaigning tool. The council reasoned its decision not to fund the above described projects anymore based on its finding that monitoring this type of projects faced many challenges. When the monitoring visit was conducted most animals could not be found at their farms. The so called clubs explained that all of them had died, or they had sold them because they could not afford the fodder. It could not be confirmed if the animals had died or not, but the council assumed the clubs sold them and thus recommended to stop funding such projects (Kalichini 14.05.2012).

Another member of the CDC, Councilor Kalimakwenda of Kanakantapa Ward, commented this situation as follows:

“When you talk of 2011 why those things came back, I think it was political will. There was a lot of pressure to help women’s clubs. [...] It was actually engineered by the MP. [...] She has a strong hand in this money because you cannot disburse money without the MP. You cannot hold any meeting without the MP. And you cannot distribute any cheque without the MP. All those things are done with the control of the MP. That means the MP has a bigger hand, a bigger thing to do on the CDF. [...] The MP has more hand, is more powerful on that money. She controls, she directs. And that’s the problem we have here in Chongwe.” (Kalimakwenda 15.05.2012)

In 2011 the situation in Chongwe Constituency sharpened when Central government interest clashed with the ones of Chongwe MP to retain her seat in parliament. Lusaka has been a PF stronghold for many years and Chongwe which is only 40 km away from Zambia’s capital used to be an important District for the MMD which it has been ruling for some time, too. Chongwe MP, Mrs. Masebo, used to be a member of the MMD, and also for the Zambian Revolution Party (ZRP) before and was able to retain her seat in Chongwe regardless of her party membership. Whenever ‘her party’ seems to be

defeated in the upcoming elections she changed camps to the opposition to remain in the ruling party. Just two months before the general presidential elections in 2011, she resigned from MMD and announced her 'honeymoon' with the PF. This was obviously against the MMD's grain as central government froze Chongwe's CDF bank account "in order to facilitate investigations into the utilization of the 2009 and 2010 CDF allocation. This means that no transaction would be conducted on the account until after the audit verification was concluded." (The Post Newspaper 01.07.2011) This politically motivated move by the then ruling MMD was – against the backdrop of the time they needed to decide to audit the CDF operations – more than obvious. Only one day after Masebo announced to resign from MMD and join PF central government flexed its political muscles. Councilor Kalimakwenda (15.05.2012) confirmed MMD's direction to use the CDF as a political instrument in Chongwe to influence elections as he said that the way the CDF should be utilized was "directed from above".

Political interference and clientelism is not just limited to Chongwe constituency, but unfortunately a widespread practice in the application of the CDF in Zambia. John Mthaziko Zulu, program officer of the governance unit of Caritas Chipata, said "members of parliament and councilors have partisan interests and have more influencing authority on the CDF utilization, especially in projects' selection and sitting." (The Post Newspaper 03.04.2012)

Citizen participation in the CDC is seriously hampered by the fact that the CDF can potentially be used for patronage as the guidelines allow the MP to appoint members of the CDC. MPs thus have the chance to appoint CDC members who are loyal towards the MP and support his/her actions whether they are according the guidelines or not. On the other hand, participation is also determined by ward councilors' choice and will to allow people to participate. In 2007, the CDC in Chongwe Constituency decided to spend the whole amount allocated to the fund on a project called 'tractor scheme'. The committee bought two tractors in order to spur agricultural development and reduce poverty levels in an area which mainly consists of small-scale and subsistence farmers through increase of agricultural productivity. It was intended to rent out the tractors to the population living in poverty for 20 US-Dollars per acre. When conducting the field research the tractors were parked at the District Council fully covered in spider webs, two flat tires and

a missing axis. Director of Chongwe DFA, Mr. Choonga, complained about the scheme it was decided without any involvement of the citizens of Chongwe of whom the majority lives in poverty (Chongwe DFA 14.05.2012). He further complained that the tractor had not been used by the poor because they cannot afford to hire a tractor, even though the renting fee is far below the standard market price in the same area. Those who benefitted from the tractor scheme (until the tractors broke down and were left unattended) were better-off farmers with bigger farms who do commercial agricultural farming. One of the councilors and member of the CDC confirmed that he was using the tractor for his 50 acre farm until it broke down (Kalimakwenda 15.05.2012). Citizens of Chongwe Constituency have been totally ignored as the decision to use the CDF for the tractor scheme was made solely by the CDC. This was only possible in an environment where citizens are not soundly informed about their rights and specific policies, and thus fail to claim their rights. Citizens' unawareness directly plays in the hand of arbitrary decision makers.

A similar situation as outlined in Chongwe arose in Chilanga Constituency when the opposition party *United Party for National Development* (UPND) won back its parliamentary seat against MMD. UNIP's victory was preceded by the sudden expulsion of MMD candidate and former Minister of Finance, Ng'andu Magande (The Post Newspaper 04.09.2010⁴⁸). UPND's candidate Captain Moono defeated Magande's substitute, Keith Mukata, and won back his parliamentary seat which he had until 2006. Instead of smoothly joining the already operating CDC in Chilanga Captain Moono began to interfere the whole CDF system by political opportunism and arbitrary.

"When Magande left, this new man came in as MP, he brought in a lot of political interference, in a sense that he had no regard for the community. He could just propose. He wakes up, gets the [application] forms from the council, apply [sic!] just on his own. There is a provision here where.... [*pointing at the project application form where a WDC Chairman and a councilor should sign*]...he could ignore, where a councilor should sign, he could ignore [...] Him, he was disregarding the guidelines. So in the end, he could even went [sic!] to have cheques prepared from the council, start giving to the people on his own interest. [...] Everybody in the committee got frustrated, and we left him alone to continue. In the end, I think, up to now, there are some reports that money was misused. In fact the current MP was contemplating to take him to court." (Chilongo 29.05.2012)

⁴⁸ http://www.postzambia.com/post-read_article.php?articleId=13428

Councilor Chilongo further said that the MP did not just realize projects on his own behalf, but also deducted money from other projects the CDC had already agreed on. Additionally the MP decided to fund projects on his own which were already funded by the District Council. As Councilor Barron (31.05.2012) said, “The thing is that these guys are using the fund for campaigning. They are not considering what the people really need. He is thinking, *‘If I put a borehole there, its 300 households there. They will vote for me.’* You know that type of attitude.”

The councilor added that the MP’s perception of the CDF was that it is his property and that he could handle it in whatever way he wants since central government gave that money to all the MPs. This caused severe tensions on the committee since it employed an allocation system which aimed at allocating equal amounts to each ward in Chilanga constituency. Thus, the CDC chairman refused to sign any cheque the MP wanted him to sign, since the chairman’s signature is mandatory to collect any money related to the CDF from the council. Unfortunately, this could not be confirmed from Kafue District Council, but the District Planning Officer (DPO) from Lusaka City Council said that he found himself in situations in which MPs came to his office and used their political power and influence to threaten the DPO so that he eventually ordered the council secretary to prepare a cheque. Councilor Baron summed up:

“Here [in Zambia] an MP can have anybody fired, I can tell you that much. I have seen it with my own eyes, and heard with my own ears. I don’t want to give examples, but they hold a lot of influence. So most of these council chaps are scared of them, they really are scared of them. [...] That’s what I noticed. One of the downfalls of CDF is that the MP is given authority [...] they take it as if it’s money from their pocket. [...] But where you have one man controlling it, it’s alet’s say, it’s a big loop-hole. [...] Unless your MP is honest.” (Barron 31.05.2012)

He pointed out two important aspects heavily influencing the whole operations of the CDF. One is the leadership style of an MP whether an MP is committed to social development or if he or she is only committed to his/her seat in parliament. The second aspect is the ability and will of CDC members to employ effective checks and balances on the MP. Thus, CDC Chairman of Kafue described as follows:

“We need very strong empowered CDF committees. The problem does not come from inside CDF. The problem comes in when a member of parliament seems to be high up there, and when he says something it becomes the rule of law. [...] Most of the danger is with MPs who are very strong who can go to CDF and say ‘*I want this done. I want that done.*’ To dictate. And a problem in our society in Zambia is that the ability to say ‘No’ is so weak. Once they look at you and realize ‘*This one is mature. This one has more experience than I have.*’ They push the brakes. We need to have strong personalities in CDF, strong personalities. Not those ones who have government jobs and are depending [part missing] what undermines their ability to say ‘No’. This can’t work. [...] Because here in Zambia, this cultural sickness, I would say, the respect for authority is too strong.” (Chilomo 23.05.2012)

Further important arenas for potential citizen participation are M&E activities and participation in procurement systems. However, these two arenas are better off to be discussed in the chapter of ‘Accountability’ since aspects of oversight and control weigh much more than aspects of ownership through participation.

5.3.3 Accountability

Assessing existence and effectiveness of accountability arrangement in regards of political (internal or horizontal) or social (external) accountability regimes it is necessary to examine the de jure existing instruments as well as instruments or measures self-initiated by citizens to oversee and control CDF operations. This chapter will thus analyze existing accountability relations of the various stakeholders involved in the CDF as follows to give answers to the questions: *Who holds accountable? Who is held accountable? What accountability measures are used? How effective are existing accountability measures? What factors influence effectiveness of accountability measures?*

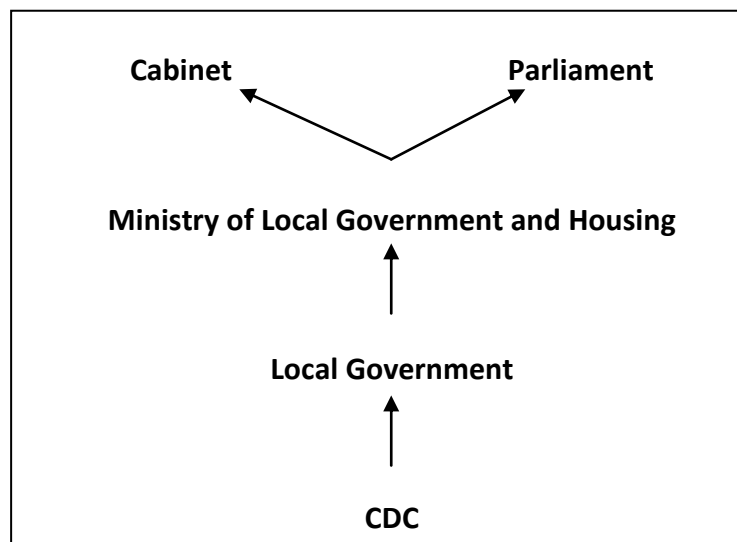
Political accountability arrangement exists between five stakeholders which are the CDC, Local Governments, Ministry of Local Government and Housing (MLGH), the Parliament and the Cabinet⁴⁹. This arrangement is a typical upward accountability system in which ‘lower players’ of the accountability chain have to report and justify their conduct to the ‘higher players’. The image below demonstrates the direction of this political

⁴⁹ Its members are the president, vice-president, ministers and deputy ministers of all central government ministries (38), and all provincial ministers (9).

accountability arrangement in which the arrows show the direction of conduct justification.

The CDC is assigned to deliver minutes of every meeting to local government as a council staff member of the District Planning Unit is appointed secretary of the CDC. These minutes are filed and submitted to MLGH as quarterly reports and progress reports should also be compiled and make available to the public. While the reports in form of minutes of the CDC meetings to MLGH are some sort of rules-based accountability as described earlier, the progress reports can only be considered as output-performance-based accountability, instead of impact-based.

Figure 10: Accountability system of the CDF in Zambia



Source: Illustrated by author

Generally, an accountability arrangement which employs both rules-based and (impact)-performance-based accountability is a correct approach to ensure rule-governed public policy and responsiveness of public institutions. However, effectiveness of the employed mixed accountability arrangement in the CDF system in Zambia is reduced by many influencing factors. First, the earlier mentioned power between the MP and CDC members, as well as between the MP and council staff. If an MP can walk into the council to have cheques signed and collect them, can easily manipulate the minutes of CDC meeting the secretary of the CDC has to compile who happens to be a council member. This upward accountability from CDCs to councils is supposed to generate transparent decision-making of project funding, and thus scrutinizes CDF operations only upwards to

the council. In Chongwe and Chilanga, councils did not really bother about the procedures of the CDC when MPs came up with their own projects. Beside power imbalances and the fear to be punished by a powerful MP, this failure to act by local authorities can also be explained through political loyalty of councils towards the MP.

Secondly, the role of the MP in the CDF system is totally blurred and unconstitutional in democratic states where separation of powers is supposed to be a central democratic element. As part of the legislature the function of an MP in Zambia⁵⁰ can be grouped in in-house functions and functions in respect of the electorate/constituency he/she represents. The former refers to his/her functions in parliament to make and vote for or against laws, hold the executive accountable through various mechanisms⁵¹ and represent his/her electorate's interests. The latter requires a close collaboration with his/her constituency to establish a powerful and effective link between the electorate and government. The problem which occurs here stems from the mix up of functions of executive and legislative. It means that MPs through their parliamentary function are involved in making laws and vote for policies (like the CDF Act), implement the same policy through their function on the CDC assigned to them by themselves, are hold accountable by the council which in turn MPs hold accountable in parliament. This creates a system of checks and balance in which an MP is his/her private watchdog. As van Zyl (2010: 3) describes it that "CDFs may breach the key democratic principle of the separation of power by conferring the executive function of budget execution on the legislature. As a result of this breach, CDFs may compromise the ability of legislatures to represent the electorate and to oversee the work of the executive." In sum, MPs should make the rules for the game, control if rules are followed, and if not should punish those who break the rules. In the CDF in Zambia, however, MPs make the rules, play the game, control if they play correctly and should punish themselves if they did not adhere to the rules. The political accountability arrangement of the CDF in Zambia is thus very ineffective.

However, as Caritas Zambia (2011: 29) found out 44 corruption-related cases were reported to the Anti-Corruption Commission (ACC) between 2006 and 2010. Almost two-

⁵⁰ Zambia is a presidential republic and thus the functions of parliament are different from the functions in, for instance a parliamentary democracy where parliament can start a confidence debate.

⁵¹ Parliamentary hearing, monitoring committees, etc.

third of all reported cases are still open. Reporting CDC stakeholder to the ACC, especially MPs, can be politically motivated whether malfeasance was observed or not. As mentioned earlier, the case of Chongwe Constituency is a clear case of politically instrumentalized fight against corruption. Central government only started to investigate its own MP one day after she announced to leave the party. Considering the fact that CDC members confirmed the (mis-)utilization of the CDF was partly directed from central government to finance political campaigns for the upcoming election, this political maneuver looked like central government tried to fix its own MP. In a more general way, a Zambian blogger called *Zambian Economist*, Chola Mukanga, described the fight against corruption and its political notion in regards of the president's role as follows:

“The fight against corruption must be a truly people driven agenda. A “Zambian Project”, not just the vision of the person in State House. One of the tragedies of the Mwanawasa administration is that the fight against corruption was personalized through Presidential Executive Orders which rightly conveyed the impression that it was a personal creation designed to fulfill whatever Mr. Mwanawasa had in mind. Creating private presidential armies to fight corruption is not good governance, no matter how successful those armies might be.”
(Zambian Economist 2011)

Political accountability in the CDF seems to be ineffective also due to ineffective law-enforcement institutions like the ACC Zambia and a politically influenced judiciary (The Post Newspaper 28.10.2010) Central government officials and NGOs in Zambia complained about the slow pace and lacking proactive behavior of the ACC when corruption-related cases are uncovered, for instance by the auditor general. Godwell Lungu from Transparency International Zambia said that law-enforcement institutions like the ACC closes reported cases of corruption only after having investigated half way (The Post Newspaper 05.06.2012). When law-enforcement institutions are toothless tigers, no one has to be scared to get bitten. Institutions like an Anti Corruption Policy as it was implemented in Zambia in 2009 are only as effective as existing incentive structures.

The second CDF accountability wing is the progress report which is supposed to be available to every community. It can thus be considered as a downward mechanism to enhance social accountability. The findings on this aspect are again very different in every constituency. While, for instance a quite detailed report was available for Kafue District

for the past years, those reports were either not existent or the Council did not want to avail them in Chongwe District. However, the former reason is more likely due to financial limitations of Local Government in Chongwe. These constraints, in turn, hinder the Council to frequently conduct monitoring visits to observe and document project implementation (Kalimakwenda 15.05.2012). This problem adds up by lack of qualified staff members in Chongwe District to conduct effective monitoring tours and also by the size of Chongwe constituency and its road infrastructure.

Beside of the quality of the reports and their timely availability this mechanism bears more general problems. Firstly, the progress reports compiled by local governments are aggregated output reports which do not allow citizens to detect smaller malpractices which might have occurred, for instance during procurement procedures. As mentioned earlier, the procurement procedure is a complete intransparent process of which CDC members and citizens are excluded. The CDF guidelines state that after sourcing a contractor local government is supposed to avail the tender documents to the community which should include all the necessary details to allow citizens to engage actively in monitoring project implementation. However, this was not the case in any of the examined constituencies except for Chilanga as mentioned above. This fact proves the tendering process as a weak spot for corrupt practices with no oversight mechanisms. Most of the interviewees – councilors, CDC members and community members – expressed their concerns and suspect corruption to be at its best at this stage of the project cycle. Some of the interviewees said that they suspect members of the tender committee to personally benefit as some also mentioned that relatives of the MP or members of the tender committee had been awarded contracts for project implementation. One councilor said that he is currently collecting evidence of corrupt practices in the procurement system and thus cannot give more details.

In general, social accountability in the CDF in Zambia can be considered to be very weak as the general public lacks information on CDF operations to engage itself effectively. Only a few NGOs are known which focus on CDF practice aiming at improving utilization and management of the fund. While the CDF was almost totally ignored before 2008/09 due to the small amounts allocated to it civil society began to take action in 2010. Unfortunately these activities are not well networked on a national scale so that citizen

engagement in policy making is somewhat locally embedded. However, Chipata DFA has launched its social audit project to track down government expenditure. The NGO has trained 88 social auditors in order to monitor government spending. Many local government officials, the District Commissioner (DC), staff members of law-enforcement institutions came to the launch and the DC coerced local government officials to work with the auditors in order to enhance transparency and accountability of government activities (Chipata DFA Newsletter Vol.3 (2), 2012). However, there is need to increase citizen engagement to enhance accountability, especially in using sub-local structures of the WDCs in order to increase capacities for effective policy engagement.

5.3.4 Equity

5.3.4.1 Distributional Equity

As mentioned in the previous chapter about the CDF governing rules no equity formula is applied to the allocation of the CDF on a national scale. Thus, every constituency though varying heavily in population and poverty levels receives the same amount. It is thus left to the CDC on what principles CDF is allocated within constituencies. Thus, it is necessary to examine the project list in order to find distributional patterns which may or may not follow principles of distributional equity.

Chilanga Constituency has a very unequal distribution of its population between wards. While Namalobwe and Chilanga Ward account for more than 60 per cent of Chilanga's total population, Nackachenje Ward only accounts for 2%. A similar situation emerges in Kafue Constituency where more than 50% of its population lives in two out of eleven wards. Population incline between the two wards with highest and lowest population density is drastic. While 30% of Kafue's population lives in Kasenje Ward, only 0.6% live in Chikupi Ward. As the above population tables show unequal distribution of population emerges in every constituency this research was conducted. In every constituency except one, CDC members confirmed that they employed an allocation system based on principles of equality, not equity. That means that they equally shared the whole amount available to the CDF among the number of wards it consists of. Councilors argued that this approach would be the best because it avoids any tensions and feelings of being disadvantaged (Chilongo 29.05.2012). In fact, this is a very weak argument considering

the claimed pro-poor focus of the CDF. It could also be interpreted as a strategy to increase political outreach of councilors and MPs to the electorate.

However, one constituency did not employ an equality system which at the end of the day is a net transfer from the poorest to the better situated areas. Lusaka Central Constituency consists of four wards and can be considered to be strongest constituency in Lusaka in household-income terms, and thus also social development indicators such as access to health and education, etc. This constituency accommodates most of central government officials, Lusaka's business elite, and the biggest number of Zambia's expats, including international development practitioners, embassy personnel, or foreign business women and men. However, taking a closer look at the distribution of its population one can easily recognize higher density areas, e.g. in Kabulonga and Lubwa Ward. Although Kabulonga can be considered the richest community in Lusaka it contains an informal urban settlement called Bauleni Compound which lays on the outskirts of the Ward. Socio-economic indicators for such settlements in Lusaka are dramatic as Lusaka City Council in collaboration with the World Bank found out. Unfortunately the data available is aggregated of all low-income settlements in the capital. Only 7 per cent of the population in these areas is formally employed, and 65 per cent is informally employed. Almost 70 per cent of the households have less than 40 US-Dollars per month. Furthermore, lack of drainages and systematic waste collection and public pit latrines which are used by more than 90 per cent of the population increase risk of diseases and infections (cf. World Bank 2002).

The CDC of Lusaka Central Constituency did not employ a formula which considers poverty and population levels, but it prioritized applications from Kabulonga WDC which is located in Bauleni Compound. During the period from 2007 to 2011 more than 30% of the funds were availed to Bauleni Compound and projects to improve water infrastructure in the compound were already approved, but central governments did not disburse money to local government in Lusaka for 2011 (Mwambaluka 27.04.2012). Member of the CDC suspected central government to delay allocations due to in 2011 due to the presidential elections the same year and the fact that Lusaka District is ruled by the opposition for many years. In fact, the Districts run by PF did not receive the funds

for 2011. Kafue District, for instance, was run by MMD and received the funds on time. (Mwambaluka 27.04.2012, Musaiwale 26.04.2012)

Even though the CDF claims to be a decentralized pro-poor funding mechanism the employability of equity principles can be discussed from a different angle. The employed equality principle in most constituencies is somehow understandable as most wards except a few face similar challenges, e.g. lack of investments in education, health, water and sanitation and roads. Nonetheless, the situation in poor rural areas and poor informal urban settlements is worse. This makes it even more necessary to use a formula similar to the Kenyan CDF allocation system which sets a basic grant share of 75% and only the remaining 25% per cent are allocated on principles of equity. The basic grant share addresses the similarity of challenges in most wards, and the equity-based share addresses challenges in needier areas with higher population rates. The employment of equity-based allocation of the CDF should begin on provincial level and be continued on constituency/ward level.

5.3.4.2 Procedural Equity

The concept of procedural equity asks for absence or existence of fairness principles within “the process by which negotiations and decisions occur.” (Richards 1999) This in turn can have severe effects on participation possibilities of marginalized citizens.

A crucial aspect of procedural equity is embedded in unequal preconditions between various stakeholders and a policy process does not consider such inequalities. These can then turn into inequities and disadvantage specific social groups. Educational capacities among CDF stakeholders are distributed quite unequally in most constituencies this research was conducted. While many members of the CDC are politicians and thus are able to speak and understand *officialese*, many citizens in rural areas and urban compounds do not have the ability to do so. This unequal precondition results in being disadvantaged to access and understand government documents, such as the CDF guidelines, or a project implementation document which also might include more technical language.

6 Recommendations

The previous chapters clearly demonstrated the necessity for substantial intervention measures to make the CDF a more transparent, decentralized funding tool which allows citizens to effectively participate and make stakeholders more accountable to the public, in order to generate more equitable outcomes.

A crucial aspect negatively influencing citizen participation in the CDF is lack of basic knowledge regarding the CDF, about its rules, procedures and involved stakeholders and their roles. Hence, before any participatory tools are employed citizens' knowledge about the CDF should be increased. Civic education is defined as "the provision of information and learning experiences to equip and empower citizens to participate in democratic processes." (Rietbergen-McCracken, *undated*: 1) It is considered to be an approach rather than a specific tool. It can be understood as democratic capacity building and "is concerned with three different elements: civic knowledge, civic skills and civic disposition." (ibid.) The outcomes of civic education initiatives are increased participation in political processes and increased political knowledge which in combination with other initiatives should lead to a situation in which citizens demand for better governance.

One of the greatest impediments for the CDF to be an effective funding tool for local development is political interference. This can only take place due to the ascribed power politicians have in managing and utilizing the CDF and lack of accountability measures. Thus, there is need to reduce that power imbalance between politicians and citizens. I suggest substituting political figures (MPs and Ward Councilors) with members of the WDCs in order to represent their wards and members of NGOs who can provide the necessary managerial knowledge. Technical knowledge in order to address complex infrastructure projects should still be provided by local council. However, the CDC should be more of an advisory and administrative than a decision-making committee which makes its decision behind closed doors as it the case in the current CDF system. CDF meeting should be held publicly in order to allow every citizen to have his/her voice heard and decisions should be made consensus-oriented.

The removal of both the Ward Councilors and MPs who are the legislative wing on district and national level should ensure clear accountability relations. They are supposed to hold local and national government accountable, i.e. timely allocated money to the CDF,

question central government decision, for instance, when it freezes a CDF account. Additionally they should decide on laws and regulation which should positively affect the operations of the CDF.

There is need to increase project management capacities of both local government and the CDC in order to track project implementation and to intervene if necessary in order to ensure the delivery of quality public services. Citizens in alliance with local NGOs and local government should be engaged in community-based monitoring (CBM). This requires timely provided accurate and detailed information on respective projects and the development of monitoring frameworks. Below, I will briefly mention some tools which have been proofed being successful in other countries. I will briefly discuss some possible approaches, namely Participatory Policy Making, Citizen Report Cards, Community-led Procurement, Public Information Initiatives, Community-based Monitoring, Social Contracts and Budget Transparency Initiatives.

Participatory policy making is an approach which aims at formulating policies (or a single policy) by facilitating multi-stakeholder inclusion. That means formulating a new policy should be done by including state actors, NGOs and ordinary citizens. This process can either be initiated from above (government-led) or can be a bottom up approach driven by local community-stakeholders, i.e. community groups, local NGOs, etc. The aim of this approach is generating a policy that is more equitable, strengthens transparency, accountability and ownership and also increases community awareness. In context of the CDF in Zambia it needs a willing government to engage itself actively in public dialogue and consultations with NGOs and communities. One of the major problems might be the inclusion of rural citizens since they “are often disadvantaged in terms of their involvement in national level policy-making due to their remote location, lack of communications infrastructure and the general tendency of governments to focus more on the interests and concerns of their urban constituencies.” (Rietbergen-McCracken, *undated*: 3) Several tools exist which belong to a participatory policy making approach, i.e. establishment of working groups or dialogue and consultation forums, partnerships between government officials or bodies and NGOs and/or citizens. This strategy can further be grouped in a single-policy approach which means that only the CDF policy is tackled. The other strategy is to focus on various policies which become CDF policy

guiding principles, i.e. the formulation of a *Freedom of Information Act*, a *National Participation Policy* as formulated and implemented in Tanzania.

The 'Social Contract for Political Accountability' (SCPA) was developed on the Philippines in the mid 1990s and has been of great benefit to its citizens. SCPA in its original form were designed as pre/post election tool in order to assess elected representatives according their performance of their conduct agreed upon pre-elections times (Areno/Sadashiva, *undated*: 2f.). However this tool can be adjusted to the Zambian context and the CDF policy. The contract to be signed by local politicians calls for transparent and accountable behavior of the politicians, and if signed the politicians "agree to be held accountable through ongoing public evaluation of their performance." (ibid.: 2) However, this tool requires financial support, the participation of the media and monitoring skills of the citizens to generate transparent and accountable CDF operations⁵².

The current CDF guidelines do not provide any effective mechanism for citizen participation in decision-making procedures. I suggest changing the way CDC meeting are held. Currently, CDC meetings are held behind closed doors. These meeting should be held in more open manner in order to increase transparency and citizen participation of decision making procedures of the CDC which can be realized through participatory budgeting⁵³.

"Participatory budgeting represents a direct-democracy approach to budgeting. It offers citizens at large an opportunity to learn about government operations and to deliberate, debate, and influence the allocation of public resources. It is a tool for educating, engaging, and empowering citizens and strengthening demand for good governance. The enhanced transparency and accountability that participatory budgeting creates can help reduce government inefficiency and curb clientelism, patronage, and corruption." (Shah 2007: 1)

However, participatory budgeting strategies have to be designed and implemented carefully and prerequisites commitment from government and citizen and both financial and human capacities (Wampler 2007: 25).

⁵² For a detailed discussion of SCPA see: Areno/Sadashiva, *undated*: Social Contracts for Political Accountability.

⁵³ A comprehensive discussion of participatory budgeting, its different strategies, risks and prerequisite is found in: Shah, Anwar (2007): Participatory Budgeting. Washington D.C.: World Bank.

The list of possible strategies which aim at enhancing transparency, participation and accountability is long and all of these strategies have to be embedded in the specific local context to be effective tools and generate the desirable outcome.

7 Concluding Remarks

Ideally, decentralization translates into increased participatory spaces for citizens, transparent political and administrative operations and makes local authorities more accountable to the people. In turn, local governments are enabled to respond to citizens' needs more effectively. That's the theoretical presumptions. In practice, decentralization measures regardless how far going they are, have to be designed and implemented carefully to prevent decentralization from becoming faulty.

The aim of this paper was to point out the major reasons for mismanagement and corrupt practices in the context of the decentralized funding mechanism in Zambia called CDF. For that purpose I analyzed the CDF governing rules and how those rules translate into de facto operations on the ground in six constituencies in Zambia. The analysis of the CDF governing rules showed that they facilitate power imbalances between politicians (mainly the MP) and civil society as stakeholders and supposed beneficiaries of the CDF. These imbalances, in turn, enable MPs to act arbitrarily, to make decisions he/she is not supposed to make, to instrumentalize the CDF for his/her own political purposes and clientelistic practices in de facto operations. These arbitrary practices are supported by intransparent procedures and lack of citizen/community knowledge of the CDF, because some local authorities are unable to inform urban and rural constituencies about the CDF either due to lack of financial resources, political will and/or staff capacities.

Citizen participation in the CDF system is limited due to inadequate de jure provision of participation possibilities. This is demonstrated by citizen exclusion from decision-making processes as well as from exerting serious oversight functions. This results in a lack of social accountability relations. On the other hand, political accountability relations of the CDF are totally blurred due to a breach of the democratic principle of separation of

powers since legislative and executive functions are mixed up by empowering the MP in de facto operations.

However, there might be light at the end of the tunnel. Nine days ago, the GRZ released the first installment for the CDF in 2012 and claims that the guidelines have been improved and take the detected problems of mismanagement and corrupt practices into account. We are yet to see how the CDF will be implemented.

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9 Annex

9.1 List of Interview Partners

Detailed list of interviewed persons

Number	Name	Position	Date	Location
1	Mr. Musaiwale	Member of the CDC in Kabwata Constituency & Councilor of Kamwala Ward	26.04.2012	Church House along Cairo Road in Central Business District (CBD) of Lusaka
2	Mr. Mwambaluka	Chairman of the CDC of Lusaka Central Constituency	27.04.2012	Constituency Office
3	Mr. Muwaika	Chairman of WDC of Chilenje Ward	03.05.2012	Chilenje; Office of grassroots NGO
4	Mr. Mambwe	Appointed member of the CDC in Kabwata	27.04.2012	Constituency Office
5	Mr. Chilomo	Chairman of the CDC in Kafue Constituency	23.05.2012	Office at Kafue District Council
6	Mr. Barron	Member of the CDC in Chilanga Constituency & Ward Councilor of Chilanga Ward	31.05.2012	Office at Zambia Governance Foundation, Lusaka
7	Mr. Chilongo	Member of the CDC in Chilanga Constituency & Ward Councilor of Chilogolo Ward	29.05.2012	At his farm in Makeni Area, Lusaka
8	Mr. Muuka	Chairman of WDC of Kafue Ward in Kafue Constituency	25.05.2012	At his private house in Kafue Ward
9	Mr. Bwalya	Chairman of WDC in Kabwata	09.05.2012	At his business premise in CBD, Lusaka
10	Mrs. Banda	Chairwoman of WDC in Kamwala Ward	13.06.2012	At her private house in Kamwala Ward, near Kamwala Clinic
11	Mr. Ngoma	Former Chairman of WDC Libala Ward in Kabwata Constituency	07.06.2012	At his private house in Libala Ward
12	Mr. Kalichini	Appointed member of the CDC in Chongwe Constituency	14.05.2012	At an outside restaurant along Great East Road in Chongwe

13	Mr. Kalimakwenda	Member of the CDC in Chongwe and Councilor of Kanakantapa Ward	15.05.2012	At his private farm in Kanakantapa Ward
14	Chongwe DFA/Mr.Choonga	Executive director of Chongwe DFA	14.05.2012	Office of Chongwe DFA, along Great East Road in Chongwe
15	FOSUP	Zambian NGO	2012	Email questionnaire
16	Chipata DFA	Zambian NGO	2012	Email questionnaire
17	SACCORD	Zambian NGO	2012	Email questionnaire
18	Caritas Zambia	Zambian NGO/Faith-based Organization	2012	Email questionnaire
19	FODEP	Zambian NGO	2012	Email questionnaire

9.2 Curriculum Vitae

CONTACT & PERSONAL INFORMATION

Name: Matthias Zingel
Email: m_zingel@gmx.net
Date and Place of Birth: 5. August 1983 in Hadamar, Germany
Citizenship: German
Sex: Male

EMPLOYMENT HISTORY

03/2010 – 09/2010 **Internship Program Management**
Zambian Governance Foundation for Civil Society in Lusaka
Multi-donor program to promote capacity building and policy engagement of Zambian civil society organizations

10/2004 – 12/2004 **Voluntary Social Service**
Children's Desk, Catholic Diocese of Ndola, Zambia
Voluntary service at St. Joseph's Children Village, educational program for HIV-positive and physically handicapped orphans

SCHOOLING

2001 – 2004 Secondary School at Peter-Paul Cahensly School, Limburg
Business A-Level Diploma (*Wirtschaftsabitur*)

1999 – 2001 Secondary School at Fürst-Johann-Ludwig School, Hadamar

1997 – 1999 Secondary School at Tileman School, Limburg

1994 – 1997 Secondary School at Fürst-Johann-Ludwig School, Hadamar

1990 – 1994 Primary School, Hadamar

ACADEMIC EDUCATION

02/2007 – 11/2012 Dipl. Degree *Development Studies*, University of Vienna

02/2007 – 10/2011 B.A. Degree *African Studies*, University of Vienna

03/2005 – 10/2006 Dipl. Degree *Social Science*, University of Gießen
(not completed)

FIELD RESEARCH EXPERIENCE

07/2009 – 08/2009 Qualitative field research in Kitwe (Zambia)

02/2012 – 08/2012 Qualitative field research in Zambia for diploma thesis
(*Research scholarship by the University of Vienna*)

PUBLICATIONS

Wenn die Minen husten, hat das Land eine Grippe: Sozioökonomische Folgen der globalen Krise im (Kupfer-) Bergbausektor Sambias. In: Afrika Süd (2009/10), Nr. 6. Bonn: ISSA-Verlag, 31-32.

(English title: "When the mines sneeze, the country catches flu: Socio-economic implications of the global crisis in the copper-industry in Zambia")

9.3 Abstract (English)

Decentralization in developing countries has become a widespread policy paradigm for some decades. Many scholars and practitioners in support of decentralization claim that decentralized political systems result in better government responsiveness, increased participatory spaces for citizens and improved accountability relations between the political and the public realm. Through participation (local) governments are closer to the people and their needs and include citizens in the political game and thus citizens can influence policy outcomes more directly. Many measures exist how to decentralize a political and administrative systems which differ in their extent and effectiveness.

In Zambia, one of the financially strongest measures of decentralization is called *Constituency Development Fund* (CDF). The CDF was established as a policy mechanism for funding small scale projects at the community level aiming at reducing poverty from the grassroots. Central arguments for the introduction of the CDF in the mid 1990s were the outcry of elected constituency representatives, lack of financial resources of local authorities and thus their inability to deliver quality public services. During the first ten years in operation the CDF was ignored by the public due to lack of financial commitment of central government. But from 2006, central government continuously raised allocations to the fund has now reached 200.000 US-Dollars p.a. for each of the 150 constituencies and in Zambia. The CDF became a major source of income for local governments and thus attracted attention by the public. The more attention the CDF attracted the more mismanagement, malpractice and corruption was detected what in turn raised concerns of decentralized governance. This paper discusses corrupt practices and mismanagement of the CDF and identifies reasons facilitating them based on two theoretical models, namely *decentralization* and *local governance*. Through the conduction of interviews with local politicians, NGOs, ordinary citizens and other stakeholders who are involved in administration and implementation of the CDF this study concludes that:

- (a) On the one hand, the CDF is governed by a weak rules-system which facilitates intransparent operation, citizen exclusion and oversight deficits which also ascribes too much power to local politicians.
- (b) On the other hand, political interests, lack of civil society knowledge and capacities, and non-adherence to the rules promote a governance deficit.

This paper thus empirically contributes to the discussion of carefully designed decentralization initiatives for them to yield the fruits of such policy measures and to benefit local citizens.

9.4 Abstract (German)

Dezentralisierung in Entwicklungsländern ist in den vergangenen Jahrzehnten zu einem politischen Paradigma geworden. Wissenschaftler und an der praktischen Umsetzung von Dezentralisierungsmaßnahmen beteiligte Personen behaupten, dass Dezentralisierung u.a. zu einer verbesserten Responsivität, gesteigerten Partizipationsmöglichkeiten für BürgerInnen und effektiveren Rechenschaftsstrukturen zwischen Politik und Gesellschaft führt. Es wird davon ausgegangen, dass durch die räumliche Nähe von Politik und Gesellschaft, lokale Regierungen effizienter auf die Bedürfnisse ihrer BürgerInnen eingehen können, mitunter weil letzteren eine erhöhte politische Teilhabe widerfährt. So können BürgerInnen auf direkterem Wege Einfluss auf politische Entscheidungen nehmen, die maßgeblich ihr Wohlergehen betreffen.

In Sambia gehört der sog. *Constituency Development Fund* (CDF) zu den (heute) finanziell am stärksten unterstützten Dezentralisierungsmaßnahmen. Der CDF entsprach einer politischen Maßnahme zur Finanzierung von Kleinprojekten, welche der galoppierenden Armut auf lokaler Ebene Einhalt gebieten sollte. Er wurde in den 1990er Jahren u.a. auf Drängen lokaler Abgeordneter eingeführt und wegen mangelnder finanzieller Ressourcen lokaler Regierungen, die nicht im Stande waren adäquate öffentliche Dienstleistungen zu erbringen. In den ersten zehn Jahren wurde dem CDF kaum Aufmerksamkeit zu teil, was mit seiner anfänglichen geringen Finanzleistung zu tun hatte. Doch seit 2006 hat die Zentralregierung ihre finanziellen Zuwendungen stetig erhöht, sodass heute jede der 150 Wahlbezirke in Sambia 200.000 US-Dollar im Jahr erhält. Somit wurde der CDF zu einer Haupteinnahmequellen zahlreicher Lokalregierungen in Sambia und erregte immer mehr die Aufmerksamkeit der BürgerInnen. Umso aufmerksamer diese wurden, desto mehr Missmanagement, Missbrauch und Korruption kamen in der Verwaltung und Umsetzung der Projekte ans Tageslicht und Fragen nach *dezentraler Governance* wurden immer lauter. Diese Arbeit diskutiert die beobachteten Missstände und zeigt ihre Gründe auf. Theoretisch ist die Arbeit in die zwei hier miteinander verbundenen Konzepte der

Dezentralisierung und *lokaler Governance* eingebettet. Mit Hilfe zahlreicher Interviews mit sambischen Lokalpolitikern⁵⁴, NGOs, BürgerInnen und weitere an der Umsetzung und Verwaltung beteiligten Personen wurden folgende Ergebnisse erzielt:

- (a) Einerseits liegt dem CDF ein sehr schwaches Regelsystem zugrunde, welches intransparente Prozesse, BürgerInnen-Ausschluss und Kontrolldefizite begünstigen/verursachen.
- (b) Andererseits tragen politische Interessen, eine wenig informierte Zivilgesellschaft mit geringen Kapazitäten, und das Ignorieren bestehender Regelsysteme zu einem Governance-Defizit bei.

Diese Arbeit liefert empirische Beweise für den Diskurs über Dezentralisierung, dass Maßnahmen dieser Richtung mit äußerster Sorgfalt umgesetzt werden müssen, damit dezentralisierte politische und administrative Systeme Früchte tragen und BürgerInnen auf lokaler Ebene tatsächlich von ihnen profitieren können.

⁵⁴ Es gab tatsächlich keine Politikerinnen in den Wahlbezirken.