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DECENTRALIZATION IN LESOTHO: PROSPECTS AND CHALLENGES

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A thesis submitted to the Faculty of Humanities, University of the Witwatersrand, Johannesburg, in fulfillment of the requirement of the degree of Doctor of Philosophy in Development Studies.

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THE ABSTRACT

Developing countries are marred with non-development delivery and rural and urban poverty. The largest section of the rural poor population is often involved in subsistence farming while the urban poor are involved in cyclic poverty in the informal sector. There is a need therefore, for good local governance that is responsive to the needs of the rural and urban citizens, particularly the poor. Good local governance ensures that everyone regardless of status, gender, race, age or religion, is enabled to participate productively and positively in the opportunities available. Stren (2005) emphasizes that social inclusiveness is an important goal for local governance as it is just, democratic and productive.

Social inclusion is central to sustainable rural and urban development. Development thinking is also increasingly stressing the importance of human capital, that is, the important contributions all people including the poor, can make to development. Decentralization has, furthermore, focused attention on the local level, as good entry point for addressing wide range of social issues including poverty but particularly lack of local development-services delivery. Hence, this proposed study centres on good local governance and participation of the poor in the rural and urban areas in Lesotho as some pre-requisites for sustainable human development and development-services delivery particularly for the rural subsistence farmers, the landless and the urban poor.

Lesotho's local government was mainly created to meet the needs of Lesotho citizens and reduce poverty through more focussed development delivery and local democratization. This thesis examines the evolution of Lesotho local governance, the manner in which it has (and the degree to which it has actually) been adopted, as well as its effectiveness in local developmental-service delivery and implications towards rural and urban sustainable development. The key question is whether 'developmental local governance' (DLG) in Lesotho precipitates adequate social inclusion of the rural and urban poor to the point of real developmental-service delivery and community driven development. On the basis of secondary and primary data, beneficiary assessment and in-depth

interviews/participatory evaluation, the thesis argues that local governance has been largely unsuccessful in meeting these objectives.

The thesis argues that, in large part, this is due to locally lacking preconditions for successful decentralization and the prevailing institutional constraints against it. However, the thesis believes that such an impasse of non-developmental-service delivery locally can only be surmountable through adequate social inclusion, fiscal-administrative-political devolution, setting and meeting of the necessary preconditions for successful decentralization and effective tackling of the concerned current analyzed institutional constraints for relevant and sustainable development locally.

Good local governance without pragmatic social inclusion of the rural and urban poor is a recipe for intense rural and urban poverty. The proposed thesis assumes that social inclusion which is non-isolation or non-exclusion from the social development process, employment opportunities, the economy, mainstream political and cultural processes, security net-works and non-vulnerability, is central to sustainable rural and urban development and development delivery.

Organized, logical and sound chapters at the pragmatic, various theoretical and policy levels have been utilized to construct this thesis. With a view to juxtapose the implicit and explicit institutional constraints to DLG, the global and peculiar evolutionary process of DLG embracing general and relevant examples and Lesotho in particular as a case study are covered.

DECLARATION

I declare that this thesis is my own unaided work. It is submitted for the degree of Doctor of Philosophy in Development Studies at the University of the Witwatersrand, Johannesburg. It has not been submitted before for any other degree or examination at any other university.

SIGNATURE:_____

NAME:_____

DATE:_____day of_____

DEDICATION

To Mmatumelo Daemane, Tšepi Daemane, Thabi Daemane, Tlhoni Daemane, Ruru Daemane and Lenka Joseph Daemane with sincere thanks for their love and endless encouragement during the writing of this thesis. May God bless you all.

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Great thanks to all the key informants who were interviewed for primary information provision. This included councillors and officials (DCSs, CCSs, Mayor, MCC's officials) of the local authorities in Qacha's Nek, Maseru and Mokhotlong districts. Special thanks go to the Honourable Minister of the Ministry of Local Government and the Principal Secretary who granted the permission for interviews and access to the needed information.

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LIST OF ACRONYMS

ABC	All Basotho Convention Party
ADB	African Development Bank
BA	Beneficiary Assessment
BC	Basutoland Council
BCP	Basutoland/Basotho Congress Party
BNP	Basotho National Party
CBOs	Community Based Organizations
CCs	Community Councils
CCS	Community Council Secretary
CIDA	Canadian International Development Agency
DA	District Administrator
DCS	District Council Secretary
DCs	District Councils
DDC	District Development Council
DDCC	District Development Coordinating Committee
DGD	Decentralized Governance for Development
DLG	Developmental Local Government
DLG	Developmental Local Government
DPU	District Planning Unit
DS	District Secretary
FPTP/FPP	First-Past-the-Post
GEAR	Growth Employment and Redistribution
GoL	Government of Lesotho
GTZ	German Development Agency
IDP	Integrated Development Plan
IMF	International Monetary Fund
KFW	German Development Bank
LACD	Land Affairs and Constitutional Development
LAs	Local Authorities
LCD	Lesotho Congress for Democracy
LEC	Local Economic Development
LG	Local Governance/Local Government
LGA	Local Government Act
LGSC	Local Government Service Commission
LGUs	Local Government Units
LHWP	Lesotho Highlands Water Project
LIPAM	Lesotho Institute of Public Administration and Management
LRA	Lesotho Revenue Authority
MAFS	Ministry of Agriculture and Food Security
MCC	Maseru City Council
MFDP	Ministry of Finance and Development Planning
MLG	Ministry of Local Government
MMP	Mixed Member Proportional
MoET	Ministry of Education and Training

NES	National Environmental Secretariat
NGOs	Non-Governmental Organizations
NPM	New Public Management
PR	Proportional Representation
PRSP	Poverty Reduction Strategy Programme
RDP/RDS	Reconstruction and Development Programme
RSA	Republic of South Africa
SACU	South African Customs Union
SADC	Southern African Development Community
SALPs/SAPs	Structural Adjustment Lending Programmes
UDS	Urban Development Strategy
UN	United Nations
UNDP	United Nations Development Programme
USAID	United States of American Aid
VDC	Village Development Council/Committee
VO	Village Organization
WDC	Ward District Council
WTO	World Trade Organization

CHAPTER ONE: INTRODUCTION

1.0 General Introduction

This study explores the various socio-political-economic-institutional constraints militating against the efficient and effective adoption of decentralization for development delivery in Lesotho. The study illuminates the socio-systemic practices in action against the proficient execution of this potential development-policy. This is done through the use of several assessment-analytic methods. The study's task intertwines the degree to which decentralization has been prosperously embarked upon in Lesotho with success/outcomes indicators in developmental-service delivery. That is this policy's contextual evolution, nature, as well as its prospects and challenges.

The chapter concisely firstly states the main aim of this study, secondly, the specific objectives and some study's framework, thirdly, the study's research question, fourthly, the rationality, arguments and assumptions of the study also serving as the gist of the analysis of the study. Fifthly, the chapter provides the structure of the research report, that is how chapters are organized and their summary contents in relation to the study's aim, question and objectives. The type of data used to achieve the analytic purpose of this study is also given in this section. Sixthly, the research methodology utilized and case studies used are discussed. The chapter also provides theoretical arguments for and against decentralization briefly to indicate the merits and demerits of decentralization and why it was embarked upon in many countries including Lesotho.

1.0.1 Specific Study's Aim, Objectives and Assessment Framework

The study aims at assessing the evolution of decentralization in Lesotho. The assessment encompasses the nature, relations between democratic local authorities and traditional authorities and central government, financing, electoral-political systems, extent by process and outcomes indicators vis-å-vis efficiency and effectiveness in adoption and local rural-urban developmental impact of such decentralization in Lesotho.

This research study specifically intends to;

- trace the progression of Lesotho's policy of decentralization to local authorities/local government units (LGUs) since 1997,
- examine the role and the extent to which Lesotho's decentralization contributes to the main objectives of the Lesotho local government including; (i) the provision of a democratic and accountable government, (ii) sustainable services (iii) the promotion of social and economic development by giving priority to basic community, (iv) the promotion of the involvement of the community and organizations and individuals in local government issues, (v) the enhancement of participation in national and community programmes, (vi) and the combination of the municipality and urban boards which are to be combined to the rural and urban areas, thus creating a mechanism which will integrate[1] the historically separate parts of economies (Mapetla et al 1983, GoL Reports, 1997 and Wallis, 1999).

The assessment of these objectives will be within the context of the efficient (optimal utility of resources/inputs for maximum positive results) and effective (obtaining appropriate intended results through the right measures) implementation of development. This study intends to systematically contribute to knowledge by investigating and analyzing the role of and the extent to which the 1997 decentralization has contributed to the attainment of development in Lesotho in line with such objectives. This will provide a critical public and political-development administrative analysis of pros and cons to decentralization functions and development attainment in Lesotho. The general objective of this study is to;

(1) understand why LG is supposed to impact positively on development,

(2) consider the implementation and experience of decentralization in Lesotho, and against this experience, assess the extent to which benefits claimed have been realized,

(3) examine the question of whether decentralization is efficiently and effectively appropriately adopted in Lesotho and whether this is able to assist Lesotho to attain development delivery. The question of efficiency of decentralization refers to making the

1 . The 1997 LG Act transforms and combines the local rural administrative structures (i.e. former village development committees, ward commiittees and chieftaincy) with the urban boards (town or municipal top representation) into district councils now encompassing top representatives (elected chairpersons and members of local councils) from the community councils.

economic optimum use of national resources in the local communities so as to achieve the highest level of welfare or development for the beneficiaries or society as a whole in terms of certain inputs incurred and maximum output or economic growth gained. The positive impact of such an efficiency of a policy is usually seen in increased productivity and equity especially in income distribution, more employment opportunities and poverty alleviation in general at the local community level. The efficiency of decentralization in relation to development attainment in Lesotho needs to be viewed as a policy change that is socially desirable provided such a change makes every member of the society better off if not at least some members but without making anyone worse off. This is about the optimal use of decentralized governance system as a policy in obtaining improved maximum growth or productivity and development service delivery. The study measures the degree to which decentralization has efficiently and successfully been adopted in pursuit of development. It is thus a developmental local governance policy impact analytic study dealing with decentralization/local governance capacity in implementing the particular developmental objectives of Lesotho.

1.0.2 Research question

The gist of the analytic question here on the basis of these specific objectives on decentralization in Lesotho as our research question is *whether decentralization is efficiently and effectively / appropriately adopted in Lesotho and whether this is able to assist Lesotho to attain development delivery*[2]*?* The measurement of such efficiency and

[2] Development delivery/distribution of services encompassing an upliftment of socio-economic life at an individual, household and national level, in the context of Lesotho as a developing country, at least includes addressing these non-exhaustive signs of lack of development: (a) low income compounded by limited educational opportunities resulting in inadequate managerial skills, low labour force productivity, poor attitudes to work, poor health and nutrition. All worsened by high unemployment, underemployment, low labour demand resulting from low investment per capita, low savings and dependence on inappropriate technologies, widespread diseases and high mortality. (b) Poor levels of living characterized by absolute poverty (inability to address basic needs like adequate food, housing, clothes and others), insufficient life sustaining goods and poor social services. (c) Underdevelopment process characterized by non-control of own destiny, limited freedom as seen in external dominance in trade with imbalance in exchange-terms whereby labour and its produce are devalued by particularly foreign direct investors especially in the textile industry, public and other private sectors. (d) Inequity with rife social and gender differentiations, powerlessness, vulnerability, neglect, marginalization, deprivation, social exclusion and environmental problems seen in resources' depletion, arable land loss from 13% to 9% and long drought spells (See Todaro, 1992:92 and GoL Reports, 2000-2006).

effectiveness in the adoption of decentralization and its impact on development attainment in Lesotho has required the use of indices that are objectively verifiable, qualitative and quantitative for an illuminative analysis of such argued prevalence of socio-political-economic institutional constraints against this policy in Lesotho.

1.0.3 Why Local Government/LG? Study's Rationale, Arguments and Assumptions

The rationale for decentralization's worldwide-adoption encompassing Africa and Lesotho generally includes being seen as a means of developing the administrative capacity of central and local institutions so as to promote more effective planning and implementation of developmental projects and programmes. This decentralized governance for development (DGD) was also expected to speed up delivery of services needed by the rural and urban poor. It has also been seen as a means towards attaining increased popular participation. Failure of many development programmes was seen as mainly caused by central government planning with little knowledge of the needs and problems of local people. DGD was also justified on grounds of being a means of creating institutions for participation of local people in planning and decision-making of development programmes and projects. This would also result in relevant and community-driven-owned development as local decision-making and participation could address local needs, acceptance and commitment maintenance for implementation. Hence donors justified it on grounds of facilitating local initiative and participation by the poor. In some cases DGD was viewed as a national unity and integration strengthening strategy as it gave some degree of autonomy to regional/tribal groups desiring to secede. It was therefore justified for democratic peace and stability (Mapetla and Rembe, 1989).

This rationale has to be accompanied by the pre-conditions to be met if DGD is to succeed, if not met they serve as additional constraints towards failure. They often include existence of; political will[3] to really decentralize and administrative support by the central government, enough popular support mobilized for DGD, political stability and popular support for the current central government, a clear statement of

[3] . Political will among others involves an action or pursuit and implementation of the policy at hand through projects and programmes and series of activities to fulfil the desired policy outcome enabling good governance to empower and cultivate political inclusion, participation and decision making by the low sectors of the population. It embraces political function, i.e. community or local participation to achieve service delivery, social economic development and healthy environment, protection and promotion of local councils to govern their own areas and assert their rights (Chipkin, 2002:71-72 and Mohanty and Tandon,2006:25)

decentralization policy and objectives and the form it will take and identification and creation of a strong institutional mechanism for management and coordination of DGD. Such pre-conditions also include a clear identification of the levels and institutions to which specifically defined responsibilities, power or authority is decentralized and available human and financial resources with enabling social and physical infrastructure. DGD is easily implemented if there is financial, political and administrative decentralization with strong communicative relations between the local authorities and the central government (Mapetla and Rembe, 1989).

Besides this Lesotho-specific rationale for DGD, there have been general factors motivating it, particularly in Africa. Firstly, the failure of centralized public sector management has been evidenced by economic, fiscal and political crises. The consequential recession in state resources increased pressure for economic, institutional and political reforms. Secondly, non-state domestic pressures for change have been effective for this reform. The civil society has become more politically active as economic crisis bit harder. Thirdly, external donors have exerted pressure towards DGD. Good governance comprised this DGD and was seen as appropriate for growth and poverty reduction. This made implementing DGD a condition for receiving aid. Many African countries had to adopt it to qualify for aid. Fourthly, Africa is experiencing rapid urbanization calling for more effective local urban governance responsive to needs of the increasing urban and rural poverty. Unfortunately, the institutional mechanisms for effective urban management still remain poorly managed and developed. Fifthly, DGD has been used to solve long conflicts whereby ruling groups craft compromises with regional or local elites. Globalization has also been a motivating factor for DGD as cities are enabled to compete for foreign investment (Mabogunje, 1995 and Olowu, 2003:43).

According to L'Oeil (1989:71-72) there are four arguments in favour of decentralization: Firstly, it is assumed that the demand for local public services varies from place to place. Only decentralized provision of local development services will adjust to the multifaceted demands. Secondly, the important political nature of local government serving as a valuable training ground for democracy was needed for newly independent countries that

were colonies. Thirdly, stronger regional or local governments can control the tendency of central government to become all-powerful. Local government is seen as a defence against an all-powerful central government and the abuse of power. It is argued that strong local government system helps to disperse political power and diminish the danger of an over-centralized state. Furthermore the diffusion of decision-making power is justified on the grounds that numerous errant policies among a variety of local authorities cause less harm than one policy failure.

Fourthly, there is an institutional reason, coordination at the local level is necessary and local public services cannot and would not be treated independently. Local government can coordinate these services much more easily than national government. The other basis for decentralization has included arguments that it brings the government closer to the people. One more justification is that indigenous knowledge concerning local needs is tapped resulting in better information for relevant local planning. There is also a hope that it brings about improved accountability as local units become answerable to the local citizens (Parnell et al, 2002).

The other justification for decentralization is that of having a fair degree of autonomy, the local authorities can take initiatives and experiment. The justification is that local government encourages citizenship democracy and promotes political education in its widest sense. Local government is also seen as a means of representing tax payers. Since local authorities impose taxes, then the tax payers are represented in a body that determines how the tax should be spent (Parnell et al, 2002).

According to Reddy (1996) and Mark (2001:1-12) decentralization policy direction is followed in one way or another in pursuit of good governance due to the following political potentials and factors:

- an apparent post-cold war ‘consensus’ that some sort of democratic mode of governance is the most appropriate way to structure intra-state and state-society relations in developing countries,
- the serious economic crisis the globe faces that will, by virtue of the power of

the international economy, need to be addressed according to market principles structured by international economic regulations set by World Trade Organization (WTO) and other international economic agreements,

- although Africa was the least urbanized in 1990 with about a third of the population in the urban settlements, it experienced the highest average urbanization rate in the world at just below 5% per year,
- the severe negative pressures placed on natural environmental resources for fuel, building material, food and water, and on the capacity of the environment to absorb liquid, aerated and solid waste and
- the increase in demands for sustainable livelihoods, services and goods that will emanate from enfranchised populations created by liberalization and democratization.

The rationale of this study is that decentralization is often seen and officially declared as a tool for alleviating rural-urban poverty in Lesotho. It has further been argued that decentralization can help develop a poor country economically, socially, culturally, politically and otherwise. As a catalyst, supporters argue that it can facilitate the following; transforming subsistence farming into commercial farming, credit availability, guaranteed market and storage facilities provision and incentives to produce more, teaching of business management techniques, selling of production inputs and organized government support (Van Rooyen and Machethe, 1983: 12-16, Rondinelli et al, 1986 and 1989, GoL Reports, 2000-2006 and Olowu et al, 2000, 2002, 2003, 2004 and 2006).

The study argues and assumes that there are institutional constraints against decentralization in Lesotho. One further argues that if development delivery is to be attained in Lesotho, it is imperative to have a socially and politically inclusive decentralization that has clear delimitation of powers and roles. If not, decentralization and its developmental objectives will be like many other previous governance development policy programmes that never attained sustainability and development delivery in Lesotho, especially at the community grass root level. Basotho have intrinsic social, behavioural and traditional political systems which are at times not fully understood by development partners (World Bank and African Development Bank).

These systems including traditional chieftaincy and other various obstacles serve as institutional constraints to effective and efficient development administration and thus decentralization and its attainment of development. While Olowu et al, (2000, 2002, 2003, 2004 and 2006) have somehow in many ways put such a somewhat similar notion forward, institutional constraints against decentralization particularly in Lesotho have not yet been well investigated and analyzed for understanding its evolution, nature, limitations/failure and potential remedies and for substantive knowledge contribution towards measurement of decentralization, effective adoption lessons of this policy for development delivery and LG's institutional reforms and capacity for development delivery.

1.0.4 Some Challenges or Risks of Decentralization

There are arguments that justify centralization on the basis of the challenges against decentralization, particularly in the developing world. Such challenges may be summarized in a self-explanatory table (1.1) as below. There are also other challenges that could be regarded as contextual problems to decentralization including; Severe scarcity of money in the developing world. Lack/insufficiency of skilled human resources too, lack of political legitimacy, equipment, vehicles, electricity, fuel, information and reliable theory regarding pressing development problems. Scarcity is also characterized by severe competition among the people for survival and civil societies tend to be captured by individual's private interests and control (Olowu et al, 2004 and 2006).

Table1.1: Challenges of decentralization inducing centralization perpetuation

Challenges/ Constraints	Brief description	Consequence	Possible way forward
Sustained consent of national elites to devolve authority, resources, and accountability arrangements	Donor pressure or political coalitions that led to adoption of decentralized governance incapable of sustaining support to implementation phase	Stalled or frozen decentralization	Local government constitutional protection, tackle major dilemmas, undertake stakeholder analysis and identify effective incentives and sanctions ; assist central actors to appreciate that decentralized government is positive sum (win-win) not zero-sum (win-lose) game through dialogue.
Scarce cash/capital	National governments are cash-strapped, difficulty of funding and supporting decentralized government	Cash-strapped or highly fiscally dependent local governments-either on central government or donor grants.	Effective decentralization should stimulate local economy, capture untapped social capital and promote regional equity.
Scarce capacity	Limited trained human resources and organizational and institutional capacities ; best utilized in a centralized way	Decentralized governance dependent on central officials/organization but loyalty is with the national government, in the absence of capacity, local government's inconsequential.	Decentralized governance involves planned transfer of capacity from national to locality over time.
Potential for conflict	Local governments generate fresh political conflicts between centre and periphery and between communities over resources sharing.	Local government structures and sizes that pay little or no attention to local government's effectiveness or available social capital of trust.	Good governance norms (transparency, participation, anti-corruption, rule of law, e.t.c.) essential at central and local levels.
Local elite capture and corruption	Beneficiaries from decentralized governance are the local elites-they capture new found powers to oppress the poor	Decentralized governance increases poverty and does not attenuate it	Effective upward and downward (multidirectional) accountability
Internal and external coordination	Within national governments, between donors and recipient country, strategies, e.t.c.	Uncoordinated decentralization and recentralization	Separation of production and provision of services, co-production and effective planning at all levels, harmonization of donor inputs through Poverty Reduction Strategy Programmes/ PRSP and budget support

Source: Adapted from Millet Karin, Dele Olowu and Robert Cameron, 2006:12.

Furthermore there is economic and social turbulence due to scarcity of resources, poverty, government ineffectiveness, currency crisis, collapse in commodity price, structural adjustment programmes with no local-level defences and so on. Social turbulence is caused by ethnic, religious or other conflicts. These together reduce resources availability to local governance, which are personnel, institutional experience and ability to sustain effective programmes. There are also severe asymmetries in wealth and power, and the powerful informal political and economic structures of patron-clientage that grow from them, often existing outside formal state structure yet dominating decision making closing open political processes. State collapse, lawlessness, non-functioning of bureaucracies, infrastructural decays, inconsequential government actions and chronic instability characterize variably a number of the developing countries, hampering decentralization and thus justifying centralization. There is insufficient sustained political support for decentralized governance. Power brokers at the centre resist decentralized governance subtly and at times not so subtly. Decentralization extending democratic rights has resulted in many African capital cities being controlled by the opposition (Botswana, Kenya, Tanzania, Ghana, Ethiopia e.t.c.). Decentralization policies are usually poorly designed and often not carefully thought for over long-term, complex, and iterative process of governmental reengineering (Olowu and Wunsch, 2004 and Millet, Olowu and Cameron, 2006).

1.1 The Structure of the Dissertation and the Required Data

There are three main parts to this dissertation. Part one consists of chapter one as a general introduction to the study. It is also composed of chapter two, three and four. Chapter two provides the theoretical framework with conceptualization, three deals with synthesized practical experiences of the world in decentralization while four is on the methods of measurement of decentralization. These chapters' aspects are to be applied in the analysis and assessment of decentralization in Lesotho on part two and three. Part two is about the nature of the decentralization of our major case study Lesotho whereas part three is on its contextual measurement. Chapter five and six as part two have their thrust and focus on the evolution/experience of Lesotho in decentralization, including its cultural-socio-economic-institutional constraints. Thus part two assesses evolution of

decentralization in Lesotho encompassing its structure, relations between democratic local authorities and traditional authorities and central government. The last third part, still on Lesotho, is chapter seven and eight dealing with the nature of the policy of decentralization and the assessment of the efficiency and effectiveness of the adoption of such decentralization, respectively. This third part among others deals with financing, electoral-political systems, extent by process and outcomes indicators vis-å-vis efficiency and effective local rural-urban developmental impact of decentralization in Lesotho

Specifically, chapter one is an overview of the study entailing theoretical reasons why decentralization was adopted in many countries, this includes the intended decentralization benefits and its risks. Chapter two includes a detailed review of the literature on decentralization and development. It explains why countries actually decentralized, providing a complex interplay of external and internal factors for its different political processes and the relevance of its various strategies. Periodization of the waves of decentralization adoption globally and in Africa is done here. Chapter three focuses on the potential benefits as well as the constraints faced by countries that embark on a process of decentralization. This chapter also deals with the political realities of decentralization. That is the political challenges to decentralization.

Chapter four explores the theoretical debate on what is needed to adopt decentralization efficiently and effectively, as well as the various measurements that can be employed to monitor the extent of decentralization and its impact on poverty alleviation.Chapter five is a debate about the evolution of decentralization in Lesotho and its challenges. Chapter six focuses on the role of traditional leadership in Lesotho, and its impact on the process of decentralization.

Chapter seven includes the field findings on the main features of the new local government policy and its efficiency and effectiveness. Chapter eight constitutes a practical application of the theoretical chapter four. It is about the actual measurement and the other dimensions of decentralization in terms of more indicators of efficiency and effectiveness in Lesotho. This involves examining the field findings on the progression of

Lesotho's decentralization policy since 1997, and the impact of decentralization on development. It also focuses on the forms of participation by locals, constraints and prospects in relation to poverty alleviation. Chapter nine provides a conclusion and overview of the study. It identifies lessons for Lesotho and looks how decentralization might be rethought for efficient and effective poverty alleviation.

1.2.0 Research Methodology

1.2.1 Data Collection and Analysis

In light of the study's rationale and objectives concerning decentralization in Lesotho, it was decided to adopt three out of the ten districts in Lesotho as case studies. Noting that Lesotho has already experienced, albeit with limited success, various forms of decentralization in the past (pre-colonial, colonial, independence and post-independence era). The type of information to be used to measure the efficiency and effectiveness of the adoption of decentralization and illuminate the constraints against decentralization includes the decentralization indices on its actual process and outcomes since the inception and declaration of this policy hoped for development attainment in Lesotho. That is the extent to which it has been adopted efficiently and effectively and its impact on development delivery. Data collection will focus on assessing the evolution of decentralization encompassing its nature, relations between democratic local authorities and traditional authorities and central government, its financing, electoral-political systems, extent by process and outcomes indicators against efficiency and effective local rural-urban developmental impact. Data analysis will focus on the impact of decentralization as a developmental policy, embracing Todaro's (1989) framework for assessing development delivery, local democratization and development objectives versus real implementation, policy effects on production, prices, consumption, trade, government budget, equity in income and development services distribution and social welfare developmental benefits.

The study's aim is to assess the degree of decentralization and its contribution towards development attainment in Lesotho; thus indices which have been used for such measurement through a questionnaire included the degree of local government autonomy

in the selection of local staff, the ability of local government to access national government and influence national local government policy, the range of local government functions, the degree to which local political parties can make decisions independently of their national structures and the degree to which local governments can raise their own sources of revenue independently of higher tiers of government. Determined decentralization process and outcomes indicators from such a questionnaire helped to define and analyze its extent, effectiveness, efficiency and developmental policy impact in Lesotho. Hence the public and developmental administrative assessment of the nature, type of relations between Local Government Units (LGUs) and customary chieftaincy and central government, financing/budget, political and electoral systems and institutional and human developmental effects of decentralization have been obtained for policy's constraints identification and improvements.

In-depth interviews and key informant interviews entailing asking questions, listening to and recording the answers and then posing additional questions-probing to clarify or expand on a particular issue of enquiry have been used. Some questions were open-ended to promote expression of own perceptions of decentralization elected and staff officials in their own words (See Appendix F (Questionnaire)). In-depth interviews had a purpose of comprehending the insiders' view-point about this policy of decentralization and its impact on development in their own terminology and judgments. The standardized open-ended interview and semi-structured interview questions were combined for thorough details and good data analysis. Standardized open-ended interviews allowed one as an evaluator to collect detailed data systematically and facilitate comparability among all the respondents. The difficulty with this method, while it was focused and disciplined towards studying the depth of targeted issues, was that it reduced the extent to which individual differences and circumstances can be fully incorporated in the assessment. Key informant interviews targeted knowledgeable respondents of the topic and those included experts or public officials in the Ministry of Local Government (MLG) highly involved in the designing and implementation of the decentralization policy in Lesotho. The basis

for the selection of respondents was thus on expert[4] sampling, that is on LG daily practitioners and experience. This also included purposeful sampling to attain a less costly and least time-consuming study exercise, ease of administration in conducting interviews and high participation rate as well as generalization in data analysis as similar subjects are used with an insurance of receipt of needed relevant information.

The rationale behind questions asked during the interviews can be seen within an assessment method/formative evaluation that was mainly adopted. The typical questions involved in formative evaluation included; what parts of the 'programme/policy' are working? What needs to be changed/improved and how? Formative evaluation is often meant for improvement of the policy/programme. Programme administrators and staff are usually the audience or the internal evaluators through in-depth interviews. Summative evaluation method has also been used to complement the formative evaluation. Unlike formative seeking to improve, summative seeks to certify policy's/programme's utility/efficiency/effectiveness through use of various methods of analysis like objectives-oriented evaluation/logical-framework analysis which in this case included local governance stated functions and extent of development attainment. This again justified limited staff interviews and case studies as given below. The generic summative questions include 'what are the results/impacts of the policy/programme? In what/how are situations the policy/programme is implemented? What are the requirements/constraints of the implementation of the policy (e.g. costs, materials, training e.t.c.)? Formative and summative evaluation helped to maintain some assessment objectivity and promoted reliability and validity of this policy implementation evaluation study. This included at least an assessment on the decentralization process/evolution in Lesotho in relation to its poverty reduction functions, implementation of decentralization policy, decentralization modification or revisions and on decentralization effectiveness and efficiency (See Schumacher, 2001:525-559). Evaluative studies are usually justified on grounds of aiding planning for the installation of a policy/programme, aiding in

[4] . Expert sampling complements key informant sampling in this study, whereby respondents are chosen purposefully on the basis of their informed and practically experienced opinion and knowledge as they are also representative of the studied population (Schumacher, 2001).

decision making about policy modification and about policy/programme expansion or continuation. They contribute towards obtaining evidence for policy support or rejection and comprehension of the political processes within the policy's programme and external influences. They determine effect of the policy in an aggregated representative manner through samples or few representative case studies, effectiveness and efficiency of the policy and facilitate effective practices' feedback sharing and benchmark data for performance rating and comparing purposes.

Documents review for secondary data was also relevantly used on archival material and 'administrative' statistics from MLG, Government Printing Unit, UN Library, decentralization consultancy reports (GTZ), Central Bank of Lesotho, academic institutions, Parliament documents, bills, gazettes, orders, Acts and various legislative documents on decentralization and relevant 'grey material'(government records/reports). These were used to redress and counter-check possible study limitations and biases usual in in-depth interviews, expert and purposeful sampling including over-generalization in results analysis, less representativeness of the Basotho population and results depending on unique characteristics of the expert-purposeful interviwed sample.

1.2.2 Three Districts as Case Studies (Maseru, Mokhotlong and Qacha's Nek)

Some primary data through semi-structured interviews involving face-to-face in-depth interviews with questionnaires enabling respondents'/subjects'/policy formulators' participation in the study, analysis and high response rate, were collected from the decentralization/local governance structures' staff. Selection of the districts was based on the fact that Maseru represented the urban areas or towns of Lesotho as well as the lowlands of this country. Mokhotlong represented mainly the highlands while Qacha's Nek included the foothills and the Senqu/Orange River Valley zone. The four landzones of Lesotho including rural and urban areas have thus been fully covered embracing a full sample of the range of local government institutions in Lesotho. These three districts were also most relevant and useful to the employed purposeful-expert sampled in-depth interviews. The first step was to conduct interviews with councillors belonging to the thirteen community councils (CCs) from Mokhotlong and Qacha's Nek districts.

Interviews also included municipal councillors in the urban area/city of the district of Maseru. Each CC had a councillor interviewed. Mainly, these were chairpersons of the CCs though ordinary members of the CCs were also interviewed. This meant that there would be at least 26 councillors (CCs' chairpersons and District Council's (DCs) members denoted as CC and DC on table 1.2 below under council level though others are also DCs chairpersons and their deputies) interviewed in all, constituting at least 20% of the CCs' representativeness in the entire country bearing in mind that each CC serves at least 10,000 households. There are 128 community councils in all as already indicated. Fortunately, this target was exceeded as CCs interviewed in all turned out to be 47 excluding the other ten interviewed municipal councillors in the MCC, where there is this only one municipal the country is having as a pilot project for all the towns in the ten various districts. Actually this response rate has given this study, 37% of council's representativeness, thus ensuring statistical significance for data reliability and validity in inferential analytical generalizability and conclusiveness.

At the district level face-to-face in-depth individual interviews with the main membership of (urban) DCs consisting mainly of all CCs' chairpersons and their deputies/any CC member included the (1) District Secretary (DS) of Mokhotlong and Qacha's Nek districts, though the latter was represented by his well knowledgeable Legal Officer as was on annual leave during data collection, (2) administration and (3) finance were represented by both the DSs and two Community Councils' Secretaries/CCSs (CCs' field administrators), though the (4) Qacha's Nek personnel manager still participated (human resources manager), (5) representative of the CCs were the DCs deputy chairpersons, (6)two chiefs as ex-officio DC members, (7) Senior district planner in the District Planning Unit, chairman, represented by two other CCSs (8) secretary and (9and10) two other members of the District Development Coordinating Committee well represented by three other DCs. There has therefore been at least 20 interviews in all from senior district council membership of both districts (Mokhotlong and Qacha'Nek).

Table 1.2: Interviewed LGUs' Councillors and Staff (Maseru, Mokhotlong, Qacha)

Respondent's name	Area's/Council's Name	Chief's Name (Principal/main)	District (and ward)	Council level (Community Council/CC, District Council/DC, Maseru City Council/MCC)
1. Teboho Mokhoane	Maseru City	Napo Majara	Maseru-MCC	MCC's City Engineer
2. Kizito Makumbi	Maseru City	Napo Majara	Maseru-MCC	MCC's Treasurer
3. Hiren Najiar	Maseru City	Napo Majara	Maseru-MCC	MCCs Parks-Director
4. R. Lekoane	Maseru City	Napo Majara	Maseru (Lithoteng ward 11)	MCC's Mayor
5. M. Morahanye	Maseru City	Napo Majara	Maseru (Mabote ward 1)	MCC's Councillor
6. M. Nthako	Maseru City	Napo Majara	Maseru (Mabote ward 2)	MCC's Councillor
7. T. Ncheke	Maseru City	Napo Majara	Maseru (Motimposo 3)	MCC's Councillor
8. M. Mokooane	Maseru City	Napo Majara	Maseru (Stadium Area 4)	MCC's Councillor
9. M. Lempetje	Maseru City	Napo Majara	Maseru (Stadium Area 5)	MCC's Councillor
10.M. Chuene	Maseru City	Napo Majara	Maseru (Central/CBD 6)	MCC's Councillor
11.M.Motiki	Maseru City	Napo Majara	Maseru (Qoaling 8)	MCC's Councillor
12.M.Tuoane	Maseru City	Napo Majara	Maseru (Qoaling 9)	MCC's Councillor
13.P. Monaheng	Maseru City	Napo Majara	Maseru (Lithabaneng 10)	MCC's Councillor
14.M.Letsapo	Maseru City	Napo Majara	Maseru (Lithoteng 12)	MCC's Councillor
15. M. Leneha	Maseru City	Napo Majara	Maseru (Abia 13)	MCC's Councillor
16.A.Matsoso	Maseru City	Napo Majara	Maseru (Abia)	Abia Chief in MCC
17.K.Matsoso	Maseru City	Napo Majara	Maseru (Likotsi)	Likotsi Chief in MCC
18.'Maphakiso Moseme	Maseru City	Napo Majara	Maseru (Central 7)	MCC's Deputy Mayor
19. T. Tšenase	Qacha(DC's Office)	M. Makhaola	Qacha's Nek (Town)	DC's Legal Officer
20.'Makatleo Makhasane	Qacha (Ha Sekake)	M. Tautona	Qacha's Nek (Ha Sekake)	CC Secretary (CCS)
21.M. Leuta	Qacha (Whte Hill)	L. Ofihlile	Qacha's Nek (White Hill)	CCS
22. L. Lerato	Qacha(DC's Office)	M. Makhaola	Qacha's Nek (Town)	DC's Personnel Manager
23. M. Mohasi	Qacha (Patlong)	Makoko Makoae	Qacha's Nek (Patlong)	CCS
24. M. Lesia	Qacha (Ratšoleli)	Fako Masopha	Qacha's Nek (Ratšoleli) Qacha's	CCS
25.L. Makoko	Qacha (Whte Hill)	L. Ofihlile	Nek(Whte Hill2)	CC and DC
26. Tokelo Mohlophi	Qacha KhomoPhatšoa	M. Makhaola	Qacha's Nek Khomo Phatšoa	CC and DC
27. 'Manapo Matlali	Qacha (Ratšoleli 9)	Fako Masopha	Qacha's Nek (Ratšoleli 9)	CC and DC
28. Thabo P. Thatho	Qacha (Patlong 1)	Makoko Makoae	Qacha's Nek (Patlong 1)	DC Deputy Chairperson
29. M. Moloi	Qacha Mosenekeng	M. Mpiti	Qacha'sNekMosenekeng6	CC and DC
30.Mothepu Sebilo	Qacha Thaba-Khubelu	M. Makhobalo	Qacha's Nek Thaba-Khubelu 7	DC Chairperson
31.Tsebo Lerotholi	Qacha Ha Sekake	M. Tautona	Qacha's Nek Ha Sekake	CC and DC
32. 'Mualle Letsie	QachaThabaLitšoene	'Mualle Letsie	Qacha's Nek Thaba-Litsoene	Chief in DC
33. L. 'Mat'sepo	QachaThabaLitšoene	Petlane Pelei	Qacha's Nek Thaba-Litsoene	CC and DC
34. Katiso Mabusela	Qacha Ratšoleli 9	M. 'Malireko	Qacha's Nek Ratšoleli 9	CC and DC
35. M. Mamotlatsi	Qacha Ramat'seliso	L. Makhokolotso	Qacha's Nek Ramat'seliso	CC and DC
36. Pheello Rapase	Qacha Maseepho 4	M. Rapase	Qacha's Nek Maseepho 4	CC and DC
37.M. Ramoeletsi	Qacha Maseepho 4	M. Tsepa	Qacha's Nek Maseepho 4	CC and DC
38. M. Mohale	Qacha Thaba-Khubelu	M. Mohale	Qacha's Nek Thaba-Khubelu	Chief in DC
39.Tsepang Motakane	Matsoku *	M. Sekonyela	Mokhotlong Matsoku	CC and DC
40. Maatang Sekati	Matsoku	M. Sekonyela	Mokhotlong Matsoku	CC Member
41. Masoabitana Thamana	Matsoku	M. Sekonyela	Mokhotlong Matsoku	CC Member
42.Tefo Faatle	Khubelu	M. Sekonyela	Mokhotlong Khubelu	CC and DC
43.Morojele Qoo	Khubelu	M. Sekonyela	Mokhotlong Khubelu	CC Member
44.Masechaba Limema	Mapholaneng	M.Sekonyela	Mokhotlong Mapholaneng	CC and DC
45.Malebohang Mothokoa	Mapholaneng	M. Sekonyela	Mokhotlong Mapholaneng	CC Member
46.Borane Thapeli	Pae-la-itlhatsoa	M.Sekonyela	Mokhotlong Pae-la-itlhatsoa	CC and DC
47.Makhaphela Sekonyela	Pae-la-itlhatsoa	M.Sekonyela	Mokhotlong Pae-la-itlhatsoa	CC Member
48.Reentseng Sekantsi	Pae-la-itlhatsoa	M.Sekonyela	Mokhotlong Pae-la-itlhatsoa	CC Member
49.Naha Hopo	Popa	M.Sekonyela	Mokhotlong Popa	CC and DC
50.Thabiso Maqalaka	Popa	M.Sekonyela	Mokhotlong Popa	CC Member
51.Mamohato Posholi	Molika-liko	M.Sekonyela	Mokhotlong Molika-liko	CC and DC
52.Muso Moahloli	Molika-liko	M.Sekonyela	Mokhotlong Molika-liko	CC Member
73.Thabang Phakane	Khalahali	Mathealira Seeiso	Mokhotlong Khalahali	CC and DC
54.Bakang Lesala	Khalahali	Mathealira Seeiso	Mokhotlong Khalahali	CC Member
55.Lebakeng Ratabane	Moremoholo	Mathealira Seeiso	Mokhotlong Moremoholo	CC and DC
56.Moshasha Likhale	Moremoholo	Mathealira Seeiso	Mokhotlong Moremoholo	DC Chairperson
57.Matlholiso Mohlafuno	Sakeng	Mathealira Seeiso	Mokhotlong Sakeng	CC and DC
58.Malerato Mosola	Sakeng	Mathealira Seeiso	Mokhotlong Sakeng	CC Member

68.Mathabo Nkone	Marung	Mathealira Seeiso	Mokhotlong Marung	CC and DC
69.Retsana Seala	Marung	Mathealira Seeiso	Mokhotlong Marung	CC Member
70.Mapulane Moleko	Linakaneng	Mathealira Seeiso	Mokhotlong Linakeng	CC and DC
71.Nkoebele Makhakhe	Linakaneng*	Mathealira Seeiso	Mokhotlong Linakeng	CC Member
72.Stephen Tsoinyane	Tekeseleng	Mathealira Seeiso	Mokhotlong Tekeseleng	DC Deputy Chairperson
73.Khalema khoabane	Mokhotlong DC office	Mathealira Seeiso	Mokhotlong DC Office	CC Member

Source: Field Survey/Interviews July, 2009 to July 2010.

(*intersecting with other legal boundaries e.g. administrative districts (of Leribe) and other chiefs' territories)

At the municipal council in Maseru, the City Council's (1) chairman/mayor, (2) secretary in the form of the deputy mayor, (3) finance manager officially called the Treasurer, (4) human resources manager representative, (5) two chiefs as ex-officio members (6) and actually ten other elected City Council Members have been individually interviewed. The ten City Council representatives were expected to increase the number of individual interviews in three districts to 30 in all and 26 Councillors in CCs (56 interviews). However, high response rate resulted in 18 interviewees in the MCC and greater participation by the CCs increased such individual interviewees to 73 as on table 1.2 above.

Figure 1.1: Location of the Case Studies (Maseru, Mokhotlong and Qacha's Nek)

(Maseru district covers the lowlands and some foothills, Mokhotlong the highlands, Qacha's Nek, the remotest foothills and Senqu valley as the main land-zones).





The types of interviews used on the respondents in the above table 1.2 included face-to-face in-depth interviews with the questionnaire being filled by the researcher, informal interviews, and formal group interviews during regular monthly meetings of all the CCs, DCs and the MCC. Informal and group interviews were meant to revalidate accuracy of the data from individual interviews. The used structured questionnaire encompassed both

open-ended and closed-ended questions to facilitate both free expression of opinions and guided opinion for relevant data and better quality qualitative and quantitative data analysis.

CHAPTER TWO: AN OVERVIEW OF DECENTRALIZATION

2.0 General Introduction

The chapter provides background on the process of decentralization globally and locally. It is intended to provide an analysis on why countries are decentralizing. It aims at conceptualizing the study's key terms to set up the study's theoretical framework. Firstly, in order to enable contextual use of the key terms, conceptualization of such concepts is done beginning by comprehending decentralization concisely as the transfer of powers and functions, along with fiscal responsibility to carry out such powers and functions, from the national to the local level of government possessing own budget, separate legal existence and authority (autonomy) to allocate substantial resources on a range of different functions and representatives to make decisions on behalf of the local community (Mawhood, 1983:9-10 and Stren, 2003). The attempt of thoroughly understanding the depth of decentralization entails its relationship with development delivery (which is also diagrammatically analyzed in chapter 7 and 8) as contextualized for Lesotho. The key question in this chapter which is why countries are decentralizing has also been, secondly, tackled by debating the validity of the functions of LG which justified decentralization even further. The chapter also examines the World Bank's and other authors' convictions on why countries ought to decentralize. Thirdly, decentralization and its challenges in the Third World are discussed. The last two tasks confirm the argument in this study that decentralization has both prospects and challenges particularly in the developing world. Fifthly, operationalization of the related concepts to decentralization, to be applied as a theoretical framework in this study including local governance, decentralized governance for development (DGD) and good governance are discussed. Lastly, the periodic incidental waves of decentralization (as strategies for administrative, democratization, economic and reforms or restructuring (state institutions and market opportunities) reasons) are discussed. This section thus also includes factors to decentralization globally and in Africa encompassing Lesotho.

2.1 Contrasting Definitions of LG and Decentralization

There are different stances with regard to decentralization due to varying perspectives based on various circumstances, analyses, definitions and interests, all probably not completely immune from subjectivity. One's conviction on the basis of the secondary and primary data to be used through this thesis is that decentralization could be the appropriate policy for development delivery in Lesotho but such appropriateness does not turn it into a panacea without inherent risks and constraints requiring precautions and remedies and efficiency and effectiveness in its proper adoption to effect its success in development/service delivery.

This then brings us to various definitions and pragmatic applications of decentralization which also portray such different stances to it. For instance, Faguet (2000:2) points to the vagueness of the term itself, and points out that the term, 'decentralization', has been "used in the policy literature to refer to everything from the administrative deconcentration of executive agencies in autocratic regimes to privatization in democracies…the devolution by the central (i.e. national) government of specific functions, with all of the administrative, political and economic attributes that these entail, to local (i.e. municipal) governments which are independent of the centre within a legally delimited geographic and functional domain." Rondinelli et al (1986:5) view it from the administrative point as "the transfer of responsibility for planning, management, and the raising and allocation of resources from the central government and its agencies to field units of government, semi-autonomous public authorities or corporations, area-wide, regional or functional authorities, or non-governmental private or voluntary organizations." Rondinelli et al (1989:59) further regarded it "as a situation in which pubic goods and services are provided primarily through the revealed preferences of individuals by market mechanisms."On the other hand, some people view decentralization as simply "a fashion of our time" (Manor, 1999:1)", or an exogenously inspired 'neo-liberal' economic policy approach connected to privatization and targeting the poor for social programmes (Vilas, 1996:1), or part of the pressure exerted by the international lending agencies as an antidote to the accumulated costs of over-centralization (Willis et al, 1999:16), or a conditionality of aid.

Still in the same vein of clarifying one's stance to decentralization, it needs to be stated that one fully consents with the understanding of Faguet (2000:2) and Rondinelli et al (1986:5 and 1989:59) as well as Olowu et al (2000, 2002, 2003, 2004 and 2006) who rightly link decentralization to LG which is self-government involving the administration of public affairs in each locality by a body of elected representatives of the local community. It is indeed one form of decentralization.

The United Nations Development Programme (UNDP) (2004) perceives decentralization as the restructuring of authority so that there is a system of co-responsibility between institutions of governance at the central, regional and local levels according to the principle of subsidiarity. Based on such principle, functions are transferred to the lowest institutional or social level capable of completing them. Decentralization relates to the role of and the relationship between central and sub-national institutions, whether they are public, private or civic.

Cameron (1996:397 and 2001:99 and 2003:106-107) and Mawhood (1993:9-10) perceive decentralization as encompassing devolution/democratic decentralization, deconcentration and delegation. Decentralization is defined as the transfer of planning, decision-making and administrative authority from the central government to LGs (Training manuals 5th July 2005). These various authors (Mawhood, 1983:1, Cameron, 1996 and 2001, Manor, 1998:4-11) agree that decentralization involves a context-determined combination of the following: Deconcentration, Devolution, Delegation and Privatization. These four forms of decentralization are primarily distinguished on the basis of the powers that central governance transfers to the local units. The different forms reflect different arrangements for representation of the local community, different degrees of decentralization of government power, different approaches to decentralization, different climate of rules, regulations and expectations and different resource control arrangements.

Devolution is the "conferment of rule-making and executive powers of a specified or residual nature on formally constituted sub-national units (Vosloo et al, 1974:10)". Devolution has these characteristics:

- LG ought to be separate constitutionally from central government and be responsible for a significant range of services.
- Local authorities ought to have their own treasury, a separate budget and accounts, and their own taxes to produce a significant part of their revenue.
- Local authorities should have the right to allocate substantial resources, including the power to decide over expenditure, to vary revenue, and to appoint and promote staff.
- Policy should be decided by local councils, consisting mainly of elected representatives.
- Central government administrators should play an indirect, advisory and inspection role only (Cameron, 2003 and Mawhood, 1993).

Devolution is the transfer of discretionary decision-making, planning, administration and financial management to independent LG units with powers to sue and be sued. The political base of officials in these units is the locality not the centre. They spend or invest resources at their discretion; provided they are operating within the legislative limits and that their actions do not conflict with the constitution and other laws of the land (Mawhood, 1993).

Deconcentration involves the transfer of workload from the central government head offices to regional branches. Major policy control rests with the central government control. Deconcentration is the shifting of responsibility and workloads from central government ministry headquarters to staff located outside the national capital. It also refers to institutional changes that shift the authority to the national civil service personnel posted at dispersed locations. In this arrangement, staff and resources are transferred from headquarters to lower units of administration to take operational decisions without reference to the headquarters. With deconcentration, the central

government is not giving up any authority but relocates its offices at different levels or points in the territory (Crook, 1998:7, Mawhood, 1993 and Cameron, 2003).

Delegation is the transfer of broad authority to plan and implement decisions concerning specific activities to organizations such as LG technically and administratively capable of exercising them with some autonomy (Rondinelli, 1981:137-138). For decentralization to be effective councillors as elected local representatives must form local policy and be accountable to local voters. The councils must also have sufficient financial resources to perform their functions. Delegation is the shifting of responsibility for administering public functions previously done by central government ministries to semi-independent organizations which are not wholly controlled by the government but are ultimately accountable to it. Such organizations include marketing boards and other parastatal bodies, public corporations, regional planning and area development authorities, housing, project implementation units and single multi-purpose functional bodies (Illinois, 1980:1).

Privatization as suggested by various authors is often linked to decentralization in implementation. Since this study mainly treats decentralization in a sense of administrative devolution/LG, examining the link between privatization and decentralization is not of paramount importance here. Privatization is seen when units of government promote ownership of assets and service delivery by private/non-public individuals/institutions for efficiency. It is a World Bank initiated policy which is usually accompanied by deregulation, reducing state intervention in a market. It is done primarily for reasons of efficiency of certain functions and services to various sections of private sector namely; business entities, community groups, co-operatives, associational groups and non-governmental and community based organizations. Reddy (1999:17), equates privatization to out sourcing by the LG in the supply of services.

Olowu and Wunsch (2004:2) also *connect local governance to decentralization* as they state that,

> "decentralization reforms only make sense if they lead to a *working political outcome: effective local governance…(whereby firstly)* decentralization is a lengthy and complex process of reform that, beginning with constitutional and/or statutory changes at the center, ideally progressively distributes responsibilities, resources, authority, and autonomy from center to periphery…(and secondly) local governance, is the situation that obtains when localities are able effectively to manage their public affairs in a way that is accountable to local residents."

Furthermore, according to Cameron (2006), political *decentralization* in the 1980s and 1990s has resulted into LGs being given more powers by central governments, globally. LG reforms, particularly in Africa, have been influenced by the economic crisis that led to political and economic reforms. Such reforms have been supported by World Bank.

2.1.1. Local Governance and Validity of Justification for Decentralization on the basis of LG's functions

Local governance by definition involves a degree of decentralization. Meyer (1978:10) perceives LG as "local democratic units within the democratic system…which are subordinate members of the government vested with prescribed, controlled governmental powers and sources of income to render specific local services and to control and regulate the geographic, social and economic development of defined local areas." Its inherent characteristics include locality, being a legal personality, autonomy, government power, participation and representation through the local electoral process (Mushi, 1992, Reddy, 1999, and Meyer, 1978). LG generally refers to the government of an area smaller than a country, state or province. Such areas include cities, towns and villages. Each unit of LG has some important responsibility for the welfare of its citizens and provides certain services. LGs may usually be run by elected officials though at times in some countries (Zambia) are run by the professional bureaucracy only. Zambia's central government has decided to recruit and appoint only the professional bureaucracy as local councillors to attain and maintain staff competency by using only qualified/educated personnel and reduce costs by not including and using elected local uneducated councillors in LG. They have some power of taxation. Unlike in Zambia where only the recruited bureaucracy by

the central government is used, Lesotho uses both the locally elected councillors and the bureaucracy recruited by the central government. The 1997 Act on decentralization in Lesotho is still silent about the specific taxes, levies and fines councillors can use. This has stifled any little financial capacity the LGUs could ever have to finance local development delivery. The main functions of LG vary from country to country. They often include road building and maintenance, regulation of building standards, public health, refuse collection and local amenities like public parks (Ismail, Bayat and Meyer, 1997).

LG is self-government involving the administration of public affairs in each locality by a body of elected representatives of the local community. It is one form of decentralization. According to Byrne (1986:2, 60-61) LG is a multi-purpose institution, every local authority has many jobs to do and a variety of development services to provide. The range of LG responsibilities is extensive. The development services it typically performs may be grouped into five categories as (1) protective, (2) environmental, (3) personal, (4) recreational, (5) and commercial. Protective development services include fire, police, consumer protection, animal diseases, and licensing. Environmental development services include highways, environmental health, transport and planning. Social services encompass education, careers, housing, social work, homes, aids and meals. Recreational services comprise sports facilities, camp sites, theatres, museums, galleries and libraries. Commercial services include provision of markets, transport and small holdings.

Vosloo (1974:10) states that, “Local Governance is generally used to refer to a decentralized, representative institution with general and specific powers, devolved upon it and delegated to it by central or regional governance in respect to a restricted geographical area within a nation or state, and in the exercise of which it is locally responsible and may to a certain degree act autonomously”. This suggests a local political process which is analytically separated from the nation-wide process because the issues around which it revolves have local characters. UNDP (2004) describes local governance as comprising of a set of institutions, mechanisms and processes, through which citizens and their groups can articulate their interests and needs, mediate their differences and

exercise their rights and obligations at the local level. The building blocks of good local governance are many: citizen participation, partnerships among key actors at the local level, capacity of local actors across all sectors, multiple flows of information, institutions of accountability, and a pro-poor orientation.

Byrne (1986: 5-8) views LG as very important and difficult to imagine its disappearance thus it is worth taking into account some of the reasons advanced to justify it. The first justification is that LG is an efficient method of administering certain development services. This justification is based on the following grounds: (a) Local authorities consist of members who are drawn from local populace and thus have local knowledge and a commitment to the local area and its people. (b) Local authorities are multipurpose bodies and can therefore secure a greater degree of coordination and policy integration, (c) public administration generally benefits from the existence of local authorities because they off-load responsibilities from the central government departments and civil servants who would otherwise be overburdened with work if not become more inefficient. LG develops management capacity among LGUs and provinces, doing functions not efficiently and effectively done by national departments and develops capacities of local officials. In a way, it increases national government's efficiency by relieving top management of routine tasks. Local officials also develop their management and technical skills. It provides a coordinating structure for ministries and development agencies in various districts/provinces/regions. In that way, it also strengthens national policy and planning by freeing ministry staff from administrative and routine responsibilities. In this way it allows central governance to play the supervising and setting of standard roles and supports attitudinal behaviours and cultural conditions (Illinois, 1980, Mawhood, 1993, Crook, 1998, Crook and Manor, 1998, Reddy, 1999:18-21 and World Bank, 2000:23-24).

LG facilitates political and administrative 'penetration' of national government policies in remote areas where support for national policies is weak. DGD can contribute to greater coordination of policies and personnel from numerous line ministries especially at intermediate levels (provinces and districts) rather than at local levels. LG allows local

people a greater chance to participate in development planning and decision-making. It permits convenient provision of services locally for which they travelled long distances to obtain. As thus it facilitates development from the grass roots. LG increases public participation in the development process thereby increasing a sense of community ownership of projects. It also allows special interest groups to be represented and participate in decision-making in local councils, for instance, youth, women and the disabled. As a result it ensures better representativity for different groups in development decisions and promotes equity in resources allocation. This promotes political stability and national unity through participation of groups in different parts of the country in developmental decision making causing them to accept the political system. Officials are also enabled to have more knowledge and sensitivity on local problems and needs and insight on possible solutions (Illinois, 1980 and Mawhood, 1993).

So, LG allows for mass participation by local citizenry and facilitates exchange of information relative to local needs and channels them to the national government directly. It creates an alternative means of decision making and may offset influence and control of insensitive or unsympathetic elites on development activities, in national governments. It thus promotes flexible, innovative and creative local management relative to policies which if successful may be replicated or costs minimized to a limited jurisdiction if failure occurs. LG can increase the number of public goods and services rendered and the efficiency in that they are delivered at reduced cost by reducing diseconomies of scale inherent in over concentration in the national capital. LG also enables local leaders to locate services more effectively within communities, integrating areas that are isolated into regional economies, to also monitor and evaluate implementation of development projects more carefully (Illinois, 1980, Mawhood, 1993, Crook, 1998, Crook and Manor, 1998, Reddy, 1999:18-21 and World Bank, 2000:23-24).

DGD can enhance local political participation and quicken local associational activity. It therefore activates civil society drawing it into structured and moderating political processes giving them a sense of owning government policies, processes and projects. DGD can encourage partnerships between government agencies and the private sector,

usually small-scale, local partnerships. It thus can make government processes more transparent to ordinary citizens though this at times leads them into incorrect thinking that the government has become corrupt. DGD makes government institutions more open by providing opportunities for elected representatives at lower levels to influence official decisions and the design and the implementation of government programmes. DGD can enhance the accountability of bureaucrats to elected representatives and the accountability of elected representatives to citizens. These aspects hoped for in DGD can reduce overall corruption in the political system through greater transparency and accountability. DGD enhances citizens' understanding of government health, education and sanitation programmes. Locally elected representatives can explain these details better than government employees. DGD can help programmes be more responsive and appropriate to local conditions and as such increase an uptake on such programmes and reduce absenteeism among LG employees in schools, health dispensaries and so on, strengthening service delivery. It makes the government appear more legitimate in the eyes of its people through accountability, transparency and enhanced effectiveness and responsiveness of government more generally. It can also help scale up successful projects and occasionally replicate them (Illinois, 1980, Mawhood, 1993, Crook, 1998, Crook and Manor, 1998, Reddy, 1999:18-21 and World Bank, 2000:23-24).

The second justification is that of having a fair degree of autonomy, the local authorities can take initiatives and experiment. They can seek a variety of solutions to society's problems, that is, they may innovate and pioneer new services or methods of administration and successful ideas may spread to other authorities. LG encourages mutual approach in solving local problems. The justification is that LG encourages citizenship democracy and promotes political education in its widest sense. It does so by involving large numbers of people in the political decision-making process. It gives local politicians and the public a chance to practice, learn and understand democratic practices. Fourthly, LG is seen as a defence against an all-powerful central government and the abuse of power. It is argued that strong LG system helps to disperse political power and diminish the danger of an over-centralized state. It cuts bottlenecks or red tape imposed by an over-centralized system. As thus DGD reduces delays in decision making. LG

promotes inter-sectoral collaboration at the local governance level. Furthermore the diffusion of decision-making power is justified on the grounds that numerous errant policies among a variety of local authorities cause less harm than one policy failure. There are also other people who justify it on the grounds that it has stood the test of time. LG is also seen as a means of representing tax payers. Since local authorities impose taxes, then the tax payers are represented in a body that determines how the tax should be spent. LG makes it easier for the local people to relate taxes to development (Ibid and Shah, 2000: 22).

Some countries were attracted to decentralization in order to realize its advantages when successfully implemented. Such advantages were concerned mainly with party politics especially at city level. Countries adopted decentralization realizing that in it:

- There are more candidates and fewer uncontested areas in local elections.
- There is clarification of issues as parties challenge each other to defend and justify their assertions and arguments.
- Citizens develop more awareness of and interest in LG, reflected in a higher electoral turnout.
- Change and initiative are stimulated, as parties, with principles and resources, develop policies to put before the electorate.
- Accountability is enhanced as parties and their candidates individually make public commitments and promises which if elected will seek to implement and account for.
- Government coherence is achieved through majority party existence able to carry out policies it was elected for.
- Democracy is enhanced through existence of electorally endorsed policies and programmes thus reducing influence of unelected and unaccountable officers (Cameron, 2003 and Shah, 2000).

Decentralization has been adopted on grounds (especially in multi-ethnic nations, since the diverse needs of the various ethnic groupings are locally addressed) that it can defuse conflicts since local/regional governments a) improve public services, b) are better

acquainted with the local causes of conflict, c) facilitate participation and co-determination by minorities and d) enable the reconstruction of failed states from the bottom up. Decentralization can further have the following positive impacts on conflicts:

- Compared with a centralist government apparatus, local/regional capacities are both more efficient (cost savings and greater flexibility) and more effective (proximity to local needs). This improves public service delivery, raises the satisfaction of the population with public administration and can bolster the legitimacy of the political system. This in turn can contribute to stability and the peaceful settlement of conflicts.
- Local authorities are more familiar with the local causes of conflict, can analyze these more precisely, take measures to balance interests and raise the chances of non-violent settlement through participatory approaches.
- Handing over power to local/regional levels can give minorities more say. They can participate politically directly where they live and preserve their local ethnic identity better. This can avert demands for autonomy and secession (GTZ, 2004).

Decentralization can contribute to rebuilding failed states. Local/regional levels have the necessary proximity to the local population and the organizational and spatial capacities, which is why they can liaise between donors and the population in reconstruction. Civic participation and the provision of the necessary services at local level can also renew legitimate government from below. These beneficial effects of decentralization on conflicts can be contravened by adverse impacts, though. In a comparative analysis of fifteen decentralized states, it can be refuted that increased codetermination and autonomy prevents violent conflict around secession (GTZ, 2004).

In summary, this thesis regards decentralization as the *devolution* of political, administrative and resources capacity and power from the central government to the lower legitimate socio-politically-economically inclusive government tiers characterized by local government autonomy in the selection of local staff and control, ability to access national government and influence national local government policy, range of local government functions, local political parties making decisions independently of their

national structures and LGUs raising their own sources of revenue independently of higher tiers of government. These qualities basically constitute the framework used in chapter 6, 7, 8 and 9 to assess the degree and the efficiency of the adoption of decentralization and its development delivery in Lesotho.

2.1.2 Decentralization and its Challenges

The validity of these justifications is not overwhelming and absolute. The fact that council members are local people does not guarantee efficiency in development delivery. Byrne (1986:8-9) also argues that many local authorities are felt to be too small to be effective in provision of some or all of their development functions. They are of multi-purpose in nature and this does not ensure greater amount of coordination. It takes good management skills to coordinate a wide variety of activities and integrate them. If the personnel in the council is not endowed with such skills good coordination cannot be expected. In fact this is one of the reasons why many attempts at decentralization have failed. LG is also seen as either too bureaucratic or too party political to be efficient or sufficiently responsive to public opinion. Though local authorities may be progressive and pioneer new development services when given enough autonomy, equally they may drag their feet and be closed to new ideas. Thus decentralization encourages narrow attitudes and policies. Furthermore, it is an exaggeration to say that the presence of LG is a barrier against excessive state power and a catalyst to the release of simmering community participation. On the contrary and in reality the central government exercises considerable control over the policies of LG. According to Griffiths (1976:10-11), the system of exchequer grants is itself a measure of control on the activities of local authorities. It is true that local authorities use the advices from central government at their discretion but some advice is couched in such forceful terms that local authorities, who are after all dependent on the continuation of grants ignore it at their peril.

The problematic situation is that beside these above possible benefits of decentralization, many authors have indicated that local governance/decentralization, particularly in the Third World, including Lesotho, is often confronted with the following challenges: lack of leadership provision/training and capacity building for development and service delivery

and institutional support by the Ministry of LG (MLG). The MLG is supposed to conduct field studies to get feedback from the LGUs and be able to amend legislation for efficiency and effectiveness in development and service delivery on time but it has been blamed for not conducting such studies. Since 2005 to date, MLG in Lesotho has not yet conducted any monitoring and evaluative study to improve local development delivery. LG in the Third World is incapacitated itself and fails to provide human and infrastructural resources to local authorities. The case of Lesotho, as explored in the chapters 6, 7, 8 and 9, illustrates how decentralization in the Third World often suffers from a failure to specify roles and sufficiently sensitize decentralization stakeholders of their roles in such decentralization process (Olowu, 2000, 2003 and 2004).

LG in the Third World lacks human resources capacity and financial management capacity and may therefore not positively impact local governance. This local governance system often introduced lacks fund raising capacity, the educational background of councillors is also often too low, relations with the central government are also not often clear. Local councillors lack the required human resources and financial resources to effectively meet public service requirements. Local authorities often lack political and administrative capacity to inject development. At times the MLG introduces decentralization with the political expediency of accessing donor funding without proper consultation and participation of the needy rural-urban citizens (See next chapters 5 to 9 on Lesotho as my case study) (Olowu, 2000, 2003 and 2004).

Furthermore in the Third World, disadvantages of decentralization have been seen to include national costliness, inefficiency from local authorities' incompetence and lack of adequate funds/revenues, inertia or conservativeness and possessiveness due to traditional likings by community members, regional and social inequalities as affluent groups and areas become in a better position to use their devolved powers, selfishness by change evading unrepresentative dominant oligarchies on LG, weakness tendency in enforcing obligations especially on the strong local elite enjoying protection from national government ministers, corruption and separatist tendencies by the once repressed who may then seek complete sovereignty. In the case of Lesotho (Chapter 5 to 9), field data confirmed that at the

city/municipality level constraints also include great difficulty in having minority party candidates and independents elected due to more party candidates; as a result there is a narrower debating of issues due to party rhetoric playing a major role. This leads to less public involvement and mainly party involvement and nationalization of local elections focussing on national issues and personalities. The winning party takes all the seats leading to reduced representation and exclusion of others. Issues are over politicised and consensus is difficult even when necessary for universal gain. Councillors are disciplined into voting in line with party interests and not own sound convictions and judgements, hence reduced local democracy and professional advice as effective decisions are made by party groups without following expert opinion (Mawhood, 1993, Cameron, 1999:26 and 2003:109, Reddy, 1999:19-20, Wallis, Crook and Manor in World Bank working paper, 2000:19,Pycroft, 2000 'in differential challenges', Stren et al, 2003:1-4,17-21,24 and Hadenius,2003,).

Lutz and Linder (2004), Azfar et. al. (2001: 75) and Prud'homme (1995) have argued that decentralization faces various constraints constituting its demerits. They state that local elites are not necessarily more responsive to local demands. It is not clear whether decentralization has made local governance more efficient. Prud'homme (1995) finds that decentralization runs against redistribution and stabilization because it has strengthened and increased the influence of the local elites and not the local people. Decentralization can then bolster the power of the local elites instead of facilitating equality in participation and representation. Crook and Manor (2000:24) also state that "though decentralization can help adapt social programmes to local conditions, it is susceptible to elite capture, meaning benefits get diverted from people in need to clients of elite politicians. This, and strong prejudices against poor, low-status, and minority groups in local areas often mean that decentralization does not alleviate poverty". Chapters 6, 7, 8 and 9 for our case study Lesotho do confirm that decentralization in Lesotho is experiencing political elite and (traditional) chieftaincy elite capture impeding its development delivery. Just in this context, it could be confirmed that at times, DGD does little to encourage long-term development perspectives or to assist promote sequencing and pacing of reforms. So, it ends up not leading to greater resource mobilization and revenue collection necessary for pro-poor policies. Crook and Manor (2000:24) also state

that there has so far been no evidence that decentralization does assist much in enhancing the state's financial capacity by mobilizing local resources, or in promoting economic growth. Schneider (2003) makes a clear distinction between administrative decentralization that is positively related to pro-poor policies and political decentralization that is negatively related to pro-poor policies. He finds that political decentralization actually lowers the capacity of the LGs to collect taxes because the local elites often need to favour those with greater influence and wealth. This means that there will be fewer resources available for re-distributive, pro-poor policies (for similar findings see Crook and Sverisson, 2001).

Furthermore, central governments and administrations in Third World, which are often weak, do not want to give up control, power or resources to the lower levels and so do not substantially support attempts to decentralize (Olowu, 2001). This can have various reasons, one of which is that governments may fear the loss of national cohesion. But governments may introduce and favour decentralization policies if it will improve their political support. Assessing a number of case studies, Crook and Sverisson (2001) conclude that decentralization meets its goals when central governments have a commitment to pro-poor policies in order to broaden their support among the poorer population. In this case, governments are prepared to actively engage in local politics, both to challenge the local elites and ensure the implementation of such policies. If the central governments' decentralization goal is to consolidate its power through the local elites, the central resources are directed on a clientelistic basis rather than on actual needs (See chapter 7 and 8 confirming this in Lesotho).

Decentralization in the Third World experiences lack of resources and limited reach. It is often the case that power and responsibilities have actually shifted, but without reliable resources and transfer mechanisms. The new LGs are established without obtaining the necessary resources to function as expected. Even where there are clear rules of inter-governmental fiscal transfers, central governments do not transfer financial resources regularly or reliably. This insecurity hinders proper and sustainable planning at the local level. Furthermore, many central governments lack resources and only limited amounts

of money can be transferred to the local level. Consequently there is not enough to distribute among different LGs within that country. Hopes for the local population are therefore not met. Under-resourced decentralized governments do not have much to offer. It might be a little progress in education, or a marginally improved health system. Both the scale and reach of such amelioration attempts is often very small and insignificant. As a consequence, it is not surprising that LGs have often not succeeded in playing a dominant role in the community with their disappointing performance. In addition, the possibility to increase revenues for LGs through taxes or other forms of tributes, especially in poor rural areas, is very limited (Prud'homme, 1995, Crook and Sverisson, 2001, Azfar et. al. 2001, Olowu, 2001 and Lutz and Linder, 2004).

This is worsened by the fact that decentralization is very costly. With decentralization, new institutions must be built and staffing and training carried out at the local level, all of which incur significant transfer costs. In government or development agency programs, usually only a small number of decentralized units can be financially covered in capacity building activities. Project management costs are far too high for most development agencies to run projects in a large number of LGs. Furthermore, the need for basic infrastructure is in some LGs very great. Donor agencies hope that by working in one local area, it will have an impact and spill over effect on others. But these hopes are not often granted. These difficulties must be taken into account when examining the possible role of traditional authorities in local governance. One of the further problems with the attempts at decentralization is that the existing social, economic and political structures are often neglected when decentralized political and fiscal structures are designed on the drawing board. Traditional power and ruling structures are an existing reality that cannot be ignored. Every society has its own norms of production and economic regulations, as well as social norms and values, but are often not recognized (Lutz and Linder, 2004).

The idea of traditional rule raises interesting questions about western democratic theories. In the history of Western Europe, democratic governance replaced the traditional rule of nobles and monarchs. The constitutions of the newly independent states from colonial rule were also strongly influenced by democratic theories. Communist and socialist

ideologies also did not recognize traditional authorities, because the distribution of power to the local areas and to other forces was not compatible with the concept of a single party, centralized state characteristic of socialist regimes. Taking into account the problems with decentralization, relying on traditional structures could be an attractive option to improve local development. Compared to state administrations, traditional structures do not need to be built from the start. Establishing new political and administrative institutions on the other hand can be difficult, costly and time consuming. If there is a structure already functioning at the local level, it is logical to include them in improving governance at the local level (Ibid).

Other possible adverse effects of decentralization include abuse by central government (divide and rule): Decentralization does not always facilitate political participation; it is also used by central governments as a means of safeguarding power and fragmenting interest groups. This strategy can be successfully applied in situations with many different, equally powerful groups. In Uganda each of the major political groups accounts for less than 10-17 percent of the population and is divided along religious lines. This constellation enables Uganda's central government to misuse decentralization for the preservation of its own power base. The case of Ethiopia also shows how wide the rift can be between constitutional principles and reality. In the partly federal state, troublesome issues are shifted to local levels to distract attention from co-responsibility by central government (GTZ, 2004:7-18).

Decentralization can create losers and new conflicts: Decentralization entails the redistribution of power. This gives rise to new, perhaps unprecedented, latent conflicts. This can happen, when local elections are held for the first time and local majority relations between hostile groups turn out differently to those at national level. This was the reason for the unrest in Port Limbe, Cameroon after the district council elections in 1996. An opposition party emerged as the clear winner of the elections but the lead candidate of the former ruling party was appointed mayor by the president. Security forces occupied the town, five deaths were recorded. In post-conflict situations former rebels are usually among the biggest losers with a considerable potential for violence.

Usually, methods and mechanisms for the non-violent settlement of these new conflicts yet need to be established. For Lesotho, there is still an impasse on the clear redistribution of power and functions between the chiefs and the councillors (see next chapter 6 and 7).

The other problem of decentralization is that central government forfeits its arbitrator role: In some countries, central government is seen as taking a neutral position in an ongoing local conflict. When central administration relinquishes competencies through decentralization and can no longer act as arbitrator, opposing interests collide head on. This could occur in West Cameroon, where local conflicts surrounding land rights are still contained to some extent by central government. This is why leading local representatives are deliberately assigned from another region (GTZ, 2004).

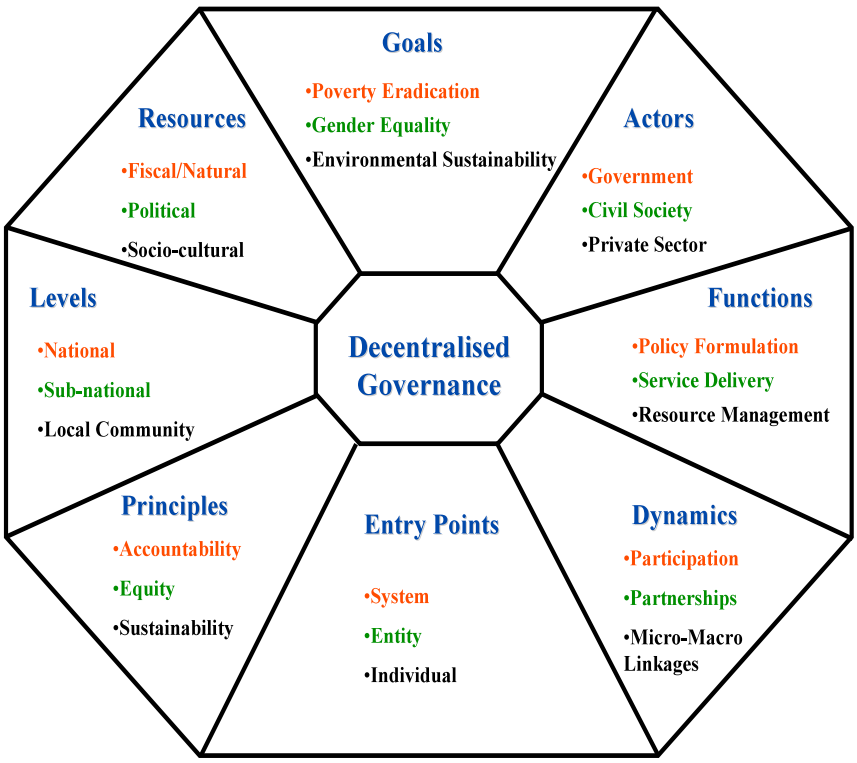
Decentralization has often caused inequitable regional development in the Third World countries: Regions and municipalities can drift further apart through decentralization. The transfer of fiscal competencies, for example, can bankrupt some municipalities with incompetent political and administrative personnel. On the other hand, some regions could receive preferential treatment from central government when it comes to financial resources. This inequitable development in already polarized societies can have a destabilizing effect and foster resentment amongst the different regions (Ibid).

Decentralization suffers from the disadvantage of local despotism: Decentralization can cement local ethnic majorities. It can worsen the marginalization of local minorities by local majorities and lead to so-called local despotism. This is particularly likely when two to three large ethnic groups are concentrated geographically. The risk of a renewed civil war in such regions is 50% higher than in areas with very diverse or completely homogeneous ethnic patterns. This is the case for about half of all developing countries, including Ethiopia or Sri Lanka. This places an enormous constraint on decentralization's impact on mitigating conflict (GTZ. 2004).

2.1.3 Decentralized Governance for Development (DGD)

According to the UNDP (2004:4), "decentralized governance for development"(DGD) is used as the term that links decentralization to development or service delivery, which is the focus of this study, unlike other links like privatization. It is deemed as the best way to bring human development at the local level through prioritization of the development objectives by the locals. It is regarded as ideal for citizen-participation which can result in local empowerment and increased productive capacity. The basic goals, actors, functions, dynamics, entry points, principles and levels of DGD are presented in Figure 2.1 below;

Figure 2.1: Decentralized Governance for Development (DGD)



Source: UNDP, 2004, Decentralized Governance for Development Report.

DGD is said to enable joint implementation of locally set development objectives/goals by actors like the civil society, the private sector and the government that has decentralized so as to attain such goals of poverty eradication, gender equality and

environmental sustainability. The functions of decentralized government units or elected local authorities include policy formulation, service delivery and resource management. Dynamic input-activities to the set goals include participation by the local communities in partnerships with the government, civil society and the private sector through the micro and macro connections. DGD's entry points include the used systems or institutions/practices, social units/structures/organizations/groupings and individuals maintaining values of accountability, equity and sustainability. DGD is often characterized by devolution of powers at the central/national government, sub-national or provincial level and at the local community level (Ibid, 2004).

Urban and rural development implied in DGD covers the broad range of specific issues affecting dwellers in cities, towns and villages such as shelter, jobs and income, water, and HIV/AIDS at the local level. Rural-urban relations promote a spatial integration of these concerns through policy-making and policy implementation for the flows of people, goods and capital between urban and rural areas.DGD offers opportunities for achieving cost-effectiveness in service delivery, economic efficiency, national unity, poverty reduction and other goals of human development (UNDP, 2004).

Initiatives that are poorly designed and implemented may create unnecessary risks and more serious problems, given particularly the highly political nature of DGD. For instance, lack of efficient and effective adoption of decentralization including absence of prerequisites for successful decentralization in Lesotho has resulted in more structural power contests between chiefs and councillors (chapter 6, 7, 8 and 9), recentralization, poor citizen participation, non-developmental delivery and other various consequences. DGD involves changes in the existing allocation of powers and resources. Some may lose (e.g., central governments) while others are expected to gain (e.g., LGs and the communities themselves) from the process. This can particularly be the case where some perceive themselves to be losers, that is if they do not accept the goals of DGD and focus only on what power they themselves enjoy, they may see DLG as a stripping of their powers. Exactly what is happening in Lesotho with chieftaincy (chapter 6). In other words, a paradigm shift/change in perception is required. If people continue to think in a

least broad (zero-sum) way they will not be able to explore the optimum/most ideal alignment of powers and responsibilities. Win-win (i.e whereby every differentiated grouping level gains without losing any priviledges/benefits/entitlements) solutions are also possible as power is increased throughout the societal system. Without appropriate accountability mechanisms, however, abuse of power, corruption, and capture by elites are likely to happen. Conflicts may also arise when DGD reforms fail to address issues of social inclusion and respect for local customs and traditions. Any DGD initiative, therefore, should be preceded by a risks analysis. In general, the challenges facing DGD supporters are real: poor capacities, poor culture of participation, and lack of economic viability to secure mobilization of resources, among others (UNDP, 2004).

2.1.4 Good governance

According to Mabojunge (1991:24, 40), 'good governance' has the following characteristics; participation, accountability, and transparency. It is about being able to see what decisions are made and how they are made, as well as how decisions are implemented once they are agreed upon. Transparency is strengthened when: critical decision making is open to the public and the media, obligations are placed on political office bearers to disclose their interests, the right of the media to disseminate information on the government is protected, regular, accurate and user friendly information on government plans, proposals and policies is available to the public and media, the executive has a duty to provide regular accessible reports on its performance in the public domain, and there is public access to independent spending. Other characteristics are the rule of law, strategic vision, consensus orientation, effectiveness and efficiency, responsiveness, equity and inclusiveness and corruption minimization. World Bank (1994, vii) perceives good governance as synonymous with sound development management and the overall quality of government. It is epitomized by transparent and enlightened policy making, that is transparent processes; a bureaucracy imbued with a professional ethos; an executive arm of government accountable for its actions, and a strong civil society taking part in public affairs, and all behaving under the rule of law (McCarney, 2003:4).

Jonker (2002) also states characteristics of good governance as openness and transparency: community involvement and consultation as to how people will be governed. As well as adherence to the values and principles of the supreme law, the constitution. The democratically elected office-bearers are also expected to consult the electorate to review execution and achieve prioritization of the electorate's needs, wants and interests (Deliberation and consultation).

Capacity to act and deliver: that is there is need to create structures for efficiency and effectiveness in the delivery of public services. Efficiency and effectiveness: requires people's needs identification and continuous review of the way in which government delivers services for efficiency and effectiveness. Answerability and accountability: Constitution needs to provide for creation of structures that facilitate elected officials to answer and give an account of how they performed. There is need for clear separation of powers between legislative, executive and judiciary authorities to avoid an autocratic dictatorial state, and promote fairness. Co-operative government: The distinctive hierarchical levels of government, that is the national, provincial and local need to co-operate, be well coordinated and avoid duplication, that is be optimal in the use of their resources. Distribution of state authority and autonomy: (Decentralization) Devolution of power and authority is necessary for execution of decisions, especially power to pass legislation for implementation of decisions to serve local interests. Constructive response providing resolutions by engaging both the government and the business sector through various forms of action: Civil society must work hand in hand with government to meet needs of the society. Influence on manner in which politicians work: Pressure by interest groups, pressure groups, NGOs, CBOs. Monitor government activities to ensure continuous answerability and accountability: Constitution must provide for creation of independent statutory institutions ensuring answerability and accountability. This framework of good governance is important in this study as it serves to be a yardstick against which the efficiency and effectiveness of the adoption of decentralization in Lesotho will be examined and analyzed in chapter 7 and 8. This includes assessing the extent of such decentralization and its contextual challenges in development delivery.

Fieldwork findings in chapter 7 and 8 in this study confirm among others least community involvement, lack of capacity to act and deliver in LGUs, non-accountability, unclear separation of powers and autocratic dictatorial central government in the decentralization process of Lesotho. Good governance values and principles as indicators of successful or effective decentralization seem to be lacking in Lesotho's decentralization.

2.2.0 Historical Global Context of Decentralization, Factors and Some Limitations

Decentralization involving territorial reforms in Europe has mainly been effected by national governments' response to a rapid demographic and physical growth of the cities. The reforms usually aimed at rationalizing the administrative map, limiting municipal fragmentation and at generating economies of scale in the planning and development of local public services. The first of this incidence occurred at the beginning of the twentieth century, then again in the 1960s and 70s as suburbs got massively developed. The European states stated new reforms to introduce urban institutions as their territories coincided with the new urbanized spaces. Then in the 1980s and 1990s, LGs in European states especially the cities were endowed with significantly more authority by their central governments as new institutions to new territories. Decentralization reforms can thus be globally viewed through three main moments of the 1920s and the 1960s-70s and then the 1980s-90s. The whole objective was to move from urban government to urban governance as required in economic growth and urban explosion of those times. The two former decentralization reforms were top down but the latest one of 1990s encountered rejection and failure as local communities resisted the reforms on account of unwanted imposture of development projects that did not have their say. This included rejecting fusion of territories under LGs for development service organization and delivery. People sought their power in decision making. Such people mainly included urban elites, civil societies and political parties acting against the then over centralization and government inefficiencies in local service delivery. People sought local governance and not government. This became widely accepted especially when tied with judicial powers and strong budgetary and fiscal incentives. Instead of state coercion, citizens preferred urban

governance which also resulted in the creation of metropolitan cities for effective coordination and management of urban institutions (Jouve, 2005:285-294 and Stren, 2003).

In the developing world likewise there has been three historical moments of decentralization, particularly in Africa and Asia. The first one consolidated itself just before and at the point of independence, that is from the late 1940s through the early 1960s when local and state authorities were being established by mutual agreement between the colonialists and the to be independent colonies. After independence, various pressures of the one-dominantparty state, military regimes, and the ideology of central planning deprived local authorities of their powers and original autonomy. In some nations strengthening local authorities was seen as reinforcing regional sentiments with differences that might oppose the central governance. As such restricting local authorities led to over-centralization that resulted in widespread state inefficiency in development and service delivery and thus increased poverty as jobs were not being created and needs of localities not addressed. This actually represented removal of decentralized government in sub-Saharan Africa. Political and administrative centralization resulted in stressed central planning for development (Ibid).

This centralization had to react to itself by the second wave of decentralization of 1970s and 1980s in response to its dismal failures in terms of development delivery. Centralization had problems of local projects implementation failure, and so central governments in the developing world had to look for relocating the development committees, technical ministries and large projects at the district level, that is closer to peoples' sustained access and participation. The justification for this move was to enable local planning and control of development as the central governments could not know and have a sense of urgency in addressing local demands. The incapacitated inefficient centralization was seen as compromising the national goals of development (Nyerere, 1972: 1).

The bringing in of officials from the central government to local authorities often resulted in the official elite dominating the local planning and administration and other proceedings of the decentralized councils. The official elite still continued to dwell in the capital despite moved physical structures like offices and residents and other commercial facilities. Finance and skilled professionals were given to representative local authorities for own unrestricted use. This resulted in the failure of large projects, mismanagement and absence of finance. The top-down decentralization was marked by the need of strong local bureaucracy which lacked. The other challenge to this decentralization was its complex administrative implementation. The poor countries were expected to implement decentralization to be able to respond to local demands. This is strange in that the poor governments would be expected to release lacking finances, lacking skilled manpower and inefficient political structures to the local communities. National governments that lacked the capacity could not bring about LGs with adequate capacity as the latter needed the former to have more capacity in terms of resources. Beside lack of resources, this decentralization was an administrative initiated top-down one without local political support or need and thus lacked sustenance. Communication between the central and the local was also weak and local units did not have enough guidance, backing and training so that they could be effective (Jouve, 2005:285-294 and Stren, 2003).

During the 1970s these decentralizing initiatives were again largely overcome by centralizing forces. Despite established local structures at district levels or provincial and community levels, the central government planning government agencies continued to play the dominant role in planning and administration. To make it worse, in Lesotho (as in many other developing countries) a one-dominant party state (the Basotho National Party/BNP) suspended the national constitution creating a human rights crisis and long undemocratic political era and also replaced such local structures with illegitimate appointed ones only affiliated to the undemocratic dictatorship. This also affected the civil service and all the ministries. Centralization became then a tyranny and an era of prolonged imposed emergencies. This period was mainly characterized by either centralized political tyranny through one party state and/or military regime or dormant local councils with no capacity to do anything (Ibid).

The third wave of decentralization in the developing world came as an influence of the growth of urban civil society and the strong wind of democratization and re-democratization that took place in the late 1980s and early 1990s. These two reinforced decentralization and created political support for it. This time urban governance was seen as a proper response to worsening urban poverty observable through poorly or not serviced urban land. Cities were also centres of political conflicts and instabilities. One way to curb urban political instability, widespread informal sector occupying 60% of the African urban population and urban terrorism and poverty was this re-democratization through local governance. In some countries like Lesotho, the military regime came to terms with the ideology of re-democratization as they realized that political instability would otherwise never come to an end as they would naturally be toppling each other endlessly on grounds that every dictatorship lacks legitimate authority and is always under permanent threat, pressure, criticism, resistance and possible attacks by the civil societies especially the political parties. Many military regimes as thus had to restore democracy or re-democratize. Such political initiatives also received international assistance (donor funding) though this concentrated on large-scale formal projects, extensive state and parastatal employment and widespread regulation of the economy. Many regimes also realized that if economic growth and poverty alleviation are to be addressed as the civil society also emphasized, re-democratization was essential as it would facilitate creation of tax sources for development and civil regulations with political support and stability (Ibid).

Many governments in the developing world, two decades after their independence era experimented with new political and administrative (DGD) arrangements for planning and managing development programmes and projects at local levels. DGD has thus been increasingly perceived as a progressive and proper strategy for managing rural and urban development by fully utilizing local institutions and promoting participation of the local people in planning and administration of services needed for social and economic development in the developing countries (Rondinelli and Cheema, 1983:14).

Many African countries, after getting political independence, dismantled LG structures that had been created during the end times of such colonial era. Centralization was resorted to, firstly, because the local authorities created during that colonial era were modest in scale even in terms of their contribution to development. They tried to perform their administrative duties and responsibilities for own local projects but the colonial governments had provided them with little financial assistance. These local authorities had to raise own revenue to meet their costs. They became financial liabilities and had weak financial base. This made it necessary to centralize revenue collection (Mapetla and Rembe, 1989:7-9). These included for example Senegal, Guinea and Ivory Coast demolishing elections for municipals. Central governments appointed their own urban administration officers. Zaire removed the autonomy of the provinces and replaced urban communes with administrative units answerable to the central government. The Basotho National Party/BNP after winning the first (1965) national elections after independence also progressively centralized form of governing by abolishing the middle autonomous government sphere of the pre-independence district councils in 1968. The elected majority membership of these local authorities affiliated to the main party of opposition, the Basotholand Congress Party/BCP, thus posing limitation to the desire of only consolidating central power and political influence by the central government uninterested in political autonomy for self-development (Ibid).

The second reason why other African countries after independence dissolved local authorities was the want to achieve rapid economic development. Rational planning and prioritization with strong coordination for scarce resources/funding was seen as needing one centralized strong control system of government. The third reason was that there was also a general lack of adequate financial and manpower resources to support increasing service delivery demands on the local authorities. The more skilled personnel also joined the central government that was better paying and had more privileges. This left local authorities with low salaried personnel and poorly staffed and thus became widely ineffective. This justified and reinforced centralization. The fourth reason for dismantling local authorities in Africa was that the national leaders and central government officials had a political desire to stay in power for long and become the only one centre of power.

They perceived local authorities as building up opposition which would erode their central power (Mapetla and Rembe, 1989:7-9)

Consequences of centralization included expanded bureaucracy and impairment of local self-government. This resulted in concentration of skilled personnel at the national capital but contributing little in developing the local communities and their initiatives. Furthermore decision making had to go through many created levels of increased centralized bureaucracy, the red tape delaying delivery and implementation of development programmes. Moreover, recruiting qualified personnel became more difficult because most of the people preferred to work only in the national capital and the headquarters as there were virtually no incentives. The debates from the academic community and the international donors heightened and made governments realize more of the disadvantages of centralization and advantages of decentralization. This then caused a paradigm re-shift to many African countries and started re-tracking to decentralization for attaining local participation, sustainable development projects and locally created livelihoods (Ibid).

2.3 Summary

This chapter has conceptualized the key terms of this study and provided a general overview of decentralization globally, in the developing world and Africa. This provides context for the chapters that follow, and clarifies the extent to which LG in Lesotho is not really, despite claims to the contrary, a distinct or autonomous sphere of government easily able to deliver development effectively.

This chapter has concisely given the arguments that are for and against decentralization. It has also set a necessary explanatory preliminary background to chapter 3 in this study that deals sufficiently with the pros and cons of decentralization and its necessary preconditions for its success and the methods for measuring adoption of decentralization as well as challenges involved in such methods in chapter 4. The effort managed to define and link decentralization to local governance and development delivery particularly where DGD is discussed. Besides decentralization, good governance is discussed. The

indicators, values and principles of good governance discussed also form the theoretical framework applied in chapter 5 dealing with the experience of decentralization in Lesotho, chapter 6, 7 and 8 where fieldwork findings on Lesotho, our case study, are mainly used. The chapters referred to deal with the nature of decentralization showing and arguing how inelegant is the draftsmanship of such decentralization in Lesotho. They also deal with its measurement of adoption and efficiency in Lesotho. They reveal through the use of these key concepts as an explanatory conceptual paradigm that LG in Lesotho is not necessarily promoting devolution of political, administrative and economic capacity, citizen participation or social inclusion and development delivery in terms of its adoption, implementation and unmet necessary preconditions elaborated in the next chapter and in conclusive chapter 9 contextual to Lesotho. All these key concepts form the conceptual framework applied in the following chapters in this thesis. The review has discussed the justification of decentralization and also challenged the validity of such decentralization by way of analytically and critically debating and exposing its institutional constraints and implications of such constraints in relation to poverty alleviation/development, particularly in the context of the developing world encompassing Lesotho as a country. This further helped to affirm this study's argument that decentralization has developmental prospects but not without challenges requiring attention if efficient and effective development delivery is to be attained. The debate has shown how decentralization has evolved globally, then in the developing world and in Africa including Lesotho and why countries decentralized.

CHAPTER THREE: DECENTRALIZATION, PROS AND CONS

3.0 General Introduction

After discussing why countries decentralize, it is an ideal attempt to reflect analytically on the experience of decentralization in developing countries. The substantive effort on how to actually measure the degree of the adoption and the efficiency and effectiveness of decentralization and its extent in development delivery will be in the next chapter, further providing the theoretical framework of measuring decentralization and its preconditions for success in development delivery. This chapter argues that while decentralization has potential developmental benefits, developing countries have adopted it in the mist of severe practical socio-political-economic-institutional obstacles and in the context of lacking preconditions for its success in development delivery. This chapter chiefly intends to synthesise theoretical debates on the practical experience of developing countries with decentralization, and explore the potential as well as the institutional constraints of this policy for development delivery. It debates the potentials and the limitations of Decentralization and Developmental Local Government (DLG). It further justifies the adoption of democratic decentralization and development delivery.

3.1 Democratized 'Developmental Local Government'DLG, its Role/Opportunities/Political Promises and Constraints

DLG refers to the LG committed to working with citizens and groups within the community to find sustainable ways to meet their social, economic and material needs and improve the quality of their lives (see, for example, the definition and approach set out in the RSA's White Paper on Local Government, March, 1998). They are democratic semi-independent LG institutions with legislative powers to attain relevant community driven development. Their political authority originates from the middle level of the government, which is the provincial level or the district level in the case of Lesotho, under the central level/higher sphere within a unitary system. The democratic aspects of the DLGs include requiring, according to the national legislation, to be financially accountable, adopting integrated development, politically autonomous and having

democratically elected citizens' representatives involved in the management of the local area, coordinated by the national legislation as an individual elected municipal to be in line with national developmental goals, local community participation also offering feedback together with experience to the legislation and procedures reviewing and community empowering in development processes or community based decision making. The findings in chapter 8 confirm that at the moment, decentralization in Lesotho has not yet achieved involving citizens and their groups in the LGUs for community-driven development. The current legislative power (chapter 7) does not seem to make the LGUs autonomous. They are directly controlled by the central government to increase the political influence and control of the one dominant ruling political party at the local level and thus nationally. They just seem to be an appendage of the central government without sufficient legislative powers to perform or meet the above indicated democratic aspects though they have elected representatives but mainly from the ruling political party (Parnell and Pieterse, 2002:79-81, 83-84).

DLG, in principle, is also regarded as a form of democratic decentralization, whereby governments promulgate and implement revised rules and responsibilities for administrative and political personnel and on establishing the framework for local accountable political institutions as an essential prerequisite for participatory developmental local governance. (As we see in chapter 7, this has not always applied in Lesotho.) This is the existence of the effective and efficient working local systems of collective action managing a locality's public affairs and is accountable to local residents. It thus embraces reforms with constitutional and statutory changes at the centre, progressive distribution of responsibilities, resources, authority and autonomy from central to the periphery/localities actually becoming effective in managing their public affairs in a community driven development manner and locally accountable. DLG is the state's design which creatively embeds the different tiers of the state into a governance framework intended to negotiate the tensions of development, reconstruction and democratization (Olowu and Wunsch, 2004:1, 22).

The democratic prospects of the DLG seem to be ambitious. They include attaining good and effective governance, participatory local democratic governance, viability, capability, accountability purpose-driven municipalities and participatory development, integrated development and equitable access to resources and opportunities (Pieterse, 2002:3-10). The viability issue is basically about sustainable financial and administrative capacity of the DLGs or local councils. The implications of this include re-demarcating the spatial coverage of local authorities with an objective of encompassing both places with more of revenue sources and 'barren' ones to achieve equitable distribution of services and therefore redress spatial inequalities created by comparative advantage factors or past discriminatory policies. This is to strategically include viable and unviable areas resources-wise to form a self-sustaining municipal or local authority area. The other aspects include participatory or democratized budgeting process for viable participation and better performance in delivery. Performance budgeting dependent on departmental previous year's accomplishments in terms of implementation and outcomes is also an additional aspect. The local authorities in the same vein are enabled through various technical systems to regain control over credit control functions. Such capability has to be a transformation that achieves improved performance in service delivery. For example by introducing systems that overcome the culture of non-payment for supplied services and ensure accurate billing on the consumer and information provision concerning consumer's rights and responsibilities. Prospect in pursuit by DLG also include accountability. This refers to both national financial accounting standards and international ones conforming to national norms. The integrated development plan also in a way promotes the prospect of oneness in purpose and thus a participatory consensus in development priorities and planning for the future and problem solving (Ibid).

The basic initiatives of DLG also include the political indicators of its success but lacking in Lesotho (chapter 8) to be a (a) sub local authority, that is devolution of decision making power to the level *below the local authority itself* which is local people's empowerment and citizen participation, (b) politically motivated as a process, (c) area-based and (d) of multiple local authority service. Political motivation refers to addressing concerns about the role of the state, nature of professional welfare services, bureaucracy's

role, the potential for community control of public services, for example. Area based refers to statutory geographical units with clear political demarcations accompanied by proper statutory framework of political decentralization. Local legal autonomy of the clear official territorial neighbourhood must be established as a political unit for the jurisdiction, distribution of developmental services, local citizen participation and self-rule. The local authority need not be limited to a single service provision as it should indeed have an independent integrated development plan and a locally funded budget to a significant extent. It should be a multi-service decentralization which has properly considered alternative ways of decentralizing encompassing physical and organizational considerations. Physical ones concern themselves with the geographical and design issues, which is geographical choices concerning the size of the areas and the definition of boundaries for clear relationship with political electoral boundaries, jurisdiction and distribution of services and clarity of political accountability including strategic locating of neighbourhood offices for accessibility to all the public. Organizational considerations touches on the scope, that is which services are to be decentralized and what are the activities to be undertaken by the neighbourhood staff, should the relinquishing of service provision be incremental or integrated and done at once and devolution of relative power to neighbourhood staff on control over (i) daily operations, (ii) strategic decisions and (iii) finances (Hambleton and Hoggett, 1986:1-3, 10-11).

While DLG process may be vulnerable to local elite political capture as is also the case in Lesotho (chapter 5, 6, 7 and 8) whereby local traditional leadership, chieftaincy and local political membership of one dominant ruling party are the only ones who have occupied all the seats in the LGUs, Dasgupta et al (2007:231-234) perceive it as *local* community *self-governance with a process of community driven development* involving (1) decentralization, (2) democratization and (3) collective action which believes in groups of individuals acting in a coordinated and cooperative manner for an economic interest shared together with an agency to control reached agreements, create systems and institutions of management to curb tragic outcomes like 'free riding', shirk, opportunistic conduct, power abuse and individual funds misuse and other forms of impropriety. This is enhanced by social and economic heterogeneity, small/manageable group size, non-

linear relations and mediating role by institutions. All supplemented by trust, reciprocal exchange, social networks and at times social capital (Ibid). Community driven development describes projects that increase a local community's control over the development process for local poverty alleviation. It is about community-based and community participatory approaches to development as also affirmed by Chambers (1997). The type of decentralization in DLG is to enhance (a) design of contextually appropriate development projects, (b) targeting of beneficiaries, (c) accountability to local residents, (d) good governance. Such decentralization is statutorily relinquishing political power to the provinces (districts in the case of Lesotho) together with financial resources for local self-governing/autonomy to pursue local developmental aspirations which were usually ignored by the central governance that formerly used to control all the resources utilization ignoring local needs. Statute reform involves in this process dismantling centralized governance control structures and levels to attain local community governance to focus on 'diversity, participation, genuine autonomy, democratization and people's empowerment. The challenge of local elite capture is created by the fact that participants in community governance/DLG enter this process from unequal positions. In Lesotho, others enter it as chiefs while others enter it as political domineers. The powerless, voiceless and poor are not really included.

Democratization referred to embraces use of political rights by local citizens, issues of citizen participation, representation, accountability and transparency. Elite capture refers to local elites' seize of power and control over the community governance, elitism may emanate from large land holdings, kinship, lineage, employment, political party affiliation (eminent problem in Lesotho compounded by some chieftaincy problems-see more details in chapter 6, 7, 8 and 9) or tenure in the community. Internal and external accountability procedures with strong written ethics of conduct, elections, conflict resolution agencies and participatory budgeting are essential to strengthen democratization of community governance and prevent elite capture (Dasgupta et al, 2007:231-234).

Noteworthy and contrary to Martin and Mallen (1987:39-40), DLG is greatly about political and resources devolution entailing *legislative devolution*-whereby provincial assemblies own power to determine policy, make laws and implement them within the statutory framework/selected range of subjects. Here the central authorities may (albeit rarely) veto the regional assembly, unlike in federalism where such vetoing is not provided. It is less about *executive devolution* whereby central parliament legislates for the intermediate governments which only set unoffending policies/decisions to the central only including how best to execute Central's formulated policies. It is also less about *administrative devolution,* where central parliament still legislates on all matters and arranges for administration of functions of government to be carried out within a regional setting. This only calls for (deconcentration) creation of national government departments and not locally or regionally democratic provincial assemblies or input. DLG is also less about *advisory devolution*-whereby bodies (committees for/to the central parliament) are established in the provinces to consult with various local authorities and organizations for considering appropriate policies and advise central parliament accordingly. It may then be concluded that DLG as a political institution is the lower structure of the National Government with semi-independent authorities recognized by law and elected by the local people. It is supposed to be legally responsible for the planning and implementation of specific functions. Examples are the Rural District Councils and Urban Councils. It is a form of governance with the process of involving local people in the making of political and administrative decisions which affect their livelihoods in a transparent and accountable manner. It is also a form of developmental governance determining how political and administrative decisions are made. As a process it promotes participation, recognizes the diversity of communities and encourages openness trying to eliminate corruption in managing public resources (Martin and Mallen, 1987).

In essence the promises of DLG could embrace (a) shifting public investment into social services and human capital formation, at the expense of national physical infrastructure, (b) shifting resources to smaller, poorer, rural districts, (c) distributing investment more equally across space, (d) making investment more responsive to local developmental needs, (e) increasing local investment while holding running costs steady (f) and

increasing local tax revenues. The challenges to these, particularly in Lesotho (chapter 5 to 9), have so far been with the lack of proper political design of the process of the DLG, its implementation, monitoring and evaluation whereby deconcentration was politically more preferred than the real devolution. That is lack of political will to comprehensively launch legislative devolution instead of executive, administrative or advisory devolution (Faguet, 2008 and Pieterse et al, 2008:1).

3.2 Developmental Local Governments' (DLGs) Challenges in the LDCs

The new holistic development vision of DLGs is often marred by a lack of expertise and resources to deliver, especially in the rural/remote areas and small towns. (In Lesotho, approximately 80% of the population live in these areas.) Skilled personnel generally prefer being in bigger or capital cities in many nations.

The aspects of the challenges of DLG in terms of local revenue mobilization include:

- the efficiency/cost to yield of most local taxes is low, except in cities with broader commercial revenue base than the rural areas (chapter 8, interviews on Lesotho),
- inherent lack of resources unless local authorities outside urban areas are delimited at a large scale,
- trying to increase taxes by local politicians has often deepened political cynicism and distrust. The tax payers are usually unwilling to pay taxes and resist unless there is a direct benefit and pump-priming (this is the actual fear of LG in Lesotho making it unwilling to impose any taxes and/or user fees, (chapter 7 and 8)),
- local resources are also limited and unevenly distributed and relying on them thus creates spatial inequality, lack of administrative capacity increases the difficulty of developing new tax bases. Revenue autonomy may need to be distinguished from expenditure autonomy and so supportive monitoring and auditing from the central other than the source of income for autonomy may matter most (Crook Richard and Manor James, in World Bank Report, 2000:19).

Excessive centralization remains a fact of life in LDCs because little of any consequence occurs in LDCs administrative setting without knowledge and direct consent of the

supervisor/leader/ruler. As we shall see in chapter 5, Lesotho practiced policy reversals and abolished such local authorities. It will also be confirmed that loyalty to supervisor is more important than meritorious performance in the LDCs. Subordinates are discouraged from being responsible and initiative. Their incompetence and corruption reinforce unwillingness of senior civil servants to delegate authority. Seniors are timid, this stifles local and regional governments. Decentralization policy reversals and national government vision imposture constitute this (Werlin, 1992).

Another challenge to DLG is that LDCs still prefer excessive centralization due to hostility to all forms of decentralization including delegation of authority to local and regional governments and financial institutions, public utilities, cooperatives, state-owned enterprises, NGOs etc. The imperative for stability, in many developing countries with some nations divided along ethnic groupings competing for political power and resources, brings strong urge for central administration and control ensuring stability. LGs are as thus only given powers to plan and manage functions but are denied adequate incentives, financial resources and qualified personnel to execute such powers (Chapter 7, 8 and 9 on Lesotho). But most interestingly, in Lesotho, centralization/recentralization seems to be maintained mainly for the sake of one-ruling-dominant political party system and its entrenching and extension nationally through the politically loyal submissive only advisory local councils. LDCs' cities are often threatened by decentralization due to danger of intensifying ethnic and kinship loyalties. Colonialism left weak national identity, as such, decentralization and liberalization undermine national unity. It is sometimes feared that decentralization will open doors wider to local elites to capture local administrative and political structures in the absence of strong central authority and use structures in an antidemocratic and antiegalitarian ways. LDCs' leaders often prefer deconcentration (transferring responsibility to field staff) to devolution (empowering LGs) because local councils tend to be dominated by field staff of central government. Positions are often owed to those controlling military/one-party systems like in Lesotho (chapter 7 and 8), turning distinction between deconcentration and devolution meaningless (Ibid, 1992).

LDCs' bureaucracies are often too weak to facilitate decentralization or DLG. Conducted interviews in this study on councillors and staff confirm that in the case of Lesotho (chapter 8), the ministry of LG has not provided enough and effective facilitation of decentralization for local development delivery. The LGUs' staff and councillors have not had needed training in development, technical and financial management issues, not to talk of needed working facilities and space. LDCs' LGs in remote and rural areas also find it difficult to attract qualified personnel thus programmes tend to be undertaken by temporary unskilled inexperienced staff. Regional or LGs may have powers to recruit but suffer from brain drain by the central governments. This is a clear sign of a weak bureaucracy in the ministry of LG. Administrative system has declined to the lowest ebb in efficiency and integrity yet LGs and service providing agencies rely on central government's unresponsive insensitive bureaucracy that has deteriorated. Bureaucracy's incompetence is encouraged by well developed 'market for public office' at senior levels of administration. Efforts to facilitate LGs and independent agencies fail because central bureaucracies are so weak. Matching grants are often used to stimulate LGs' resource mobilization but because of the weakness of the ministries of finance, they cannot be relied upon (Werlin, 1992 and Olowu and Wunsch, 2004:240-254).

The interviews (discussed in more detail in chapter 8) conducted readily confirm that in Lesotho there are weak mechanisms for accountability. Grants-in-aid have become generous but lose usefulness due to lack of information about what is available, slowness to release funds, 'use it or lose it' budget provisions, multiple budgetary requirements, unsuitable accounting requirements, rigid stipulation about use of funds, corrupt practices, lack of qualified personnel and inadequate supervision. The weak accountability traits including among others rent seeking, non-accountability and corrupt practices behaviour of the bureaucracy in Lesotho has also been confirmed by the very minister of Finance in Lesotho who stated that,

> "*Institutionalized corruption has become endemic in this country...* We are looking at financial irregularities in general. This is an ongoing process... The Criminal Investigation Department (CID) and the forensic department in the ministry are working closely to deal with the corruption. The forensic audits will not be limited to the procurement departments only...more

> forensic audit firms will be hired to investigate more departments suspected of involvement in the scam (Minister of Finance, Timothy Thahane, 'Sunday Express' newspaper, Vol. 2, issue 33, November 14-20, 2010:2).

The 'Sunday Express' (November, 14-20, 2010:2) has further confirmed weak accountability as well as weakness of the ministry of finance reporting that, Lesotho has been losing millions through a procurement scam orchestrated by corrupt government officers who give government business to companies they are linked to through shares, their co-owning relatives and friends and bribery receiving for unprocedural illegal giving of tenders or business contracts. Government officers fabricate orders so that the government pays for services and goods not rendered. They have briefcase companies they use to supply the government at exorbitant prices with mark-ups as high as 400 percent on their invoices. This weakness directly affects any possible efficient implementation of decentralization in Lesotho. This is further worsened by the fact that according to the interviews in this study (chapter 7 and 8); only the minister can instruct an (targeted) audit exercise in his or her ministry. Key informants have reported that such very ministers are not innocent and immune from these very unethical practices of funds mismanagement and improper personal politically biased incompetent staff recruitment in the LGUs. As such, auditing and proper financial accounting practices have not been maintained in the ministry of LG in Lesotho. This has badly affected quality of local development delivery and proper management of funds and resources as contracts are arbitrarily offered to incompetent unknown service providers in this ministry and LGUs.

The other challenge to DLG is that, LDCs' private sector is under-developed. Some private agricultural production (e.g. tea, sugar mill) have used some of their profits to construct and maintain roads, in some cases communities through local councils have contributed monetarily enough to maintain and construct new roads through the private sector. Nonetheless, excessive centralization has undermined community initiatives, when they voluntarily want to contribute in cash, skills, local knowledge, appropriate technology and resources in coops, CBOs, construction-maintenance teams for

schools/roads, at times local councils have redirected such contributions into governments' unsuccessful sponsored activities and projects (Werlin, 1992).

The other constraint to DLG in LDCs is that there are no effective bureaucracy and management practices. Effective bureaucracy is needed for weekly senior staff management meetings where progress reports are discussed and problems solved, monthly review meetings where senior staff joins junior and technical staff to discuss affairs of individual communities. Every three months one day conferences need to be held to review progress, share experiences and receive training. Where top bureaucracy/management often visits communities, talk with them and staff about programme implementation. Where use of 'problem-management' is adopted but avoiding to direct resources and time by being directly involved in community's disputes/problems instead a 'demonstrate effect' and facilitating problem-solving are used. That is where two way communication of written and oral methods are used. Day-to-day responsibilities are to be delegated by bureaucracy to village-based technical assistants and village residents, linked by elected committee structures but when bureaucracy is weak as is the case in LDCs including Lesotho, DLG is stifled. DLG needs to include methods of popular involvement, extent of quality training to participants, communication style between participants and supervisory staff, commitment to set goals by all but there is no effective bureaucracy to effect all these in LDCs including Lesotho (Werlin, 1992).

3.2.1 Theoretical and Pragmatic Challenges to DLG's Political Success

In practice, national priorities are often expected to take precedence over local priorities identified by the relevant LG. This situation imposes problems of coordination, duplication and confusion on how to allocate resources.

The accountability of public services involves as well devolution of *influence and authority* and democratic local citizen participation. Such democratic local citizen participation is to have the following objectively verifiable indicators:

- stationed officials in localities finding out what is going on in the field,
- seeking out opinions of local people,

- making local people administrative agents,
- establishing elected officials at the local level as representatives of local interests,
- making neighbourhood administrators accountable to local citizens,
- giving localities control over policy and development programmes,
- giving localities control over fiscal resources (Werlin, 1992).

The political reality at times is such that the national government, particularly in the once colonized developing countries, gets tempted to clinging to influence and authority in fear of either local majority political/tribal opposition, conservative local resistant traditional leadership, ethnic divisions and dominance, or due to mainly the evil desire to stay in power 'forever'. This includes not devolving power if not directing excessive control on the local authorities and perpetuation of such means of sticking to political power and control emanating from strategic constituencies formed by wards in which the ruling party commands majority membership (very common in the 'first-past-the-post' election model or political parties dominated local authority). This stifles fair and equal citizen participation as almost then a 'political' elite capture seizes the process of participation. That means party politics' interests of power emerge to overplay and repress local development priorities and interests.

The other challenge to DLG is that while participatory development and community involvement are often effective channels for donors and NGOs, they tend to undermine local democracy because they are essentially depoliticized in the sense that they are naïve about power and power relations just viewing rural Africans as undifferentiated/homogeneous 'communities'. The donors and NGOs are often made up of non-elected bodies operating in insulation from local authority structures or with limited linkage being highly gender imbalanced, self-appointed leadership, addressing a specific development issue, ad hoc and short lived. They are externally driven and often end up in unsustainable development projects in the long-run. Group or collective action of these Community Based Organizations/CBOs is also blamed for stifling individual achievement or aspirations that may be emphasized by the villagers (Ibid, World Bank, 1992 and Ribot, 1999:27, Brett, 2003:5 and Lange, 2008:1124-1128).

3.2.1.1 Citizen Participation and LGUs' Councillors' Role, Their Challenges in DLG

Participatory development has been in the fore in development policy issues after the 1980s' economic crisis in Latin America, Africa and South Asia. Crisis that included living conditions that had plummeted in these LDCs are blamed on the central governments for not involving the poor locals in the decision making processes. Citizen participation, LG partnerships with the civil society, and advocacy for prioritizing local democratization and poverty reduction/development delivery, have became dominant elements of decentralization. The belief is that participatory development is good as it facilitates participatory governance. That is bringing all the stake holders including the powerless, voiceless, vulnerable and poor together in decision making processes that affect their lives. That ultimately legitimizes state actions through locally relevant appreciated/accepted development delivery forging local compliance with national programmes and policy. The end result of such participation is also the empowerment of the citizens and civil society as well as local democratization. Citizen participation entailed in participatory development and governance embraces deliberate formal and informal actions by citizens through instituted procedures, arrangements and opportunities to attain local quality development delivery, good governance, local policy formulation and maintained good order at the LG level. It involves communication of local preferences and influence of policy making so as to help in the execution of the public good and its preservation and continuity. In the case of Lesotho, (see the discussion in chapter 7 and 8) such instituted procedures, arrangements and opportunities or mechanisms for citizen participation/participatory development/governance are legally lacking. It is left as a discretionary issue by the councillors and LGUs' staff. When mechanisms for citizen participation are examined in a number of African countries, the Economic Commission for Africa (ECA) (2009) notes that only 45% of respondents in Cape Verde feel that their LGUs are moderately effective mechanisms for citizen participation. As high as 70% of respondents in Egypt, 66% in Gabon and Kenya, 69% in Nigeria, 62% in Togo and 67% in Zambia rate LG low with regard to citizen participation (Oldfield and Parnell, 1998, Pieterse, 2002 and ECA study, 2009).

The desired citizen participation in DLG in the LDCs is also constrained by lack of good living conditions, sensitive, accountable and trustworthy leadership, political awareness, commitment and skills, vibrant community institutions and organizations, just and fair resource management, regular free and fair elections for councillors and village and ward elected officials, involvement of citizens in financial matters at all levels-local and national, involvement of disadvantaged groups , the very poor, the disabled, women, youth and the children. One other element that tarnishes the political promise of citizen participation is that in developing countries local people have at times been compelled to participate particularly in political meetings or deceived into participating in doubtful ventures. There is still also a lot of apathy in the developing countries. The word participation is also used as to offer inadequate development programmes some respectability. The continuation of the top down approach renders it rare. Bureaucratic, professional and political blocking often impedes citizen participation as citizens also lack material conditions. Participation has also been criticized for raising expectations that can be frustrated by the ones with more power and resources if their conservative interests are threatened. Many institutions are also too weak to support participation. It is also constrained by negative attitudes like superiority, inferiority and dependency syndrome. Participatory development is demanding as it involves more work on the participants and is difficult to measure. Local authorities tend to accept participation on trivial issues like village politics and not on vital issues involving choosing developmental priorities, deciding on major political, economic and military decisions. Participation is not in itself sufficient conditions for democracy; the statutory system has to also be effectively operational. Participation may never be given, it has to be demanded by the excluded for it to be effectively attained but the silent marginalized groups may forever be silent. Several structural limitations like lack of compensation, lack of information and skills hinder and reduce local participation (Barth, 2006).

Perfectly representative local authorities may still over-exploit resources and ignore minority interest if granted the unbridled power to do so. The local elite lack interest in including ethnic minorities in political processes as their loyalties and future election

hopes are on the majority communities with different development priorities and desires than the ignored local minority interests. The often result has been that of social exclusion and marginalization of the minority groups in decision making processes. Minority groups are believed to be incapable of effective governance and are therefore discriminated upon and denied fair participation in DLG. UNDP study (2006:35-36) made a finding that the minority groups in DLG are repressed, ignored, marginalized and socially excluded on feelings that they are of "low capacity" and a "low intellectual level." While DLG could be shifting authority to lower levels of local communities' governance, it does not often result in the social inclusion of all indigenous minority and/or weak vulnerable needy groups. Due to the fear of not being re-elected, local leaders favour the dominant majority and pursue their interests. For this same reason of fear, they seldom raise any issue of tax policy and just rely on indirect taxes and grants from the central government. The fear also unfortunately usually results in no discussions of how revenues are collected and used and there are no tax payers to hold DLGs' officials accountable. Where taxes are collected and used, the rare request for public services is responded to by service provision through political patrons at local or national level. In the transfer of financial responsibility, local politicians also lack impetus to transform the clientelistic relationship between the national government and the local people. Local taxation is constrained by locals' unwillingness to invest in a non-delivery, non-accountable, clear financial participatory plans, responsibilities and budgets and policy. They opt to invest their monies in networks and relations that improve their individual lives (Juul, 2006).

At times legal devolution of services, power and resources from the national governance is hindered on grounds that a political locality in question is either 'politically inappropriate' or 'too small' or 'too big' population wise or geographically to manage some developmental functions. Such political hindrances by central state (re)emergence/interference consequently unfairly (re)distribute political autonomy and developmental functions to either inefficient state service delivery authorities/public enterprises/corporations or other government tiers/levels to the regression of the DLG. This is greatly a difficulty in countries formed of various states with a political sense of

‘state/provincial-nationhood’ like in the United Kingdom with Scotland, Wales, England and so on (obscurely/secretly seeking complete separate ‘state/national’ independence or federalism-absolute autonomy except for military and foreign and few other functions to the central). This has often created national governance unclear reactions and policy framework with regard to comprehensive devolution to DLGs. Apparently what may matter most is whether the Central’s power base is threatened or not and hence political obscurity between regionalism/localism and nationalism degree of policy adoption. At times the central may have most of the (shared/distributed) resources thus offering an exploitable opportune moment to Central’s greater dominion (Martin and Mallen, 1987).

Elected representatives/councillors are usually constrained to implement their fresh local political mandate of development priorities by the Central’s stringent financial rules controlling spending levels and preventing budget expansion at their time of taking DLG’s office differing with the start of the already Centrally approved fiscal year budgets. This is in view of the fact that generally the local authorities lack the capacity to raise local funds. Their role includes being representative, specialized and broad policy-maker. New councillors with current local developmental demands often have to wait long for the next fiscal year budget estimates to limitedly include new demands for financing. This frustrates the local electorate and leaves them disillusioned in DLG as election promises remain barred by national government institutional procedures and remote budget controls. A change of political control of the local council is not in proper timing with the inflexibly disciplined national bureaucratic systematic practices unresponsive, insensitive and unconscious to the local peoples’ needs. This imposes barriers to implementation of effective and efficient DLG, local citizen-participation and local pro-activeness. Basically this constrains crucial decisions by the local council. This renders local programmes in vain and freedom to decide limited. Besides budget problems, institutionalization of local elections to have representative councillors is usually constrained by endless controversies as majority party at the state constrains their authority by being heavy handed and pursuing party’s interests and not local interests. While local elections could promote local autonomy, this is usually clamped as it is not politically desirable to the one majority party state. It also creates an environment

whereby political localities experience uneven fiscal spending and thus spatial inequalities. The fair and even distribution of conditional transfers from the central for use by locally elected authorities is also constrained by the opportunistic behaviour of the political elites. They distribute more funds to local areas with more voters for the dominant political party; in addition, localities with a higher number of swing voters also receive more resources. Resources distribution is thus based on political lines continuing to exclude the real poor local areas ultimately. This worsens poverty in the remote areas and further spatial inequality as it unevenly strengthens local councillors. This discretionary distribution of resources to the local authorities has constrained DLG greatly in many countries (Martin and Mallen, 1987:81-82, Shuna and Yao, 2007 and Hernandez-Trillo et al, 2008).

Local councillors are also constrained in their effective functioning by lack of experience, training and formal education in local governance as already indicated. It is important to note that party-politics also badly affect their delivery. Councillors may form the local opposing majority to the national government and thus concentrate on frustrating Central's policies ignoring local needs. They also tend to pursue interests of their local party and not implementation of the local developmental needs. At times their loyalty to local party overrides goodwill to pursue and support good locally relevant national government's policy and may vote against locally favourable decisions for party politics gain only. They often have to act in line with the wilful political desires of their political constituencies to avoid not being nominated in the next election of the party. This creates councillors into representatives not of the local interests but of the local party politics that may be have slid into political party-elitism capture (political-elitist-capture) dictating or seeking to exercise dominion in the local authority. Viewed politically, local authorities tend to be a forum for LG elections used simply to preserve party machines well-oiled for general elections (Martin and Mallen, 1987 and Napier, 2007).

Furthermore, councillors as local candidates are only chosen due to their party record and not their ability. Local councillors may also tend to hold locally meaningless debate thus discouraging the local electorate. Officers are also demoralized by the decisions

irrelevant to local needs but based on insensitive party political grounds. The party politics constrain councillors in that chairmen of the local council may be chosen from the majority party ignoring to use the able members of other groups. Party-politics tend to overwhelm and overshadow real felt needs of the 'independents'. Even where such do happen to lead the local authority, party-politics at a later stage overtake either through voting system or agenda setting. The other problem with councillors is that as individuals they have own interests and may not prioritize needs of their electorate. Some have been found to lose contact and availability to their constituencies. This keeps the electorate uninformed and lacking feedback and an effective opportunity for participating in local decision-making. Participatory-decision making is also complicated by the fact that the constituents with whom the councillor keeps contact are not a fairly representative sample of the population but are mainly constituted by self-selected citizens. This puts fair representation in question. Local authorities as they operate through councillors are also constrained, as already alluded to, by the central parliament through so many legislative controls, the courts that to which they may be called for cases answering and public demands and the judicial powers of command and control by the ministers directly. This is to say the freedom of the local authorities and councillors is politically limited in effectively implementing DLG process. Fair representation by these councillors is also constrained by the fact that the delimitation of wards/constituencies boundaries is a complex process. Expertise required to undertake delimitation process is lacking, spatial issues like manageability of the ward by inclusion or exclusion of unpopulated areas and access to reliable data concerning where certain communities should best be accommodated make delimitation more complex. Wards cannot simply be bent or shaped at will. These delimitation challenges have resulted in unfair representation by the councillors as evidenced by discrepancies in ward size and the location of ward boundaries (Martin and Mallen, 1987 and Napier, 2007).

The performance of local authorities in effective developmental service delivery, other budgetary and other above constraints may further be impeded by external factors on which they lack control. These include (a) social constraints on their performance. Let us remember that DLG is meant to respond to local needs within the welfare or public utility

provision context and not strictly in accordance with the market principles of responding to cash-backed needs only. At times such needs are of too high quantity due to the large needy population sector, for instance primary education facilities for too many pupils. This usually results in poor performance of the local authorities because the social need is of great unaffordable magnitude. That is the quantity of service needs is negatively related to local authority performance. (b) The diversity of service needs in terms of differing (ethnic) groupings complicates attaining efficiency in that too many different preferences have to be addressed leading into a greater variety of services, all which increases expenses for service delivery, making effective responsiveness more difficult. That is the diversity of service needs is negatively related to the performance of the local authority. (c) There are also economic constraints on its performance. The economic level of the households in the political locality determines the number of accessing and consuming a service on offer. Poorer local communities result in reducing distribution of the service as this economically constrains them from more access and hence poor performance by the local authority in delivery. This is also compounded by the economic ability of the locality to provide more or less financial resources. Therefore, the prosperity of the local service recipients and the political locality is positively related to the local authority performance. (d) The level of discretionary resources is also exogenously influenced as it is historically determined rather driven by current needs. The scope for budgetary adjustment from one year to another is very small and constrains the performance of the local authorities in delivery. (e) Population density and size is one other variable that externally affects the performance of the local authorities. Sparse population creates lack of cost effectiveness in service delivery but too dense one also creates an overstretch on the available resources, all resulting in poor performance of the local authority. (f) Some constraints are purely political; a hostile political climate results in management being busy protecting their decisions instead of being progressive with the development plans. At times the local political environment can favour central state's support and benefit provisions from this but the locality may never receive a really improved service (Hussein, 2003 and Andrews et al, 2005).

The political interrelations within the DLG in developing countries often constitute its weaknesses as a local governance structure. The relationship between different institutions and tiers of DLG is commonly found to be complex. National governments do not adopt necessarily significant decentralization of functions to DLG structures with all forms of real political, resources and administrative devolution. Creation of certain structures at different lower/middle tiers caused confusion, whereby provincial level authorities wanted to act as local community authorities. Confusion was also seen in the allocation of tasks and responsibilities. They were not well and adequately defined and demarcated. Statuses of some of the structures were lacking in clarity and functions. Members of the parliament were often not represented or coordinated in the structures and tended to bypass such structures, worsening confusion and political conflicts (Halfani, 2001).

Elected local leadership in the existence of local traditional leadership caused confusion and conflicts and resistance to DLG. The chiefs resisted new democratic demands of doing things like being democratically voted into village development committees for resources allocation instead of becoming automatic chairmen (land) and frustrated DLGs implementation efforts. They were underrepresented in the middle tier and thus opposed provincial plans or district plans in their wardens. Local authorities also happen to be dominated by party leadership. That created confusion in the relations of the political party and the local governance structures. Accountability got misdirected to the dominant party instead of the local population-local political elitism. These poor internal relations with confusion reduced the quality of participation to a very low level due to reluctance of local authorities to fully decentralize their powers down to the community level. The local communities also generally lacked political and public awareness their citizen rights and responsibilities. These poor internal relations are also worsened by electoral problems including apathy, vote buying, intimidation and violence during the elections, lack of clear criteria for selecting leaders, unfree and unfair party primary elections and imposed candidates and biased electoral institutions and media and very few women being elected. The problem of interrelations against DLG tends to be more of a formidable challenge to DLG in the face of too rapid rate of urban growth creating

problems of governability in urban areas, rife poverty, increasing marginalization and global competitiveness underdeveloping and exploiting weaker states and a crisis of municipal administration (Halfani, 2001).

Generally, the obvious challenges or deficiencies of DLG have been that it has not and does not meet the material and cultural needs of its communities, services that are supposed to be functionally consolidated or placed in the hands of the local authority/DLG are fragmented among several bodies thus increasing the difficulty of meeting the needs of communities and many local authorities are too small in size and revenue and consequently fall short of adequately qualified personnel and technology to execute their activities to an acceptable standard (Reddy, 1996:4).

3.2.2 The Politics of DLG and the Critical Lessons for Management

Management in LG needs to be perceived as part of the public domain. Such perceptions reflect on the nature of the DLG as political institutions established for local choice in government and as institutions for public service delivery. It is a political requirement for DLG's management to back the legitimate political processes of the authority as set within such a political-management system. These processes are dynamic and need to be understood and accepted. This dynamism poses a challenge to the management in terms of comprehension and acceptance as the local authority can change with party politics or the trend to an assertive politics, for example from;

- a politics of geographical independents to party politics,
- control by one party to control by another,
- a safe conservative/labour controlled authority to a hung authority (no party with clear majority, decisions depend on committee and council votes),
- majority party leader control to an authority in which political group asserts its power over the leader,
- politics of consensus changing to politics of conflict,
- an authority in which social and liberal democrats have little influence to an authority in which they form its administration,
- officer led authority changing to one in which councillors assert their control,

- moderate politics to radical ones (Reddy, 1996).

These changes may be quick and unexpected, requiring adapting by proper attitudes as former practices can mislead the management membership. Management need to attitudinally and professionally conform to the new political processes due to the changes. It needs to be politically sensitive to the current political climate and aware of the new political manifestos and other changes and requirements. This also calls for new skills, communication and behavioural patterns understandable to the councillors in charge and in line with newly introduced conventions. It suffices to state that some African countries experienced massive resistance to the DLG policy framework by management derailing, delaying, and frustrating or simply obscuring service delivery due to their political affiliations in opposition to the ruling party. Some staff members from the ruling party tend to control and dictate terms to the local authority. At times dictatorial governments just made a 'clean-sweep' expelling all the non-affiliates to the ruling party in working positions resulting in employment opportunities and LG staff along political lines. A politicized bureaucracy may never be fair, neutral, impartial/unbiased, efficient and competent in service distribution. These management political dimensions also include the fact that management members have to be able to properly handle public protests. Almost every developmental activity involving (re) distribution of scarce resources can raise political conflicts and thus public protests requiring hearing, listening and proper responding. It is important to also note that one of the greatest political challenges to management of the DLG is the activation of effective citizen participation followed by the citizen's access to the provided public service. These bring in the need for the quality service provision measurement through performance management and measurement (Steward and Clarke, 1988 and Pieter, 2008).

Performance measurement, which is basically utilizing the set of measures to assess the individual staff and DLG's programme performance by comparing the planned (specific, measurable, achievable, realistic, time-bound objectives) versus the actual performance (outcomes/accomplishments), is politically demanded in DLG as a result of public demand on accountability and pressure for better quality service and transparency or

feedback. DLG in Lesotho has systematically excluded public involvement through non-civic and non-community participation and the first-past-the-post electoral system giving all seats to one dominant ruling political party. In practice, this has cemented political loyalty to the ruling central government political ministers and political clientelism in Lesotho. As such, public participation and accountability can only be a wish in the LGUs of Lesotho (Chapter 5, 6, 7, 8 and 9 on Lesotho).

This political demand for programmes' and staff performance evaluation is often constrained by (1) the very lack of qualified or skilled staff to conduct such evaluations to improve service delivery and address public dissatisfactions, particularly in the rural councils. The staff here is unlikely to have gone for college training in public administration, planning or management. This hampers this political need and thus effective good governance. (2) The other obstacle to the public pressure for accounting is that decisions reached by the administrators are time-bound. Whatever develops afterward is out of their sight and scope and disintegration and needed maintenance of facilities (e.g. potholes on the roads, broken drainage/sewerage systems becoming a cause for danger to the public) may be outside their focus but be critical for an evaluating researcher on sustainability and safety aspects later. Courts also require the DLGs and their staff to account and thus increased political pressure for the demand for accounting by the DLGs. These are at times required as part of the DLG's funding process, or as a way of painting a picture that the DLG is professionally examined or may be forced by a legislative body for various political purposes. (3) This political demand may also be constrained by lack of accurate data or limitations in accessing such statistics especially in the developing world where data are not easy to capture. (4) The other pitfall constraining DLG's accounting as a political requirement beside lack of qualified evaluators, internal evaluations are made without supplementary external independent objective professional evaluations for validity, more accuracy and reliability in data collection and useful recommendations for effective quality service delivery enhancement. (5) Furthermore, evaluations are usually made for the convenience of the evaluator or the administrator and not for the needs of the citizen. That is participatory evaluation process or beneficiary assessment approaches are overlooked and therefore

service delivery for the citizen is never improved though irrelevant evaluation records or yearly reports could be in place. (6) Recommendations of the evaluations are at times not helpful to the decision-makers. It is a report that is not usable for decision making. (7) For instance in the case of Lesotho, where poverty reduction constitutes national priority, reports need to balance between such without neglecting progress made on local needs (Terry and Coulter, 1987:3-30, Pieter, 2008 and Clemens et al, 2007: 735 and Easterly, 2009).

It remains essential for the technocrats, development agencies, academics and all development stakeholders, particularly the bureaucracy and the central government to note that DLG is said to have succeeded in development delivery where:

- national centralized developmental restructuring of programmes took a turn and only followed locally driven developmental focus,
- local democracy was made compulsorily transparent, fair and competitive,
- DLGs faced hard budget constraints,
- the central governance was truly scaled back,
- significant tax raising powers were devolved,
- DLG followed a distinct separable components as a process of implementation in a sequential manner and not (political/donor-driven) expediency
- national governance proper behaviour before and during the handling of the process of the implementation of the DLG to invite effective support other than severe oppositions (Jean-Paul, 2008).

Furthermore, the management needs to stay focused and confined to managing basically involving deciding what is to be done and getting it done through people; that is establishing needs of the area, setting objectives, defining policy, developing plans, testing plans, formulating the programme and implementing it, monitoring and evaluating success and reviewing the set objectives. On the issue of corruption by management of local authorities, there is a conventional wisdom that DLG brings management closer to the service recipients and may likely reduce corruption, this has been disputed as it may be more than at the higher government tiers due to discretionary powers and non-

effective accountability characterized by non-monitoring, non-inspection and non-auditing (Martin and Mallen, 1987 and Anand, 2008).

3.3.0 The Experience of Decentralization in the LDCs

Many LDC central governments regard decentralization as a process to enhance democracy and economic development. These low income countries have been observed to be of limited economic diversification and thus greatly vulnerable to international up and down swings in commodity prices, recession and natural disasters whereby long severe drought spells are often for the Lesotho case causing food insecurity and more poverty. This indeed has been the dilemma of LDCs having to forego benefits in economic efficiency derivable from fiscal devolution/autonomy for urgent national economic stability, disaster management and redistributive programmes for equity requiring strong central governance or re-centralization. The dilemma is worsened by the fact that the industrialized European countries that had a powerful central governance to effect decentralization contributing towards sustainable human development form an example of development success through devolution/decentralization while LDCs with weak central governance are a failure in decentralization (Bahl and Linn, 1994, Fur, 2000 and Rondinelli, 2000). Table 3.1 below demonstrates some of the incapacitating institutional challenges commonly prevalent in most of the developing countries but mainly using African case studies. The table affirms the argument that contrary to the developed world, where the central government is typically (powerful) institutionally capable (had effective institutional variables) to effect effective local governance, the developing (African) countries actually lacked the indicated institutional capabilities due to the adopted deconcentration instead of political-administrative-fiscal devolution and lack of effective political will to actually decentralize. All these make it difficult for decentralization to overcome its concerned challenges in the LDCs;

Figure 3.1: Lack of Institutional Pre-requisites Effect on Local Governance Effectiveness in Africa

Variable	Chad	Botswana	Uganda	South Africa	Ghana	Nigeria	Kenya
Local autonomy and authority	Medium to high[a]	Medium	Low	Medium	Low	Medium	Very low
Resources available to local units of governance	Low to medium	High	Medium	Medium	Medium	Medium to low[b]	Low
Effective local institutions of collective choice (i.e., local councils)	High	Medium	Medium to low	Medium to low	Low	Low	Very low
Effective, open, and accountable local political process	High	High	Medium	Low	Medium to low	Low	Very low
Effective local governance	Medium to high	Medium	Medium	Medium to low	Low	Low	Very low

Source: Olowu and Wunsch, 2004:238.

We can realize that 'high' (unlike in the developed world) is scarcely noticeable from the scale and table/figure 3.1 above, only two times in Chad and Botswana. This in itself provides the actual experience of the developing world in decentralization and how severely the variable institutional constraints have inhibited successful implementation of decentralization. Such constraints include mainly low or limited self-control and authority, low resources' capacity in the LGUs and lacking effectiveness of LGUs in collective choice and openness/transparency, local political processes and local governance in general. The following table also affirms the same argument focusing on other institutional incapabilities.

Figure 3.2: More Institutional Competencies Lacking in Africa for Effective DLG

Variable	Chad	Botswana	Uganda	South Africa	Ghana	Nigeria	Kenya
Supportive national political context	Medium[a] (by default)	High to medium	Medium	Low to medium	Low to medium	Low	Very lo
Effective systems of intergovernmental relations	Very low	Medium	Medium	Medium	Medium	Medium to low	Low
Demand for public goods and social capital at local governance level	High	Medium	Medium	Medium	Medium to low	Medium to low	Insuffi-cient data
Well-designed local governance institutions	High	Medium	Medium	Low	Low	Low	Very low
Effective local governance	Medium to high	Medium	Medium	Medium to low	Low	Low	Very low

Source: Olowu and Wunsch, 2004:238.

Many councils in LDCs are seen to be serving as servants to the master the central tier as consultative/advisory bodies only. The local structures for decision making may have been created, there could be a claim of democratization and decentralization which mainly bear deconcentration/re-centralization expansion and as thus institutionally constrained development delivery through decentralization (Metzger, 2001, and Tanzi, 2000).

Administrative efficiency has also been foiled by shocking reports of rampant corruption in the LGUs particularly in the municipals and the opportunistic senior politicians. Accountability and other essential elements of good governance beside the establishment of good structures and legislations for decentralization lack implementation and enforcement capacity in the LDCs (Olowu, 2000 and 2002).

Evidently from the above authors and others, the developing countries have not really addressed the constraints/challenges and required preconditions for the successful

implementation of the decentralization process. This has put the efficient and effective implementation of decentralization for development delivery at risk. While, Watson (2002:5-6) prescribes requirements for such a successful implementation of decentralization, the LDCs have continuously lacked LGUs with (a) clearly defined roles, responsibilities and mandates for certain categories of service delivery; (b) adequate and reliable financial resources in order to exercise those responsibilities, with enough discretion to ensure that resource allocation is responsive to local priorities; (c) autonomy in staffing and adequate human resource management policies to ensure that staff are deployed effectively, loyal and accountable to their local authority, their councillors and the citizens they serve; (d) planning and management capacities and systems to support all the basic functions; (e) communication and accountability mechanisms linking LGUs with both the local people and the central government. Azfar et al (1999) and Manor (2001) also affirm that there are factors critical for decentralization implementation. They further indicate that there are additional critical success factors such as transparency of government actions, citizens' participation in service delivery, and the effectiveness of civil society, all which are lacking in the LDCs. They lack a comprehensive strategic framework addressing all aspects of decentralization.

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These countries have no effective political will to effect the real process of decentralization (Smoke, 2003 and Kulipossa, 2004). There is no pragmatic implementation strategy with a vision of decentralization, incrementally and strategically. Instead, there are non-enabling legal, political and financial frameworks formulated by the central government. There is no thorough creation of constitutional bodies and pressure from the civil society for delivery, there is no supportive state control and proper judiciary interventions including enlightenment, Auditor-Generals' actions are bullied by senior politicians to off-set exposure of their corruption even on funds for effecting decentralization. The mass media has also been utilized limitedly if ever used to enhance citizen participation. Such a little success has been reported in only a few countries; Bolivia and RSA (Cameron, 2003).

LDCs have often adopted decentralization due to local and external pressures, including conditions linked to continued financial assistance from the World Bank, IMF and other international development agencies (Olowu, 2001; Olowu, 2003; World Bank, 2003b and Ouedraogo, 2003). Strikingly Romeo (2003:92) in contrast argues that decentralization was not adopted due to pressures, instead, 'central level political motives have been predominant particularly in Africa rather than concerns with efficiency in local service delivery,' like expansion of political domination by single monopolistic political parties to disintegrate opposition from the grass root level composed of religious and ethnic groupings. Cases include Nigeria, Uganda, Ethiopia, Rwanda and Angola (Watson, 2002; Romeo, 2003). One may argue that both stances qualify as justification for and thus also challenges against decentralization. In Lesotho the opposition that mainly precipitated this is the opposition that was based on both religious (protestants-the BCP against the Catholic BNP government) and the commoners who used to be referred to as the 'council of the commoners'/the Congress ('Lekhotla la Bafo'/*council of the subjects/commoners*) that was rising against the domination of the ruling royal grouping heightening and entrenching exclusive undemocratic customary chieftaincy, which was the BNP mainly led by the principal/main chiefs and their conservative following. Let it be noted that Lesotho's reports (Mapetla et al 1983, GoL Reports, 1997 and Malcolm Wallis, 1999) indicate that BNP (chiefs' oriented political party) in the first and second phases of decentralization sought to extend its influence and get rid of 'commoners' opposition (BCP) altogether seizing and sticking to power undemocratically while in the third and mostly in the current phase (LCD) the commoners/congress legally through decentralization obviously in retaliation/transformation/restructuring/reforms reversed the former deconcentration of power on chiefs tremendously back to the subjects/commoners/'ordinary people' together with the motto, 'governance! democracy! (Puso! Ea sechaba ka sechaba!'), all which also again resulted into deconcentration and the capture by the political elite. That is capture from politically organized chieftaincy (BNP) and then capture by the ruling political elite (dominant LCD). It brings us to the realization that Lesotho being a small country with a small population has limited opportunities. Politics is therefore an inept means of power and self-enrichment with severe contests mainly between the political elites/commoners and chiefs and among

themselves with often power struggles and main political parties' splits for senior parties' leadership being the LCD, the newly formed All Basotho Convention (ABC) party just three months before the 2007 elections in protest against the collapse of systems of delivery including LG and the BNP together with the remnants of the old split BCP. To date, in 2009 not one of the above political parties has not suffered major internal splits over who should be the leader of each party.

Generally, it can be observed that both internal and external pressures, particularly economic crises and money lending international financial institutions for development especially in the Sub-Saharan Africa played to be the main factors to the flawed adoption of decentralization. Let one also safely think that decentralization in the eyes of the political elites may be declared a 'success' in line with their undeclared political missions like continued clinging to centralized power and functions (in one NGOs' conference that one attended in 2006, one political minister in conference proceedings, after giving an opening speech was put under pressure to answer why as the relevant minister of LG the central government does not really devolve power politically, administratively and financially for local development attainment, responded saying "power is so nice, it is difficult to part with and every human being is like that". To the worst shock of these NGO's delegates the minister in question had graduated in PhD in Local Governance).

The context of 'institutional constraints'[5] against the implementation of decentralization in LDCs, particularly in Africa, has severely affected this process. Developing countries have very weak institutions that battle to implement decentralization (Litvack et al 1998). Institutions, like markets for land, labour and capital, systems for information, fiscal, legal and regulatory including democratic institutions and processes are powerless. Weak institutional capacity that could not implement DLG in many of the developing countries is demonstrated and confirmed by the figure below;

[5] It is generally known that institutions constitute a set of formal and informal rules of conduct that facilitate coordination or govern relationships between individuals, when their natural conduct poses constraints to poverty alleviation/development/DLG, such impediments are termed 'institutional constraints' (Ellis, 1999:3, 4,21,280,325,327).

Figure 3.3: Ideal versus Real Cycle of Decentralization in Developing Countries

Idealized Process by Which Local Governance Emerges from Decentralization Reforms	Frequent Actual Experience of Decentralization Reforms
1. Elite chooses to devolve authority, resources, and accountability to localities.	1. Elite announces reforms to devolve authority, resources, and accountability to localities.
↓	↓
2. Decentralization reforms are defined and promulgated.	2. Some decentralization reforms are defined and promulgated.
↓	↓
3. Redistribution of authority, resources, and accountability to localities occurs.	3. Redistribution of authority, resources, and accountability to localities is announced.
↓	↓
4. Decisionmaking institutions, broadened participation by the public, and greater accountability to localities emerge.	4. Several patterns emerge: • Incomplete statutory reform blocks effective control by local authority; • Resources are retained or recaptured by central actors via "conditional" grants, continued control of civil service posted to localities, ignoring local authority's decisions, etc.; • Resources of localities are consumed paying for salaries of officials they do not control, or for basic administrative overhead; • Local councils are ineffective because of low levels of education, poor organization, infrequent meetings, internal division, and executive dominance; • Local institutions are designed to maintain central control; and/or, • Local elites dominate local governance from behind the scenes.
↓	↓
5. Improved performance and accountability of local governance institutions reinforce local support for reformed system.	5. Poor performance and nonaccountability of local governance institutions discourages local support for them.
↓	↓
6. "Local governance" is a going concern.	6. Local governance remains weak and ineffective.
	↓
	7. Recentralization occurs.

Source: Olowu and Wunsch, 2004:6.

The realization is that all have been constrained by lack of institutional capacity (or institutional constraint) in that the transfer of authority, resources and accountability to LAs as well as development of an open local political process and local political-

administrative institutions, contrary to the developed world, are functioning in ways that demonstrate that local priorities and needs are not actually driving local decision making. The table in a concise manner has summarized what became eventual due to lack of institutional capacity as there is clear contrast between decentralization intentions of many developing countries and actual policy outcomes/outputs of DLG. The policy has clearly not brought the expected developmental benefits in many of such developing countries as opposed to the developed world (Olowu and Wunsch, 2004:6).

3.4 Summary

The combined effect of accelerated growth, pervasive poverty, historical forms of marginalization, huge dependency ratios (big family sizes with too few 'bread winners' and too many vulnerable 'dependents'/unproductive children, the unemployed and the aged without any pensions), macro-economic policies, municipals' reliance on unstable market to distribute resources and services and other various challenges to DLG have rendered it almost a failure in alleviating rural and urban poverty through development delivery. Lack of resources and power devolution have worsened the problem including rapid population growth and urbanization. National development/economic priorities within the context of partially devolved powers to DLGs stifle local social participation and thus local development prioritization (Halfani, 2001:13-24 and chapter 7 and 8 on Lesotho). Furthermore, the challenges that confronted DLG in Africa include problems of lack of proper reorientation of central government personnel, chronic staff shortages, thus incompetent LG developmental service delivery, inadequate and irregular training of the DLGs' personnel which therefore lacked qualified advisory and support services. Generally, factors constraining the democratic process of DLGs include lack of supportive national political context, effective systems of intergovernmental relations, demand for public goods and social capital at local governance level and well-designed local governance institutions (Olowu and Wunsch, 2004).

CHAPTER FOUR: DECENTRALIZATION MEASURING AND CHALLENGES

4.0 General Introduction

The preceding chapters have considered the world's historical experience in decentralization. They argue that decentralization has pros and institutional constraints with implications. This chapter aims at answering what the generic risks and challenges decentralization has to overcome in its adoption are? What are the preconditions/requirements to be met for its success and what are the proper methods of measuring its adoption? It also deals with the limitations of such methods to be specifically used in our case study of Lesotho. The chapter argues that DGD has risks and challenges to overcome, all setting in certain requirements to be met to ensure its success in sustainable development delivery. It further argues that there are also limitations against such requirements as well as those proper decentralization measuring methods.

The purpose of this chapter is to consider such preconditions serving as objectively verifiable indicators for the efficient and effective adoption of decentralization. This also constitutes the theoretical framework of this study. The limitations against such requirements are also discussed. One will *first* concisely give preconditions for the successful implementation of decentralization. The *second* attempt is on the challenges and risks that decentralization ought to overcome. The *third* effort conceptualizes indicators as the mainstream method for measuring decentralization's efficiency and effectiveness in its adoption. This task includes debates on the methods of measuring decentralization entailing (a) indicators in measuring the degree of decentralization, (b) equity and creating enabling environment as measurement in decentralization, (c) measuring decentralization within ideals, principles and values of good governance.

The chapter is therefore about the measurement or indicators of decentralization towards development delivery and the concerned challenges. Such measurement is important because it gives an idea of the extent to which decentralization has actually occurred and

enables the study's examination of the extent to which it effectively improves the government and assists with development delivery as shown in the next chapters.

This study is also on grounds that, "At all stages of developmental local government (DLG), we must be able to accurately and flexibly ***assess…socially, economically, politically and environmentally****...we need to know if the local government system is really successfully doing its job for all…* (Oldfield and Parnell, 1998:35, emphasis added)". When the Lesotho government (GoL) embraced decentralization and instituted the norm of local governance in 1997, it then becomes a legitimate research question to unearth the role and the extent to which such local governance functions contribute towards development delivery. This therefore calls for a political-developmental assessment study like this, intended to reveal the extent to which decentralization has contributed towards development attainment in Lesotho.

In essence this is the chapter that provides us with the operational yardstick against which DLG can be assessed. This fourth chapter also illustrates the assessment framework for examining efficiency and effectiveness of decentralization in Lesotho. The framework is applied in chapter 8. This involves measuring the efficiency and effectiveness of decentralization management in Lesotho, as well as indicating the political-developmental impacts and some constraints of this developmental policy in Lesotho.

4.1 Preconditions for the Successful Implementation of Decentralization

The measurement of decentralization/DGD involves assessing the extent to which local authorities are

- constitutionally separate from central government and responsible for a significant range of services,
- have their own treasury, separate budget and accounts, own taxes as significant part of their produced revenue,
- have their own personnel with the powers to employ and discipline or fire own employees;

- local policy being elected by local councils, predominantly consisting of local representatives;
- have central government only playing an indirect advisory, supervisory and inspectorate role (Mawhood, 1990:1-2, Cameron, 1995:397, 1999:99-100 and 2003: 106-107)

4.2 Risks and Challenges to be overcome by Decentralization

The measurement of DGD has to adopt the principles and values of both actual local governance and good governance. Beginning with these two as encompassed by decentralization, their effectiveness can be seen and measured in overcoming the following challenges of decentralization;

Firstly, local governments' ability to provide services is in part contingent upon their ability to raise revenues locally, as national transfers are often inadequate, delayed and resulting in local plans getting outdated, disproportionate to local areas' needs, population density and various (socio-political-economic-developmental-historical spatial) disparities, and/or oriented more towards national political goals. This ability depends on the taxes assigned to them to collect, the size of the local tax base and how buoyant those taxes are in terms of whether they increase over time in line with population increase, inflation, real income growth and the extent to which local taxes impinge on the poor (Devas, 2003).

Secondly, central governments are often forced to take austerity measures which often restrict central government expenditure in sufficient national transfers. This may have a ripple effect on the amount of resources that may be transferred to local governments. For example, in the case of Lesotho, as field findings confirm in the next chapters, there is no evidence of funds transfers for either sustainable local community owned and driven development projects or credit and/or training to individual entrepreneurs except very limited delivery of infrastructural and waste disposal services with limited rotational casual jobs.

The third major challenge to good local governance is capture by local elites. Local governments may be vulnerable to local elites who then receive a disproportionate share of public spending on public goods. The challenge then becomes the extent to which decentralization processes enable the poor to access publicly provided goods. Indeed, as noted by the World Bank (1990), quoted by Goetz and O'Brien (1996:27), "In general, the poor have less access to publicly provided goods and infrastructure than other groups. On the whole governments fail to reach the poor. This is not to say that elites should not participate in local governance". Indeed their participation is often critical because of their power, knowledge and networks (Olowu, 2003); however, this needs to be balanced against the threat of elite capture.

Fourthly, the effective and efficient delivery of public goods and services, at the local level, depends on the co-ordination of delivering agencies. In this respect, Peters (1998) identifies three areas of coordination failure, namely redundancy, lacunae and incoherence. Redundancy results when two or more organizations or agencies perform the same task in which case resources are wasted. Lacunae results when no organization performs a necessary task, in which case service delivery gaps occur. Incoherence results when policies, programmes, projects or agencies with the same clients have different goals and requirements in which case this may trigger conflicts between agencies and organizations over resources and clientele. The synchronization of policy across ministries and departments, at the local level, is therefore a major challenge.

Fifthly, decentralization may lead to a loss of economies of scale, the direct implication of which is a loss of efficiency. The decentralization process therefore needs to take careful and calculated consideration of the tier of government to which specific service delivery functions are decentralized so as not to compromise efficiency emanating from economies of scale.

Sixthly, for decentralization and local governance to be effective, there is a need for individuals who are not only knowledgeable about the running of local government but must also be available to undertake such tasks. However, in many instances the most

educated individuals are gainfully employed by central governments (Hope, 2000; Chambers, 1983). This is often further exacerbated by the practice of assigning rural posts as a means of 'penal posting' (Chambers, 1983) in which case being posted to decentralized positions is often seen as being posted to inferior positions.

Seventhly, changing the attitudes of public servants as providers of public goods and services shall be a major challenge in improving the quality of goods and services provided. Citizens are often badly treated by clerks, shielded from the public by an enormous bureaucracy, to deny them better quality goods and services. The improvement of this situation requires: (1) training in professional skills; (2) improvement of facilities – buildings and equipment; (3) opportunities for promotion or at least some form of recognition of work well done, as well as punitive measures for work poorly done; and (4) providing citizens with responsive avenues for raising complaints over goods and services poorly delivered.

The threat of corruption: Once the structures for local governance are in place, the greatest challenges to practices of good governance emanate from corruption. Some authors have argued that as more funds and more powers are devolved to a new, untrained local leadership and a local administration with limited capacity of financial management corruption is also decentralized (Fjeldstad, 2003; Doig and McIvor, 2003; Matovu, 2003). It is also a major impediment to the broader goals of development and poverty alleviation. Corruption can be broadly defined as "… an illegal act that involves the abuse of public trust or office for private benefit (Fantaye, 2004: 171)". As further described by Heidenhemer, Johnston and Levene, as cited by Werlin (2002), it comprises three main categories: (1) the misuse of money or favours for private gain; (2) inappropriate exchanges of money or other goods and services for undue influence or power; and (3) violations of public interest or norms of behaviour for special advantages or self-serving purposes.

Thus defined and to be examined in measuring the success of decentralization operationally in chapter eight, there are six areas in which corruption becomes a major

challenge to the implementation of decentralization policies. Firstly, there is a problem of tax evasion as the transaction is not reported by either party, thus denying the treasury or tax revenue authority income (Seligson, 2002). Secondly, corruption results in the inequitable distribution of public resources as public services become disproportionately accessible to those who pay bribes, denying those services or similar quality of services to those who do not pay bribes (Seligson, 2002). Thirdly, bribes enable service providers to ignore established standards of provision of goods and services offered in two ways: (a) contracts for example are not awarded to the highest quality provider at the bid price but to the firm that offers the highest bribe; and (b) it is often difficult for those who have received bribes to ask providers of services to provide better services or rectify problems associated with services already rendered. Fourthly, corruption undermines the rule of law and scares away potential investors as it arbitrarily increases transaction costs (Collier, 2000). Fifthly, corruption is anti-developmental as it reduces the opportunities available to people, particularly the poor. Among the poor, in particular, it also increases their sense of insecurity, which is in itself a defining characteristic of poverty. Sixthly, corruption in the form of nepotism, bribery or patronage, stifles meritocracy, the result of which is an increasingly inefficient and brutal bureaucracy (Seyf, 2001). Within such a context, the normal bureaucratic processes are used as punishment for those who follow the letter of the law, primarily through the frustration of dealing with bureaucratic hurdles (Olowu, 1999, 2000 and 2003, Cameron, 2004).

4.3.0 The Indicators for Efficient and Effective Decentralization Adoption

Indicators form the mainstream method for measuring decentralization's efficiency and effectiveness in its adoption for development delivery or poverty reduction. Such indicators are relevant in this study as they help to measure the efficiency and effectiveness of the adoption of DGD in Lesotho. It is therefore crucial to have a good comprehension of indicators for their proper use of also measuring the degree and the success/failure of decentralization in development delivery in Lesotho. Parnell and others (2002:251-260) define indicators as "a measure of the level of development that allows for comparison across space and time…Within local government…to present information

in the best possible manner to enable policy formulation, the setting of goals and objectives, and the monitoring of the policies being implemented."

This study has used outcome indicators because they are relevant to the policy process and its assessment. Outcomes look at whether policy goals are achieved and whether people are content with the results. They promote targeting needy groups, political and financial accountability and transparency as they translate aims into objectively verifiable quantifiable measures of attainment on set performance and management and delivery. So, indicators are there to provide local government with a common language for the many interest groups that exist, assist them in decision-making and policy setting, establishing targets and monitoring the implementation of policies and performance of the departments and policies. They also assist local units to become politically, financially accountable, transparent and efficient in delivery and balancing between poverty needs and economic growth or globalization.

Some of the indicators include (partly used in chapter 8): (1) an income indicator-the number of household heads earning less than a stipulated minimal expressed as a percentage of the household heads in the smallest sub area of enumeration (sub-district level). (2) Education indicator- which is the number of adults 18 or older with less than standard 6/primary education as a percentage of adults in the smallest sub area of enumeration (sub-district level). (This is the minimum educational level required for post-school training and a constraint on employment opportunities). (3) Unemployment indicator- representing the number of adults 18 or older who are unemployed but actively seeking work, as a percentage of all adults in each enumerated sub-district/area. This excludes all non-work seekers, students and retired people. (4) Welfare indicator-the number of household heads who are single mother with three or more children as a percentage of all household heads in each enumerated smallest sub-area as aggregated. This can be the primary criterion for eligibility for a state welfare grant- proxy for the quality of family life. (5) Overcrowding indicator-the number of households with over 1,5 per habitable room, as a percentage of all households in each smallest enumerated aggregated sub area. Overcrowding indicates increased risk of transmission of infectious

diseases and reduced privacy within the home but excludes bathrooms, toilets, kitchens and passageways. This includes habitable rooms like bedrooms, sitting rooms and other similar ones (Ibid).

4.3.0.1 Challenges and Possibilities/methodologies/Indicators in Measuring the Degree of Decentralization

Parnell et al (2003:259) also indicate that indicators have limitations in really measuring decentralization. They are too easily taken to be an end in themselves. It is thus important that local government plays a role in the design and selection of indicators, as generic or "international" indicators may be irrelevant to the local situation. The other limitation with indicators for measuring DGD is that they use a household as a basic unit of analysis, often ignoring its unequal gender relations right at the heart of poverty in the households and the unaffordable cost of data gathering that has to be done after long periodic intervals.

According to the United Nations/UN (1962: 48-51; 1966:7-25), Smith (1979:221), Mawhood (1983: 18-20), Wallis (1989: 131-132), World Bank (1989:119-120) and Cameron (1991), there are certain identified and examined indices that can measure decentralization. They include the personnel, access, functions, party politics, finances, hierarchical relations and size:

Recruited personnel (as another indicator of decentralization) is important in this study as its nature of control will help expose and overcome the risk of recentralization in adopting decentralization. Many developing countries have often reversed decentralization by excessive deconcentration leading to recentralization. Personnel control type thus determines the nature and the degree of decentralization in our case study of Lesotho. Personnel is generally accepted as a measuring principle that the more the centre controls the selection and deployment of local personnel, the less decentralized the organization is. There may be three different types of local government personnel systems on this basis though some countries mix these models. Separate system: This is seen when each local authority acts as a completely autonomous employer. Personnel are

not transferable to other jurisdictions by a central body. It is not uncommon for the central government to provide the main impetus for sound local government practices under the separate system through, for example, the setting of maximum salaries, pensions, standards of local civil service systems and qualifications of certain technical personnel. The separate model is conducive to devolution of power. Permanently based local officials are likely to know local conditions better and develop more interest in community affairs than would employees recruited elsewhere. The limitation here and to using personnel control as an indicator of the degree of decentralization is that less affluent, smaller and rural local authorities find it difficult to attract competent personnel. Also, nepotism and corruption seem to abound under certain separate systems, especially where there is no central impetus for ensuring sound personnel practices. Separate system is mainly found in developed countries with the strong customs of local government like the United Kingdom, Netherlands, France and New Zealand.

Decentralizing staff recruitment through local authorities serves as a good indicator of proper adoption of decentralization. This is usually a case in an integrated personnel system whereby local authorities' staff are employed locally but are organized nationwide in a single service. They are civil servants and can be transferred to other local authorities or other government departments by the bodies responsible for the civil service as a whole. It's advantages are that it allows for the most extensive area base for the recruitment to the service, it makes quality staff available to all local authorities, it also facilitates the optimal use of trained personnel, presence of trained staff allows central government to devolve more functions to local authorities and minimizes local corruption and nepotism though there is no guarantee against central corruption and nepotism. The limitation is that this system is highly centralist because career loyalty of officials is to the central government and not the local authority. The other limitation is that no ambitious local authority officer is likely to defend the council's interest where this is in conflict with the viewpoint of a Minister/civil service. Countries using this system have a challenge of the tendency by the system to have centralized governments with no strong tradition of decentralized local authorities (Ibid).

The unified system also has the risk of central control that often disempowers the local authorities in determining rewards for competent staff retention at the local level. This system is existent when local authority's staff are employed locally but organized nationwide by the central government in a single civil service parallel to the central civil service. The responsibilities of such a parallel civil service include the establishment of a national grading system, procedures for the recruitment of senior officials and control of the promotion and discipline of these officials. In certain unified systems the central body has the power to transfer staff to local authorities. This model exists often in respect of senior local government employees only. Its strengths include; helping smaller local authorities to attract more qualified staff than would be the case under a separate system, facilitating the creation of nation or state-wide career services founded on merit principles and reducing corruption and nepotism. The weaknesses are that there is central control involved, though it provides for the delegation of personnel functions to local authorities to the maximum extent practically possible. Responsiveness of the employees may be a problem at the initial stages but those that make local government a career service are likely to develop skills and attitudes conducive to sound relationships with their councils. But this system is not conducive to the autonomy of the local government as a separate system; individual local authorities do not have control over the personnel conditions of their officials. Under certain integrated systems, staff can be transferred to and from local authorities without their consent. This unified system is recommended for the developing countries wanting to adopt decentralized local authorities but have severe lack of trained staff (Ibid)

According to Stephens (1974: 61-64) and Smith (1979:221), there are other personnel indices, including those that distinguish between elected office-bearers and those appointed by the higher-tier governments. Functions employed by elected members are more decentralized than those performed by appointed officials, which in turn are more decentralized than those performed by deconcentrated field administrators. It is more conducive for decentralization to have directly elected members than indirectly elected councillors. One other index is looking at the total distribution of administrative personnel between the different levels of government. The proportion of total public

servants employed on relevant government functions viz. those handed at local level in either a decentralized or deconcentrated fashion, needs to be calculated. The greater the proportion of people employed at local level on these relevant functions, the greater is the degree of decentralization (Cameron, 1991).

While a country may declare and adopt decentralization, the process still has the risk of the central government being inaccessible to the local authorities for local and national policy influence. This inaccessibility renders decentralization ineffective and without impact on development delivery locally and nationally. It is the nature of contacts between central and local government actors. It is the ability of local government to penetrate national politicians and influence policy-making affecting local authorities. Important is the frequency of direct forms of access between individual and central actors involving bilateral direct relationships between individual local authority actors and central actors, in contrast to indirect forms of access by which local actors have their views and interests represented to central actors through the mediation of national associations or interest groups of local officials and politicians or through party networks. National associations of local authorities are very important here. How effectively do they represent their members' wishes? Or alternatively do they represent central government's view to local governments? One other issue of government decision-making processes is involving the affected. This also includes the secrecy or openness policy by the central government to the local government on consulting them on issues affecting them (Page and Goldsmith, 1985:181 and Rhodes, 1980:577, 1981: 31, Cameron, 1991).

Stephens (1974:59-61) has argued that the range of local government functions is an index of decentralization. He constructed a service index to measure the state/local distribution of services based on the proportion of total expenditure on a public service allocated to state and local governments in the U.S.A. His formula is based on the proportion of total expenditure on a public service allocated to state and local governments. A service is classified as 'state' where the state spends 60% to 100%; as 'local' if the state spends 0 to 39%; and 'joint' if the state accounts for 40 to 59%. Thus

the more relevant functions (performed in either devolved, deconcentrated/delegated fashion), handled by devolved methods, the greater the extent of decentralization to local government (Smith, 1979: 20). Methodological problems encountered in drawing up a list of functions include; the fact that each function has a number of detailed activities and quantifying the minute sub-activities could be highly time-consuming. This thus complicates application of this index. A more feasible still limited approach is to look at a single major function in detail. One other important issue involves examining historically why certain relevant functions ended up at local level and others at central level. For instance some functions are deemed basically local due to different demands from different communities with therefore minimal spillover whereby the service may be managed efficiently within a small community. Other functions are assigned to a higher tier of government because of the importance of administrative or financial economies of scale or because of the likelihood of spillover effects. One other problem is the distinction between the number of functions decentralized and the overall scope of a state's activities. Obviously, liberal governments will prefer restricted public sector provision of services but social democratic and socialist ones will favour a more active role of the government (Stephens, 1974:59-61, Smith, 1979:216; 1985:86, Page and Goldsmith, 1981:177; 1985:178, Cameron, 1991).

One other developmental local government indicator is the autonomous financial capacity. The relationship between finance and autonomy can be divided into three different categories: (1) the nature of revenue base, (2) elasticity of sources of revenue and (3) amount of financial discretion in the use of revenue sources. Mawhood (1983:14-15) has formulated some indicators of decentralization on the systems of local financing, ranging from the 'most autonomous' to the 'least autonomous'; (a) own revenues emerges when the local council has broad discretion to vary the rate of the tax collected. This means that the taxation level can be adjusted to balance with expected expenditure needs. (b) General grants are unconditional grants. They are often based on a formula calculating the resources and needs for each local area. (c) Assigned revenues are prescribed and collected by central government and then handed over to local government. They tend to be less favourable to local discretion than above general grants

because they do not embody any calculation of resources and needs. (d) Incentive grants embrace a stated proportion of the cost of a particular activity. This grant is often a centrally induced incentive to persuade local authorities to adopt some central policy. (e) Specific grants emerge when the local authority has virtually no say as to when and how money for a particular programme is to be spent. This is one form of delegation. (f) Deficiency grants, these are paid by the government simply to offset the difference between a local authority's expenditure and revenues often treated as a subordinate government agency. It is important to raise the limiting factor in intergovernmental grants as an indicator in that most part of the revenue could be raised locally and yet the council be controlled in other several non-financial ways.

Elasticity of sources of revenue/tax base also serves as one other decentralization indicator. Local authorities can want sources of revenue that can expand beyond the rate of inflation. This is important in financial capacity and autonomy. Elasticity refers to "where the taxable base expands of its own accord in keeping with the growth of the economy, the rate of inflation and demands of expenditure (Davey, 1971:147)". The usual limitation is that countries that have adopted local government system often experience a shortage of income at local level. Rates/property tax is extremely inelastic and lags behind the inflation rate as Hepworth (1984:15) has indicated. Local income taxes are better because they tend to keep pace with increasing urban population and rapid urbanization with increasing demands on the local government with limited declining property tax in relation to population growth and urbanization (Smith, 1985:102).

The amount of financial discretion over expenditure serves as an indicator of the extent of decentralization. Expenditure controls and approvals by the central government over local authorities runs the risk of directing local authorities in mostly pursuing national political goals instead of local needs. According to Davey (1983:120-121), the financial discretion of local authority in respect of expenditure has these two elements; (a) scale; the amount of money they are allowed to spend; (b) purpose, the objects on which they are allowed to spend their revenue. The descending order of discretion using both

dimensions is as follows: (1) local authorities have complete freedom to spend as much as they like on what they like. (2) They can spend as much as they like but only on a prescribed range of services. (3) They may allocate money between different services unlimited or prescribed but with a fixed ceiling on expenditure. (4) They may allocate money between services provided they spend a mandatory minimum on certain functions. This mandatory minimum may be laid down by statute or be a condition of a higher tier government grant or loan. (5) They are free to allocate money but only within total amounts prescribed for individual functions by higher tier government. (6) A higher tier of government prescribes levels of sectoral expenditure and details allocations within these. Local authorities execute only centrally prescribed budgets and exercise choice only over the lowest level of detail. Restrictions can apply to all levels of local authority expenditure or certain parts of it viz. capital expenditure only, current expenditure only, expenditure on certain functions only, certain types of expenditure like personnel costs and so on, amounts received from central government allocations, a fixed percentage of total expenditure, expenditure up to a certain basic level. One other expenditure control is statutory requirements obliging local authorities to set aside fixed sums or percentages for specific purposes. A common requirement is that a certain percentage of revenue must be set aside for capital development purposes (Davey, 1983:156).

Smith (1979:219) and Page and Goldsmith (1985:177) have identified another indicator of decentralization. This is the level of local expenditure as a proportion of total public expenditure. The greater the percentage of local government expenditure, the greater the extent of decentralization. This indicator is not very helpful because it does not tell us who has control over the critical policy making or the difference between delegation and devolution. For this index to be analytically useful, one has to subtract expenditure which could never be devolved, for example defence and foreign affairs from the total expenditure. It needs to concentrate on relevant functions which could be the responsibility of either central or local government.

Hierarchical relations also do serve as an indicator of decentralization**.** Formal administrative mechanisms through which higher tier control over local authorities'

powers can be maintained include; (1) Approval of decisions, decisions can only come into effect after approval by the higher authority. (2) Directives/instructions; ordering local authorities to do or refrain from doing some act. (3) The power of suspension; this is where higher tier authority has the power to suspend the activities of the local authorities. (4) The power of annulment; decisions of the local authority can be overturned. (5) The power of reformation; decisions of the local authority can be modified. (6) The power of substitution; the higher authority can act in place of a lower one (De Forges, 1975:127). Other mechanisms to ensure higher tier control include circulars laying down policy, inspectors, and the requirement of reports on progress in specific services. This extent of control may also be limited, firstly, by the legal framework of local government-whether the local government services are decided locally or whether they are explicitly granted by the central government. Secondly, one other control is whether the general supervisory powers are vested in a higher tier government official such as the Prefect in France before 1982. Thirdly, it is whether services are *mandatory* that is whether local authorities are legally obliged to offer services or *permissive,* that is whether local authorities by virtue of a special grant or powers or a constitutional provision of general competence, have the freedom to offer services. Fourthly, the extent to which central government attempts to issue nonstatutory advice to local government also affects the degree of decentralization. The complication to be noted is that in many cases the legislation granting duties on local authorities does not specify the level of activity or the way the activity should be carried out. Central intentions are not always uncritically translated into policy outcomes at local level. Extensive central supervision notwithstanding, local authorities can retain a certain amount of discretion (Page and Goldsmith, 1985:178-180 and Steward, 1983:147).

The other problem is with regard to different forms of supervisory patterns. Griffith (1966:515-528) differentiates between three different types of higher tier government supervisory patterns over the activities of local authorities, viz. laissez-faire, regulatory and promotional. Laissez-faire is about minimum intervention within the necessary fulfilment of departmental duties. Regulatory control is somewhere between laissez-faire and promotion of local authority, viz. the middle way. A major worrying factor is to see

to it that statutory regulations are abided by. Otherwise the supervisory tier government does not interfere excessively in local authorities' affairs. Promotional supervision often implies local authorities executing functions under the close control and direction of a government department. The more politically important the functions are for central government, the greater the likelihood that this form of supervision will be promotional. More levels in an areal division of power make it more difficult for central government to ensure enforcement of its policy at the local level. It needs to be reiterated that delegation leads to discretion and thus the more levels then the greater the delegation and discretion (Smith, 1979:220).

Many problems associated with the sheer demographic borders in larger countries are solved through decentralizing powers to sub-national tiers of government. Modern systems of communication have also reduced the extent to which size inhibits decentralization in developed countries but some findings prove that there is no correlation between the physical size of the country and the devolution. It is generally believed that larger local authorities will be more autonomous on the grounds that they have stronger revenue bases, more professional organizations, greater political power when dealing with central government and greater expertise at performing functions. Counter arguments are that there are no studies confirming this supposition and that larger local authorities imply fewer units for the central government to control. So, there is no guarantee that larger ones will be under tighter control by the central government. Size is thus an uncertain index of decentralization and still needs empirical scrutiny (Clark, 1974:29, Smith 1979:222 and in 1985:48 and Cameron, 1991).

Ismail, Bayat and Meyer on Local Government Management, (1997:5-6) have also put features of local authorities that may intently be used to measure the extent of decentralization to supplement other qualitative measures as following; (1) firstly local authorities/LAs must have a well-defined area of jurisdiction, except where 'agency agreements' are agreed upon by the two local authorities, that help each other and thus operate in one another's area. (2) Secondly, local authority must have a legal mandate and obligation to serve all its inhabitants with basic services, in particular localized or

contextualized development objectives besides the normal legislative functions, that is be poverty-reduction oriented and responsive enough to local needs (3) thirdly; LAs operate in conformity within the legal framework of the national and middle-level framework. They may not pass laws in contradiction with those of the above levels. The important feature here is they have autonomous power to pass some laws, (4) that is they have legislative powers to pass by-laws or regulations for orderly development and well being of the urban or rural area. (5) Fifthly, while they are to provide and promote provision of the social, political, physical, educational, cultural and economic development to the citizens; they are to provide safety in terms of road safety, traffic control, civil protection, fire brigade, ambulance services and so on. (6) Sixthly, they are to employ own staff to do their daily business. (7) Seventhly, they must produce an annual financial plan/budget showing sources of income and intended expenditure. They must have plans and be more income-generating-oriented than expenditure/budget-deficit oriented. (8) They should determine, prioritize, and translate local development needs into financial plans. (9) Ninthly, they need to promote local participation. They must be consultative in any decision they take and thus involve local people in decision-making. (10) They need to regularly communicate and inform the locals of their policies, decisions and plans so as to have an informed local citizen. (11) They must have regular free and fair elections to elect new councillors.

Olowu and Smoke (1992:1-19) and Millett, Olowu and Cameron (2006) have also formulated success indicators of decentralization on the basis of the various real characteristics of some successful case studies of Local Governance/LG in Africa. Such qualities or indicators/dimensions of success concisely included among others LG (1) being located in the area with an adequate economic base, (2) well-defined responsibilities in a satisfactory legal framework, (3) capacity to mobilize sufficient resources, (4) supportive central government activities, (5) appropriate management practices, (6) development of productive internal and external relations, (7) satisfactory responsiveness to constituents, (8) specified/expected quantity and quality of services and other outputs delivered, (9) good fiscal (success) performance characterized by (a) the budget balance sheet with more surpluses than deficits within 5 years, (b) major local

revenue sources, that is direct local taxes, user charges or intergovernmental transfers with growth relative to inflation and population, (c) local expenditures, both recurrent and capital local expenditure supporting a range of significant social and infrastructural services with reasonable growth rate, and the (10) institutional parameters encompassing (i)'the management of financial information, that is compilation, storage and retrieval of such financial information, (ii) the relationships between the central government and local governments, (iii) the financial management system with revenue collection, budgeting, auditing and debt management, (iv) the staffing situation with quantity and quality of local government staff, training, turnover rates, salary conditions and manpower planning, and the (v) relationship between the local government and the community including non-governmental organizations (NGOs).

In order to supplement comprehensively the objectives analysis framework and good measurement of DGD, this approach will also include other strategic indicators of decentralization and good governance as formulated by Millett, Olowu and Cameron (2006:179-225) on the basis of other successful local government case studies in Africa. They are all discussed in a captioned format here below, appropriate for development analysis approach on development objectives. Such indicators were developed at the workshop on Local Governance and Poverty Reduction in Africa, held in Tunis, June, 2005 under the auspices of the Joint Africa Institute, in partnership with African Development Bank (ADB), the International Monetary Fund (IMF), and the World Bank, also financed by the German Development Bank (KfW).

Illustration Box 4.1A: Strategic Indicators of Decentralization and LG

1. **Political decentralization indicators** (a) fair and free regular interval local council elections (b) regular and frequent meetings of the local council (c) approval of plans and budgets by the local council (d) local council selects its own chair
2. **Administrative decentralization indicators** (a) percent of total government expenditure in LGU jurisdiction controlled by the LGU (b) the LGU hires, manages, and evaluates government personnel working in the LGU area (percent) and records are available (c) LGU personnel perceives donors and government to be supportive, coherent and coordinated in their work with the LGU.
3. **Resource decentralization (Fiscal)** (1) total revenue of the LGU (2) per capita revenues of LGU (3) percent of revenues LGU raises from local sources, and specific taxes used (4) percent of revenues transferred to the LGU with only general guidelines and goals **(Personnel)** (1) LGU uses standardized procedures in all aspects of personnel management (2) percent of LGU senior/managerial slots filled with qualified persons (3) number of person-days of visits by national personnel for training and other assistance to local personnel and other support of LGU
4. **Transparency** (1) Local council meetings are publicly posted and announced and open to the public (2) audits are performed, published and posted on a regular basis as required by law
5. **Rule of law** (1) LGU personnel follows national and locally required procedures for meetings, personnel actions, planning, tenders, service standards, budgeting bylaws etc. (2) LGU executive follows lawful instructions of local councils and other organs of the government (3) election requirements and procedures are followed (4) citizens can bring grievances regarding the LGU to independent adjudicatory bodies
6. **Accountability** (1) LGU elected and sector management personnel attend open meetings to consult with the public on a regular and frequent basis (2) LGU personnel provide regular reports to national government ministries regarding local conditions, its compliance with national plans and service standards, LGU operations and activities, and LGU plans, budgets, revenues, expenditures and audits. (3) national ministries respond to LGU reports with suggestions, recommendations, and/or assistance
7. **Participation** (1) percent of the electorate that votes in LGU elections (2) number of local organizations (NGO, private, sub- LGU) that attend open LGU forums
8. **Empowerment** (1) number of NGOs active in LGU (2) number of sub-LGU community and neighbourhood governance organizations active in LGU (3) number of meetings between LGU senior or elected personnel and representatives of NGOs, sub- LGUs and women's/vulnerable groups.
9. **Production of key services, public goods and regulatory functions** (1) percent of capital budget spent in areas outside the LGU seat (only for rural LGUs) (2)percent of LGU population with access to potable water (3) level of local conflict (4) number of local business persons trained or otherwise assisted by the LGU (5) LGU's role in regulating access to and use of natural resources such as water, forests, grasslands, etc
10. **Opportunities for women and vulnerable groups** (1) percent of local elected offices held by women, members of religious, ethnic minorities, or by non-home peoples' groups (2) number of women and members of vulnerable groups receiving occupational, organizational, or governance-related training (3) in rural areas, percent of children enrolled in elementary schools, in urban LGUs, the percent of all children enrolled in elementary school (4) in rural areas, the percent of the LGU budget spent on programmes focused on small or marginal farmers; in urban LGUs the percent spent to assist small and medium enterprise (Excerpted and modified from Karin Millet, Dele Olowu and Robert Cameron, 2006:179-225).

Illustration Box 4.1B: Local Government Indicators

Political/Institutional Dimension	Resource Dimension	Developmental Dimension
-institutional autonomy of LG -quality of participation in LG -depth of democratic participation in elections -transparency of information flows between public bodies and civil society and -accountability of public officials; staff and elected personnel	-ability of local institutions to mobilize, allocate and manage funds -fairness and efficiency of LG institutions' procurement of goods and services from the private sector and -ability to attract and retain motivated personnel	-provision of basic infrastructure and services which contribute to reduction in poverty -facilitation and/or authorization of private economic initiatives -facilitation of use of community resources such as land, water, forests e.t.c and -effective resolution of conflicts among local citizens

Illustration Box 4.1C (i): Framework Analysis for Local Governance and the Log-Frame Analysis

Inputs	Outputs	Outcomes	Goals
Programmes, activities, changed constitutional, statutory, facilitating and supervisory procedural frameworks for local government units (LGUs)	Increased -administrative decentralization -political Decentralization -resources (human + financial) decentralization	-transparency -accountability, upward and downward -participation -rule of law -empowerment	-enhanced production of key public goods and services -enhanced opportunities for the poor and marginalized

Illustration Box 4.1C (ii): Framework Analysis for Local Government and Log-Frame Analysis

Inputs	Outputs	Outcomes	Goals
-Legal statutory reforms to strengthen local governance: administration, political and resources dimensions -local governance focused projects and programmes sponsored by central governments, donors and NGOs -coordination among donors, governments and NGOs in local governance projects and programmes	-legitimate lawful LGUs and democratic participation -strengthened local finances, revenue sources and their management -transparent, effective and accountable local administration -effective partnerships among LGUs, governments, NGOs and donors	-percent of children enrolled in schools -percent of LGU population with access to potable water -percent of children who survive to five year old -percent of increase in number of business licensed in previous year in LGU -percent of change in number of violent incidents from previous year in LGU	-education -environment -health -good governance -gender equity -poverty reduction -local peace and tranquillity

This will consolidate the yardstick against which Lesotho's Local Governance will be assessed, including features, principles and values of good governance and local governance (see Ismail, Bayat and Meyer on Local Government Management, 1997 and Cameron, 2003 and 2006).

Cameron (2006:5) has also argued that 'the role of party politics in gauging the extent of political decentralization is also very important. The existence of non-centralized party system could be the most important element of the true extent of political decentralization because effects of such decentralization are often negated by party centralization'. The same author (Cameron, 2003:107-108) formally developed distinctive *features of party politics for gauging decentralization* as follows;

- Candidates have to be selected by the party.
- A distinct policy programme is formulated for a local party group.

- A party election manifesto, to which all party candidates are expected to adhere, both during the election campaign and once elected, is produced.
- An attempt is made to implement the manifesto in the event of the party winning a majority of seats on the council.
- Councillors are organized into party groups for the purposes of allocating committee places and other positions of leadership and responsibility, to develop and co-ordinate party policy, to determine strategy and tactics and to ensure group discipline.
- Group leadership, comprising an individual leader and usually a committee of group executive officers, is elected by the members of the group.
- Pre-council and pre-committee party group meetings are convened to enable party group members to agree on policy and plan their debating and voting tactics. Cameron (2001:99) also states that ,"There have been attempts to measure decentralisation in the past…Indices which have been used include the degree of *local government autonomy in the selection of local staff*, *the ability of local government to access national government and influence national local government policy*, *the range of local government functions, the degree to which local political parties can make decisions independently of their national structures and the degree to which local governments can raise their own sources of revenue independently of higher tiers of government*.

Millett, Olowu and Cameron (2006: 9-13) and Crook and Manor in World Bank working paper, (2000:17, 23) have argued that there is a broad consensus today in the development literature concerning the importance for developmental and good governance outcomes for the achievement of poverty alleviation. The World Bank (2004) also perceives decentralization as a tool for local governance and poverty reduction. They argue for decentralization support because delivery of crucial services associated with development objectives' attainment is not possible without effective local institutions through deepened decentralized governance. They also argue that powerlessness of the poor citizens can be overcome through trusted local governance organs which are less threatening and less oppressive to them as the poor, other than the central governance. Decentralization

entrenches commitment to democracy, local political training, effective governance and democratic conflict resolutions. It promotes local governance within the organs of central governance that lacks the capacity to do so and promotes citizenry accountability, governance and poverty reduction. Nonetheless, it is confronted with the lack of sustained consent of national elites to devolve authority, resources and accountability arrangements, scarce capital/cash, scarce capacity, potentiality for conflicts, local elite capture and corruption and internal and external coordination problems, political patron-clientelism and mismanagement.

More of the limitations especially with municipality often include lack of sufficient legal framework requirements and guidelines and advisory services including allocation of powers and functions and time-bound projects, unclear demarcation and conflicts over municipal's boundaries and district management or chiefs' areas. Municipalities also suffer from capacity problems, controversial use of service providers and consultants in terms of real need, appropriateness and transparent tendering procedures, corruption and lack of proper maintenance of financial accounts, lack of baseline information for planning purposes, many paper projects not existing on the ground, not targeting of poverty alleviation or sustainable development and urbanization problems, lack of capacity and initiative to attract investors and plan for economic growth and address HIV/AIDS and various factors constraining participation of the poor (Also see Cameron, 2006:6-7 and Olowu, 2000:162).

4.3.1 Measuring the Efficiency and Effectiveness of Decentralization Management in Lesotho: The Political-Developmental Impacts and Some Constraints

Has Lesotho's LG adopted and managed some of the critical and main factors of decentralization's success efficiently and effectively for development deliver? In order to measure and assess the degree to which LG in Lesotho succeeded in developmental-service delivery, the above integral question forms the subject matter for analysis through the relevant framework discussed (table 4.1) below in the subsections of this above section.

Table 4.1: Illustrative Criteria for Decentralization Efficiency Indicators

EFFICIENCY INDICATORS		
Decentralization management process at central government	LGUs' policy planning and execution capacity	Efficient fiscal and administrative devolution
• demonstration of commitment and supportive leadership. • clear promulgation of legal framework for jurisdiction. • devices for LGUs' monies and procedural monitoring	• competent personnel availability • management procedures for coordination • technological instruments for policy execution	• capital/resources provision for LGUs • income raising • cost-effectiveness
PARTICIPATION INDICATORS		
Consciousness/sensitization or preparedness for participatory local democracy	Answerability/accountability and responsiveness of LGUs	LGU's technical capacities
• emancipation of civic culture and local political leadership	• information access and transparency • representation and elections	• financial/resources transfer procedure • some jurisdiction

Source: Adapted and modified from Olowu, 2000 and 2002.

The process of managing decentralization at the central government level needs to attain criteria and efficiency indicators including really sound management of political relationships. Real decentralization needs to be about power devolution, constituting the main essential feature of any successful decentralization in terms of political relationships. Such devolution normally includes power redistribution with potential conflicts generated but requiring real demonstration of commitment and supportive leadership by the central government. The central has to efficiently execute the responsibility of clear promulgation of legal-regulatory-framework for jurisdiction solid demarcation and formulate and apply procedural mechanisms for financial and technical monitoring of LGUs as illustrated above. The procedural mechanisms in financially and technically monitoring the LGUs ought to prevent corruption and other unlawful behaviour in the LGUs. The central government has to overseer this still maintaining

responsibility for overall macroeconomic stability (Agrawal, 2000, Nagel, 2000 and Olowu, 2000, 2002).

4.3.1.1 Demonstration of Commitment and Leadership as Criteria for LG's Success

On the basis of the above illustrative 4.1 table, serious political commitment and supportive leadership in the decentralization process are displayed when the decentralization policy is treated as the government priority. If viewed as a simply a single-sector policy then it may not be regarded earnestly enough by senior officials expected to implement it. Support for decentralization need not be limited to only one line ministry; rather, all other concerned ministries need to express and actually lead and support its implementation. Its strategy for implementation has to be in conformity with the national development objectives and other policies if poverty is to be reduced (Ibid).

4.3.1.2 Establishment of a Clear Regulatory Framework by the Central Government for LG's Success

Again with reference to the above criteria on demonstrative table, the establishment of a clear regulatory framework is primary to the smooth functioning of the newly introduced political and administrative structures by LG. The national government remains to be the only one with authority and capacity to formulate and put into effect such a legal framework with regulations clear and comprehensible to the stakeholders. Decentralization policy development needs to consider the demand for envisaged changes and concerns of the needy groups. Establishment of the regulatory framework through laws and decrees has to be complete so that citizens, politicians and officials can fulfil functions expected of them. This goes with the challenge of transition process as restructuring spends long periods needing timely preparation and information for policy implementers. Tentative/provisional regulations are required to solve transition/reforms period problems (Agrawal, 2000, Cameron, 2000, Nagel, 2000 and Olowu, 2000, 2002 and 2003).

4.3.3.3 Devices for Monitoring LGUs' Monies and Procedures for LG's Success

The above table (4.1) indicates that the central government needs to possess the capacity to formulate firm monitoring and controlling mechanisms for the local budgets concerning reasonable funds utilization still with un-interfered LGUs' legally provided political autonomy. This embraces establishment of accounting procedures and standards, regulations promoting transparency on tendering, preventive systems against use of funds for non-eligible reasons and corruption, legalization of LGUs' activities and sanctioning procedures against illegal practices. In order to maintain continued liquidity and functional capacity by LGUs and the macroeconomic stability the central tier needs to overseer the economic soundness of the LGU's budgets and borrowing (Ibid).

4.3.4 LGUs' Policy Planning and Execution Capacity for LG's Success

It is critical as affirmed by the criteria above that for effective decentralization policy outcomes through LGUs', owned capacity to execute the preferred policies and accomplishment of the allocated developmental responsibilities to reduce poverty constitute innate characters of such LGUs[6]. Such capacity[7] primarily originates from the availability of competent and reliable government workers. Stable institutions and management systems to ensure proper horizontal and vertical coordination with other administrative units are also needed. It is also necessary to have efficient cooperation of different government tiers to guarantee technical competence in the realization of

[6] Observably in the African context, there is a perception that decentralization implies a hollowing out or a reduction in the role of the state, especially the central state since the policy embraces privatization for efficiency. Decentralization can only work if there is a strong state in place. It is a realignment of state departments, structures and priorities; not a reduction in the role of the state. This helps to explain why decentralization has been so much more successful in developed states with greater state capacity. In states without proper capacity, decentralization often results in a passing of the buck whereby different levels of the state simply blame each other for not doing things. There is a fragmentation of authority, not a realignment of authority structures within a coherently planned state framework.

[7] Competent bureaucrats remain needed even after decentralization with privatization, for regulation to curb externalities, income inequity/poverty and monopoly, remove political obstacles and create enabling environment for LG. That is play the transitory role in running and regulating production towards divestiture for efficiency which is profitability, productivity and savings. They need to devise and implement strategies for decentralization, build strong institutions underpinning well operating market economy and the legal system, property rights, capital markets and regulatory institutions. This is the capacity that has made the developed world more successful in LG but its lack in Africa constitutes constraints to LG's efficiency and effectiveness. Such capacity is a prerequisite to LG's success and need to encompass developed capital markets, appropriate legal and judicial framework, reduction of low per capita income and conducive regulatory structures (Ramamurti Ravi, 1999, George Yarrow, 1999 and Ademola Ariyo et al, 1999).

intricate local development projects. Furthermore, the prevalence of sufficient expenditure management and accounting system tends to be paramount for transparent planning and professional execution of local policies. For low income countries like Lesotho, the availability of a minimum technical infrastructure also constitutes efficiency in decentralization management (Oates, 1998, Tanzi, 2000:242 and Olowu, 2000).

4.3.4.1 Competent Personnel Availability for LG's Success

Political-developmental-service delivery fundamentally requires the availability of reliable and competent staff in the administration if decentralization is to be effective. As such decentralization needs to possess incentives to attract and retain well qualified workers. This criterion emphasizes competitive remuneration schemes and career opportunities. The staff need to be deployed according to their qualifications. Good incentives motivate good staff performance and thus political-developmental delivery through decentralization policy. Personnel management needs to be professional and maintain the existence of reliable compilations of numbers and qualifications of the workers. The total number of employees needs to be adequate so that allocated functions can be accomplished (Ibid).

4.3.4.2 Management Procedures for Coordination to Effect LG's Success

As another indicator for efficiency in policy planning and implementation capacity by LGUs there is a need for the existence of management systems for horizontal and vertical coordination. Firm institutions were indicated as critical for efficiency in the public sector. Lesotho's decentralization involves an organizational reforming process restructuring institutions and their roles. Institutional stability may therefore not be looked for in the short-term outcome of the policy strategies. Furthermore, institutions and their relations need to be crafted and managed rationally to avoid endangering the working capacity of the administration. Vertical and horizontal coordination mechanisms should be in place to enable sound interaction and cooperation between the institutions. The criteria of efficiency include the exchange of information between the administrative units and the adequacy of the expenditure management and the accounting procedures for

planning and budgeting of LGUs' tasks (Agrawal, 2000, Cameron, 2000, Nagel, 2000 and Olowu, 2000, 2002 and 2003).

4.3.4.3 Technological Instruments for Policy Execution or Successful LG

As part of the basic indicators for efficiency in policy planning and implementation capacity, technical equipment for decentralization policy implementation needs to be in place. This includes availability of basic transport, communication and office infrastructure, which is often lacking in poor countries like Lesotho, stifling political-developmental delivery at the smallest administrative units of local level. Minimum office equipment and access to telecommunication infrastructure enable efficient administering of a local community (Oates, 1998, Tanzi, 2000:242, Olowu, 2000 and Wolf, 2000).

4.3.4.4 Efficient Fiscal and Administrative Devolution for LG's Success

One more critical factor for the efficient administration of decentralization towards successful development-delivery includes pragmatic fiscal decentralization and maintained devolved administrative efficiency. Decentralization strategy needs to attain an appropriate level of fiscal decentralization. The central government has to play an important role here because it has a superior control over public resources. LGUs need to be supplied with resources in conformity with the functions transferred to them. Local autonomy in expenditure decisions in allocation of funds for locally consumed goods and services by LGUs is necessary if there is to be efficiency in decentralization. LGUs can do this better than the distant central or higher tier centralized government. It is important to note that non-rhetoric fiscal autonomy is robust if LGUs depend on own revenues instead of government grants (Oates, 1998).

4.3.4.5 Capital/resources Provision for LGUs to Effect LG's Success in Developmental-Service Delivery

It is also an important indicator for decentralization success as illustrated on table 4.1 above for the central government to effectively play the role of the provision of resources to LGUs. This has to be adequately and fairly done in a transparent system of

intergovernmental transfers considering regional differences in demand for services. The distributed capital resources need to cover the expenditure needed to implement the assigned functions but also give room for the LGUs to allocate funds according to their own local political-developmental priorities (Ibid).

4.3.4.6 Income Raising/Generation for LG's Efficiency

LGUs need to be legally empowered to generate revenue for themselves. This can strengthen the fiscal autonomy particularly if the intergovernmental transfer system is complemented with an incentive structure to mobilize own resources. Reference is made here to the opportunities to generate revenues granted by the legal framework and to the prevalence of revenue sources in the LG jurisdiction (Oates, 1998, Tanzi, 2000:242, Olowu, 2000, and Wolf, 2000).

4.3.4.7 Cost-effectiveness or Production Efficiency

Political-developmental-delivery is also efficient when it involves optimal-maximum utility of input resources. That is efficient service delivery requires a minimum of resource pooling. For example administrative overhead costs of LGUs need to be in correspondence with the scope of delivered developmental services (Ibid).

4.4 Citizen Participation/Participation Indicators for LG's Success

4.4.1 Preparedness for Participatory Local Democracy

According to Oates (1998) and Wolf (2000), decentralization to be effective requires the use of participatory-development approaches. The targeted needy people need to know the constitutional framework and understand how institutions are functioning and what opportunities for participation are granted. Promotion of a civic culture conducive to constructive participatory decision making remains essential. The instruments that can be used to influence policy making must be known. This is important where decentralization involves system changes, low levels of experience with the concept of participatory development and rights for citizens. Functioning of local political institutions needs to be

above all those people who are involved in local politics directly. That is attention needs to be given to the formation of local political elites to promote representative citizen participation.

One more aspect is the promotion of a civic culture, referring to high levels of participatory experience in self-organized community owned development projects for the assumption of an overall responsibility for local affairs and effective local development-delivery. This encompasses the legacy of local political bodies and all forms of independently organized associations formed to attain common socio-economic objectives to reduce local members' poverty. Civic culture may be considered as fundamental for political capacities of the people. Decentralization policy involving reforming of political institutions needs to be complemented by substantial efforts on civic education aimed at creating openness and supportive attitudes towards participative local democracy. Most importantly if decentralization policies are meant for development-delivery as is the case in Lesotho, particular efforts should target the poorest of the poor, that is the vulnerable, disabled needy groups. Targeting needs to aim at empowering them to possess capacities to express their political-developmental priorities.

Furthermore the existence of empowered local politicians representing all the sectors of local communities emancipates the functioning of local democracy. Elected councillors and representatives of local civil society need to have the motivation and the means to control their local executive. That is there is need for extensive trainings for local politicians and other key stakeholders like the civic society.

4.5 Answerability/accountability and Responsiveness of LGUs

Among other indicators useful for measuring the success of decentralization are the accountability and responsiveness of LG institutions directly to the local people. Broad participation in local decision making and development constitute locally owned community driven development. Decentralization has to establish institutional mechanisms for considering citizens' concerns in political decision making, in the policy

formulation and implementing bureaucracy and in monitoring and evaluating such policies. Administrative institutions and political bodies have to be transparent for the public and to provide access to all information necessary for constructive and informed participation from outside the politico-administrative system. Trust in the political system can resultantly grow. Corruption can also be prevented. Holders of public offices also need to be accountable to the public. If there is no such accountability mechanisms allowing for the exercise of pressure on public institutions there would be no incentive for them to respond seriously to the needs of the local communities (Wolf, 2000:35).

Answerability and responsiveness to local communities by the LGUs encompass transparency and access to information by the communities. Citizens need to be in the light about budgets, planning documents and minutes of council meetings for them to form their opinion in their local affairs and be able to make informed decisions. Such information need to be easily accessible. Council meetings with their agenda ought to be announced publicly, citizens should be allowed to participate as guests. Local media need to be useful in distributing such information. Public hearings on huge projects generating much public interest and the properly representative electoral models need to be adopted if decentralization is to be inclusive. Among the good personalities of the elect, there should be availability of information and procedures from them (Ibid).

Accountability and responsiveness are also fostered by the proper conducting of elections and sufficient representation of the local population. Accountability mechanisms between the electorate, local politicians, the local administration and their political leadership need to be capable of giving reasonable account of how the community is administered. The major mechanism for rewarding or sanctioning politicians is holding an election that offers alternatives for political leadership. The citizens should be able to influence local politics through the local elections including direct participation like referendums and legal petitioning. Accountability of civil servants can also be attained by the management introducing performance oriented remuneration and trainings on facilitation of community participation workshops (Oates, 1998 and Wolf, 2000).

4.6 Competences of Local Governments

Participation and self-administration need not be limited to just consultation and discussion. Defined powers and resources must be transferred to the authority of legitimate political bodies fully accountable for the exercise of their powers and their budgets. The issue for assessment in the framework of this analysis is the procedure of how functions are decentralized. The implementation strongly depends on the clarity of the definitions and on the rules for handling the remaining functional overlaps (Oates, 1998, Tanzi, 2000:242, Olowu, 2000, and Wolf, 2000).

A carefully staged transfer of competences to LGUs that leaves time to gain experience is the appropriate option. The capacities of the local governments must not be overextended. LGUs need a predictable and realistic schedule and guidance when overtaking these functions and powers. LGUs also need to posses jurisdiction in choices and decisions. They need to competently allocate resources for local development. This is then referred to having some substance of powers. Size and design of community boundaries, constituencies and electoral divisions play an important role. Local identities, settlement structures, boundaries of previous traditional politico-administrative units and geographic barriers have to be considered (Fuhr, 2000:43).

4.7 Summary

We may conclude that there are qualitative and quantitative measurements to DGD, which all as indicators of decentralization have limitations. Principles and values of DGD, objective and logical framework analysis have been discussed in this chapter as forms of current measurement of DGD for development. Some indicators are of greater value while others are of limited value. Those of greater value are those that help DGD to plan, monitor and assess its relevance, performance, management, impact on and social inclusiveness of the poverty stricken vulnerable rural and urban groups in order to achieve sustainable development, local democratic participation and economic growth. Indicators used in the measurement of decentralization need not be an end in themselves but need to be useful outcome based indicators. The chapter started by providing

preconditions for the successful implementation of decentralization, risks and challenges that decentralization need to overcome for development delivery and discussed the various methods for measuring the degree to which decentralization is efficiently and effectively adopted interlacing the challenges to be controlled.

CHAPTER FIVE: LESOTHO'S EXPERIENCE IN DECENTRALIZATION

5.0 General Introduction

This chapter has two main objectives. The first one is to consider the nature of the Basotho people and their political economy. The second is to provide a background overview of the history of LG in Lesotho. Together, these serve as a bridge between the theoretical overview of LG in the preceding chapters and the case study of LG in Lesotho that follows. That is, the purpose of this chapter is to debate Lesotho's experience with decentralization and the concerned challenges which the study argues that if they are not well addressed, they do impede a proficient execution of this policy and counteract development delivery. This synthesizes some theoretical issues from part one with an analysis of decentralization in Lesotho. It thus serves as a critical analysis of peculiar institutional constraints to decentralization in Lesotho.

Though the real major adoption of decentralization can be marked by the 1997 Local Governance Act of 1997, this chapter suggests that Lesotho has had 'glimpses of decentralization' since the pre-colonial era, although the evolution of these was always hampered by socio-political-economic institutional constraints. It also argues that such obstacles if not sufficiently addressed impede the efficient and effective adoption of decentralization for development delivery as is now the case in Lesotho, further revealed in the following chapters (6, 7 and 8).

The chapter's debate is done, firstly, through the discussion of Lesotho's poverty status. Secondly, the history of governance with limited decentralization traits before and during the colonial epoch, in Lesotho is discussed. Thirdly, the chapter debates the history of decentralization/Local Governance in Lesotho: Post-independence era/1966-2008. This also entails the historical nature of Lesotho's LG, its legacies and traditions**.** Besides determining the progress of decentralization, thus giving its critical analytic evolution and success/limitations, LGUs' development delivery, will also still be used to examine the possible or non-possible positive developmental impact of such decentralization.

Fourthly, the challenges and implications of urban governance as some form of local governance in Lesotho are debated. Lastly, the challenges and implications of participation in Lesotho's LG are unearthed.

Since the post-independence era, successive governments of Lesotho (GoL) have been trying to alleviate poverty through the launching of the decentralization/LG/Decentralized Governance for Development (DGD) targeting the urban and the rural poor-mainly the subsistence farmers. Most of the Lesotho population (80%) is still rural and is characterized by widespread poverty. The quality of life for poor subsistence farmers in the rural areas still remains unchanged, despite such GoL's efforts of DGD. Only 14% of the farmers are still commercial as ever before LGUs. In fact such agricultural production has declined from 14% to 7% of the country's GDP. The deficit in grain food production since 1960s till today has usually been above 60% with unchanging 50% of the population below the poverty line (GoL Reports, 2009). This is also confirmed by Table 5.1 indicating that even after the 1997 LG Act and 2005 LG elections, Lesotho's development delivery indicators including among others life-expectancy, accessibility to health services, safe water and sanitation remained either unchanging and/or worsened.

Table 5.1: Lesotho's development indices, prior 1997 LG Act and after

Years of UNDP Reports on Lesotho's development indices	Life-expectancy at birth (years)	Human Devel-opment Index	% of Population with access to health services	% of Population with access to safe water	% of Population with access to sanitation	Adult literacy rate (%)	Real GDP per capita
1990 Report	57 (1987)	0.580	80 % (1985-87)	36% (1985-87)	15% (1985-87)	73% (1985)	1,590 (1987)
1991 Report	57.3 (1990)	0.432	80%	48%	14%	73%	1,390
1992 Report	57.3 (1990)	0.423	80%	48%	21% (1988	NR	1,646 (1989)
1993 Report	57.3 (1990)	0.423	80% (1987-1989)	48% (1988-1989)	21% (1988-1989)	NR	1,646 (1989)
1997 Report	57.9 (1994)	0.457 (1994)	80 (1990 - 1996)	56(1990 -1996)	28 (1990 - 1996)	70.5 (1994)	1.109
1998 Report							
1999 Report	56 (1997)	0.582 (1997)	80 (1981-1992	62 (1990-1997)	38 (1990-1997)	82.3 (1997)	1,860
2000 Report	55.2 (1998)	0.569 (1998)	80 (1981-1993)	62 (1990-1998)	38 (1990-1998)	82.4 (1998)	1,626 (1998)
2001 Report	47.9 (1999)	0.541 (1999)		91 (1999)	92 (1999)	82.9 (1999)	1,854 (1999)
2002 Report	45.7 (2000)	0.535 (2000)		91 (2000)	92 (2000)	83.4 (2000)	2,031 (2000)
2003 Report	38.6 (2001)		80-94 (1999)	78 (2000) (sustainability)	49 (2000)	83.9 (2001)	2,420 (2001)
2004 Report	36.3 (2002)	0.493 (2002)	80-94 (1999)	78 (2000)	49 (2000)	81.4 (2002)	2,420 (2002)
2005 Report	36.3 (2003)	0.497 (2003)	80-94 (1999	76 (2002)	37 (2002)	81.4 (2003)	2,561 (2003)
2006 Report	35.2 (2004)	0.494 (2004)		79 (2004)	37 (2004)	82.2 (2004)	2,619 (2004)
2007-08 Report	42.6 (2005)	0.549 (2005)		79 (2005)	37 (2005)	82.2 (2005)	3,335 (2005)

Source: Human Development Reports, 1990s to 2008.

The rural poor are still subsistence seasonal farmers. Their 35% constitute male migrant labour force mainly in the mines of the RSA, generally earning low salaries. They might thus be dubbed 'proletariat-peasants', taking into account their lifestyle and characteristics. These characteristics indeed include their wage-earning from the RSA mining industry, seasonal household farming, the lowly, subordinate and marginalizing relationship they have been experiencing through the selling prices of their produce by the produce price determining state. At the same time, heavily subsidized food imports pushed food prices further down creating free market volatility with dumped 'cheap'(subsidized) food imports stifling their transformation to sustainable commercial growth locally or nationally as they could not earn enough profits. Their local produce experiences unfair competition from the subsidized food imports and too low prices set by the state to benefit other (higher) social groupings in this society, particularly the urban dwellers. The term proletarian-peasantry is therefore used in a descriptive manner

to portray that the rural people are caught up between peasant and proletarian lifestyles[8] (Murray, 2001).

Lack of effective and efficient decentralization country-wide is one of the main factors that has condoned the rural poor to play a subordinate role as proletariat-peasants in Lesotho and thus perpetuate poverty. The ineffective and inefficient implementation of decentralization is further confirmed by field findings in chapter 6 illustrating the hampering conflictual role and power struggle between chieftainship and the newly launched LGUs. Field findings in Chapter 7 and 8 through the recentralized or non-devolved decision making power/policy making, resources and administration as well as in-existing indicators of efficient and effective decentralization execution in Lesotho also magnify a poorly implemented LG that condones non-development delivery.

Murray (2001) and Legassick (1984) observe that the migrant labour system that was introduced by the discovery of the mining industry and secondary industry in RSA (Boer Republics) effected rural proletarianization in the neighbouring countries to RSA. That is *"a population separated from direct access to the means of production and subsistence,...'A population of greater extent than suffices for the average needs of the self-expansion of capital'. Much of this proletariat existed, whether as wage-labourers or labour tenants, immobilised on the farms where it worked, although it was supplemented seasonally by labour migrating from areas still in the communal possession of African communities, coming to earn money to buy guns, pay taxes, e.t.c. As a subordinate tendency, both in areas of communal possession and in areas under rentier landlords, a proletarian-peasantry was also emerging* (Legassick, 1984:144, 145)."

There is indeed proletariat-peasantry in Lesotho forming (80%) most part of the poor population. Peasant is normally a term referring to a small farmer mainly engaged in crops production. Proletariat-peasants may generally be regarded as households deriving their livelihoods mainly from wage-earning and agriculture, utilizing mainly family

[8]. It is interesting to realize that Ashton (1952:176-7) on whom Murray (Families Divided, 2001:16) heavily relied on in his writing, still continues to call Basotho men who are migrant labourers as 'proletariat-peasants' as well. He does so because it still remains indeed, a real feature even today, that a male Mosotho migrant worker is a seasonal farmer.

labour in farm production having some partial engagement in input and output imperfect markets. They are often characterized as a society in transition half-way between primitive and industrial society. They form part of larger societies but still retain distinct cultural identities. They are often associated with a low socio-economic status in a social system to which they are a part. They practice some dual economy, they simultaneously engage in both consumption and production, they are a household constituting a family and an enterprise at the same time. They obtain their livelihood predominantly from the land through its cultivation and raising livestock. They may sometimes also have or hire the landless or some resourceless seasonal or permanent labourers (often rewarded in kind/harvest-part just for survival) from within their community though most of the family labour is the one provided in own small farming. It is disheartening to realize that proletarian-peasantry is into being when the cultivator gets subjected/subordinated to the demands and sanctions of the ruling elite external of such proletariat-peasants' local social stratum. They are rural producers whose surplus is transferred to a social group with more economic and political power. They are therefore an exploited social group also characterized by inner social differentiation and exploitation. A sense of transition refers to a historical transition from relatively dispersed, isolated and self-sufficient communities towards fully integrated market economies. This transition indicates gradual continuous change and adaptation in traditional and subsistence survival methods but not completely remaining traditional and subsistence and not wholly being commercially transformed a producer (small-scale household farm production) (Ashton, 1942, Legassick, 1984 and Murray, 2001).

5.0.1 Problematic Dynamic Historical Developmental-Economic-Poverty Situation of Lesotho

Lesotho was ruled for 63 years as a protectorate under colonial policy by the British High Commission. The country gained its political independence in 1966 from the British colonial rule. All in all Lesotho has experienced almost a century of colonialism. The Dutch settlers alienated land (now known as the Free State province of RSA) from the Basotho from the 1830s to the 1860s. King Moshoeshoe the 1st founded the Basotho nation through forged alliances and peace treaties among the southern Sotho speaking

people of various tribes. He also absorbed many remnants (Ngunis) of the Mfecane wars (series of wars with widespread famine) in 1820s. Moshoeshoe the 1st has been described as a diplomat and a negotiator for his kingdom building. He negotiated with the British colonialists to remain a British Protectorate through the Evangelical Missionaries (the Paris Evangelical Missionary Society, Roman Catholic Missionaries) he had adopted. Missionaries were good collaborators with the British colonialists. The southern Sotho people spread from the south of the Drakensburg Mountains through the Caledon and Orange River south valleys. However, the known political boundaries were reduced inwardly squeezing Basotho/Basutuland to what is now known as Lesotho. Much of the annexed portion is now known as the Free State province in RSA. This annexation of land from Basotho is considered as one main factor to their poverty justifying LG (Kimble, 1978).

Trekboers and Vootrekkers descended on the area occupied by the Southern Sotho people around the Caledon and Orange rivers and expropriated their land in the 1830s. The Basotho had to be constricted to the mountainous, foothills and little lowlands left for them. Missionaries exposed the Basotho to new ways and inputs for farming. This resulted in a self-sufficient nation in food production for a moment, which is 1870s to early 1900s. However, RSA imposed tariffs on Lesotho cereals and livestock exports. This curbed the economic boom of Lesotho and caused a pure dependent migrant labour system on RSA. Maloka (2004:7) argues that 'the turning of Lesotho into a 'native labour reserve' was not the initial objective of the colonial rule, but the result of the failure of the Cape government's attempts in implementing its direct rule policies including disarming Basotho and opening Quthing (in the south) to white settlement'. Changes in climate have also been blamed for perpetual low yields and continuous national food (cereals) deficit of 40% per year, disabling proletariat-peasants from being self-sufficient anymore. One other factor blamed for low yields is the communal land tenure system whereby land cannot serve as collateral (See Leduka, 2000, Murray, 2001, Pule and Thabane, 2002, Harris, 1993, Mafeje in Kwesi Prah, 1981:102, Kimble, 1978 and Bundy, 1979).

The European settlement among the Basotho was little but traders usually followed hard wherever missionaries went. This started an early economic incorporation and trade links in 1850s. The best land expropriated by the Trekboers and Voortrekkers, Lesotho's annexation by Cape Colony in 1850s together with taxation legislation transformed Lesotho into a labour reserve for the mining industry in RSA. Men (50%) had to go and work in the mines for cash to pay tax and had the best portion of their land alienated. One other pressing need that forced migrant labour system was that Basotho chiefs wanted Basotho men to also access cash from the mines for buying guns to fend off further land alienation and annexation. Guns' collection through cash from the mines enabled Basotho nation to mount a war of resistance to Cape Colonial rule in 1880-81 (War of Guns). However, in the interest of controlling impeding Dutch settlers to the British expansion and dominion, British colonialists managed to annex Lesotho (Basutoland), Botswana (Bechuanaland) in 1884 and Swaziland in 1903 as protectorates. The Basotho then continued to be migrant labourers and seasonal producers and traders in wheat, sorghum, maize, wool and mohair for the Free State farmers and its mining industry. This kept Basotho as both a peasant and migrant labour society (See Pule and Thabane, 2002, Harris, 1993 and Kimble, 1978). However, the aspect of Basotho as a migrant labour society is now dwindling as only 35% of the country's labour force is still migrant but continues to decline per year due to the decline of the RSA goldmines, advanced labour displacing technology, aspirations of profit maximization through privatization of mining industries devaluing and downsizing labour.

The old notion that Lesotho is entirely a 'labour reserve' to RSA's mines, nonetheless, now requires cautious revisiting. "Employment on the South African mines, for so long a reliable source of jobs for many Basotho, began to shrink (table 5.1) as many marginal and erstwhile successful mines all battled to adjust to the failing price of gold (Pule in 'Essays on Aspects of the Political Economy of Lesotho 1500-2000': 245-246)." The declining GDP (remittances) and GNP in response to the reported continuous retrenchments on table 5.2 affirm such shrinking of mining jobs.

Table 5.2: Miners' Shrinking Remittances and National Product

(GDP and GNP in millions of Maloti/Rands)

Year	GDP	GNP	Miners' remittances/ GDP	Miners' remittances/ GNP
1989	1300	2348	0.63	0.35
1990	1564	2805	0.61	0.34
1991	1800	3099	0.58	0.34
1992	2131	3506	0.52	0.31
1993	2476	4167	0.46	0.27

Source: IMF, 1994.

May it also be noted that it is not every male Mosotho and it has never been every male Mosotho that became a migrant labourer, especially if figures of such male migrant labour system never exceeded 50%. It is important to also really consider that currently only around 30%-35% of the male labour force of Lesotho may be said to be still migrant labour while 70% of the rural households still hold more or less an acre of arable land (GoL's Economic Review Report, 2006, Ketso, 1995 and GoL's/MAFS Reports, 1995). Most of this very percentage (35%) survives by short contracts in RSA mines, not exceeding six months so as to cut on various labour costs from long services and labour benefits and retrench continuously. This is labour devaluation. Severe retrenchments caused by gold depreciation in the world market resulting in many jobs cuts by the RSA mines and advanced technology displacing labour have now left Lesotho currently classified as a service economy country by the World Development Reports of the United Nations (1999, 2000-2006) on the basis of the highest contribution in yearly percentages of such service economy to the GDP and GNP of the country in the dwindling migrant labour system. The other actual incidental trend is once more the rise of the establishment of the various Agricultural Marketing Corporations/AMCs for the Basotho retrenched mineworkers in RSA.

In so far as the political economy of the migrant labour is concerned in Southern Africa, particularly for Lesotho, Murray (1981) and the other scholars having relied on the accuracy of the old colonial and apartheid era documents are in the modern day, after apartheid limitedly accurate due to so many socio-political-economic changes. There is still the failure of peasant self-sufficiency in Lesotho due to land shortage, inequity and lack of access to capital probably which DLG could offer if effectively adopted. Whether

indeed Lesotho is still an entire labour reserve to RSA, Pule and Thabane (2002) in 'Essays on Aspects of the Political Economy of Lesotho 1500-2000', provide us with a changing perception of the phasing out of old migrant labour system for the mining industry but now 'brain drain' of the professional manpower and increasing rural unemployment due to RSA's mines retrenchments.

The ultimate analytical end is that the poor rural proletarian-peasantry still remains poor in Lesotho. This rural poverty is characterized by some social differentiation due to income and assets (arable land and livestock) inequalities from scarce contractual-employment opportunities in the urban areas and dwindling RSA's mining industry employment sector. Rural proletarian-peasantry population in Lesotho is mainly led by traditional authorities, at the lowest community level including the Headman who reports to the Chief/Chieftainess with a larger area of jurisdiction and number of Headmen under him/her, also reporting to the Principal Chief with many chiefs under him/her. Principal Chiefs report to the King the Head of the State who is without executive powers but reigns through the legislative ruling powers of the democratically elected Parliament, Senate and the government. While more than 55% of the rural population is below poverty line with 80% unemployment rate, chiefs who receive monthly gazette allowance, Principal Chiefs and ruling politicians are far above the poverty line enjoying obviously daily luxurious life from the luxurious properties they posses. Elected councillors working hand in hand with the chefs and headmen on development issues are still below poverty line from their monthly government paid salaries/allowances and their poorly serviced communities by LG.

The response of the government of Lesotho (GoL) and the proletariat-peasants ever since 1993, in the clear light of dwindling migrant labour system and end of apartheid, has been mainly the launching of LG for local resources mobilization and management to attain locally prioritized development goals. This effort has also been complemented by an enhancement of the Cooperative Act and massive campaigns on encouraging proletariat-peasants to establish Agricultural Marketing Cooperatives/AMCs and participate in LG. GoL's extension service was also transformed and retrained so that it

could provide extension services on how to establish and manage AMCs. Radio programmes on LG and on concepts of ('temo-mmoho')/'Joint Community Irrigation Schemes', 'Joint Commercial Farming', 'Joint Cash Cropping Schemes', 'Joint Livestock Farming' and 'Intensive Production' all through AMCs were resuscitated within the political atmosphere of LG. This has resulted into a new wave of millions of dollars of funds by United Nations Development Programme/UNDP, Food Agricultural Organization/FAO, World Health Organization/WHO, NGOs, GTZ/German International Development Agency, World Bank, African Development Bank, various European bilateral assistance and GoL on the institutionalization of decentralization, newly established AMCs and revived ones for poverty alleviation despite their former failures. AMCs are trusted for serving as vehicles of socio-economic development and environmental conservation while decentralization is expected to empower locals in taking such own initiatives and attain community driven development. In the advent of rife rural poverty with decentralization not really delivering for example in range management and long procedures of launching AMCs for income generation and range management/pastures improvement, proletariat-peasants neighbouring the political boundary between Lesotho and RSA have continuously forcefully drove their livestock for grazing in the nearby RSA's farms. Some RSA's farmers have given in by controlling this through granting of temporary/periodic grazing permissions because the influx was not easy to control as it mostly took place in the night times. Some proletariat-peasants raided and robbed livestock in massive numbers from the nearby RSA's farms. This resulted into armed skirmishes between RSA's farming communities and Basotho farming communities separated by the boundary of these two countries. Here again peasant resistance for their long time ago alienated land by the Dutch/settlers is seen (Scott, 1985 and GoL, Reports, 2000).

Since the year 2000, the GDP and GNP of the country indicate economic growth rate of hardly more than 3%. These are just aggregated monetary economic growth indicators that do not reflect worse income inequality, 80% unemployment rate and real poverty within the rural and urban sectors. The population living below the poverty line is more than 49% and with the advent of the HIV/AIDS pandemic this is expected to increase in

terms of vulnerable groups including orphans, widows and widowers and the inactive or disabled labour force. This will increase the household dependency ratio and the absolute rural and urban poor, which mostly consists of the elderly poor.

The GDP composition by sector is 14% from agriculture (this is the lowest sector yet it involves most of the poor proletariat-peasants), 42% from the textile industry entirely owned by foreign hands thus stifling any multiplier effect for local development. Services constitute 44%. Inflation has been ranging between 5% and 8%. Besides these nominal increases of GDP and GNP, the country has been receiving economic aid and servicing debt from year to year, usually in hundreds of millions of US dollars. Introduction of LG expected to reverse and improve these conditions is arguably improperly or inefficiently done (GoL, Economic Report, 2001).

Gold depreciation in the world market and its depletion as a resource and technology advancement displacing human labour have resulted in severe retrenchments in the mining industry. This has also resulted in migrant labour devaluation through short-term contracts. This promotes job insecurity in the foreign labour market. Migrant labour exploitation, short-term contracts and retrenchments in the mining industry deprive workers an opportunity of assets/capital accumulation. This worsens the national poverty of Lesotho of which LG is expected to counter but without conspicuous results (GoL Economic Report, 2001).

A gamble against the unfavourable climate has 86% of the resident population engaged in subsistence agriculture, based in the rural areas. As a result there is usually a national food deficit of over 40% for several decades compelling the country to depend on food imports and food aid. Household food insecurity is prevalent, exacerbated by unemployment rate of around 45% nationally and 80% in the rural sector. The Southern African Development Community (SADC) Executive Secretary, Prega Ramsamy (21st May, 2002, Lesotho News Agency) once stated that Lesotho is in a very serious state of poverty because around 50% of people out of a population of 2 million people are

affected by a shortage of food. Corruption in the use of national resources also continues to worsen and cement this poverty situation. LG would be expected to curb this situation.

The country's economy is dependent upon the limited market of tinned food (low value asparagus, export cash crop), beverages, textiles, handicrafts, construction, tourism, and wool and mohair. The country has only two national parks bordering on the Drakensberg Mountains, for eco-tourism. This country's economy is also dependent upon (trade-blocs) national regional trade areas. For example, it is a member of the Southern African Development Community/SADC. The country's economic integration is prominent through Southern African Customs Union (SACU) meant to facilitate trade free from tariffs between Lesotho and South Africa, Namibia, Botswana and Swaziland. Lesotho, Swaziland, Namibia and South Africa also form a common currency and exchange control area known as the Rand Monetary Area that uses the South African 'Rand' as the common currency thus making the Rand more robust and convertible, promoting South African market. Lesotho limitedly exports textiles to North America and Asia under the terms (quotas, tariffs, sole use of inputs from country trading with-USA for example) set by her export partners as developed countries and not necessarily on World Trade Organization's terms. This makes her textile exports to be very cheap at the expense of her labour exploitation as more than 90% of the involved industries belong to these developed countries. Imports include food, building materials, vehicles, machinery, medicines and petroleum products. Imports-partners include South African Customs Union providing 90% of such imports and Asia with 7% and 3% from elsewhere. Lesotho always has a trade deficit because her exports are always far less than imports, that is more of her money goes out than coming in, indicating lack of economic ownership and control or least development (GoL, Economic Review Reports, 2001-2002).

Various services like electricity, health, education, roads, and telecommunications and so on are (urban-biased development) mostly in urban areas but skewedly and scantily provided. The country has nearly 6,000 kilometres of unpaved and modern all-weather roads. There is a short rail line (freight) linking Lesotho with South Africa that is totally

owned and operated by South Africa. Most of the electricity is imported from RSA. The greatest part of Lesotho's population has no access to potable piped water, especially in the rural sector, though water is Lesotho's only significant natural resource. While the local rural majority is deprived of this water, the water is being exploited through the 30-year, multi-billion dollar Lesotho Highlands Water Project (LHWP), which was initiated in 1986. The LHWP is designed to capture, store, and transfer water from the Orange River system and send it to South Africa's Free State and the greater Johannesburg area where there is a concentration of South African industry, population and agriculture. At the completion of the project, Lesotho is expected to be almost self-sufficient in the production of electricity and may also gain income from the sale of electricity to South Africa. The World Bank, African Development Bank, European Investment Bank and other bilateral donors are financing this project. There is still a need for diversified sources of power and revenue (GoL Reports, 2000).

All land in Lesotho is held by the king in trust for the Basotho nation and is apportioned on his behalf by local chiefs together with elected village development committees/councils. Only 9% of Lesotho's land is arable. Maize, sorghum, beans, peas and wheat are cultivated and much of the workforce is engaged in subsistence farming. Many staples, however, must be imported from South Africa, the country's main trading partner. Agricultural production has been reduced by soil exhaustion, erosion and recurring drought. Sheep are bred for wool, cattle as draughts animals and some (Angora) goats are raised for mohair. Wool and mohair prices have been going down in the international market due to the massive adoption of synthetic products. This has increased rural poverty. Livestock production is constrained by poorly maintained pastureland and armed livestock robbery, which escalate poverty. These indicators of poverty are also highly observable amongst the proletariat-peasants in Lesotho (GoL Reports, 2000).

LG is not wholly good in responding to the needs of citizens, in particular the urban and the rural poor. Every government has policies that it uses as its guidelines on how to serve its country but basically the government has to see to it that incomes are equally

distributed. Nonetheless, there are cases where the fruits of development go to a small group of people while masses live in poverty. On economic grounds it is a well established fact that a skewed distribution of income distorts the pattern of consumption towards luxury goods which necessarily have to be imported, against the basic necessities/goods which could be manufactured locally. In effect the country undercuts its chances for development. If the money used for luxury items would be spared on the urban and rural poor through relevant projects establishment, the poor would at least be able to benefit over such incomes. Recently the government of Lesotho purchased imported fleets of extremely luxurious vehicles using millions of money in both local and US dollar currency which were peculiarly auctioned only to most senior government officials and ministers at the rate of 1% real value of these vehicles that were only a year old in use. The rich desire to utilize the income or tax money as they wish, having protected themselves with legal clauses, is the main reason for the poor to have their needs not addressed. This is reflected by practices like this and severe under funding of LG and Maseru City Council/MCC which also lacks specific urban poverty reductive projects. The urban and rural poor are legally powerless and lack entitlements.

One of the potent factors causing more inequality has been government's policy with respect to agricultural prices disparity in relation to urban wages. Many of the urban poor sell agricultural produce in the informal sector but the problem is that agricultural prices are often kept much below their world prices while urban wages are continually pushed up. Tariffs and licensing fees the poor have to pay for informal trade networks are too high and down press them to cyclic urban poverty, there are too many market entry and operating and intermediary costs they have to pay and therefore remain incapacitated as lowest or non-income earners. As a result, the urban poor including mainly small agricultural produce retailers and farmers as a group fall considerably far behind wage earners and other groups generally. As far as the Lesotho economy is concerned there is some evidence to believe that farmer's terms of trade have fallen, that is agricultural prices remain unfairly too low, worst of it all lacking any subsidy. The urban poor that sustain their lives on crop products they get from the rural or the other local surrounding the urban suffer heavy losses. This is because these crops they buy and sell to the urban

people make meagre income that can sustain them for no reasonable time as non-agricultural commodities are too expensive. The too low agricultural prices problem is further complicated by heavily subsidized agricultural imports from the RSA. On grounds of economies of scale and (hidden) subsidies imports are often of too low prices thus stifling local efforts of profit making and thereby ultimately perpetuate urban and rural poverty by the short-lived unsustainable desired food security. This creates a private sector that condones impoverishment of the poor who wherever they may be employed earn below minimum living wages. This is extreme income inequality.

One of the most powerful sources of restraint to the poor in utilizing economic opportunities is the government of Lesotho itself. Local authorities/LGUs apply regulations inappropriately or strictly for their unfair gain through the 'under the table costs' like in licensing, hygiene and other required standards the poor cannot afford to maintain. This is further complicated by over policing well intended, again, for bribes collection from various small income generating activities in which the urban poor are mostly involved. The 'legal' constraints on the income earning activities of the poor amount to abuse of power rested in government officials. Licenses for the street vendors are seldom obtained without bribes being paid to the relevant officials. Similarly the exploitation in illegal and risky activities such as prostitution, alcohol making and selling and trading in certain goods, also child labour, offers opportunities for powerful government employees to abuse the system and the poor, even where the state policies are designed to help the poor as no one is there to enforce them.

The urban poor in Lesotho are those people who do not have access to quite a number of basic services. Actually, there are a number of indicators that can be used to measure the extent to which the poor urban and rural inhabitants experience poverty. These all focus on hunger, poor health, no education, improper shelter and too low income from inequity worsened by joblessness. The urban poor in this country are actually found in squalid places characterized by unsanitary conditions, lack of or contaminated water and improper disposal of domestic and body waste. The rural poor are penniless, experiencing 80% of unemployment rate and are but similarly the worst hit.

Lesotho has had since independence an experience of various development projects' and co-operatives' assistance. There is little evidence of sustainable progress from such interventions not excluding LG. This disappointing incidence is among others worsened by declining development assistance, environmental problems, general constraints to development for change and lack of gender-aware planning. Environmental degradation is mainly due to change in land use patterns. Factors to the change include encroachment of rangelands by cultivation escalated by high population density, loss of arable land through expanding settlements, urbanization aggravated by sprawling character of towns and villages and soil erosion. This degradation is also caused by partial collapse of traditional and ecologically sound seasonal grazing patterns put in danger by increased stock theft, transhumance discouragement, too many new settlements disabling herds' mobility and confusion about authority concerning land use. Burning of pastures by the herd boys and ineffective methods of cultivation that is just cultivating for fear of loss of traditional right of use of arable land also worsen degradation. Soil loss, widespread shrub encroachment reducing wool and mohair production and toxic weeds characterize this degradation. There is still a problem of destructive agricultural practices, combined effect of extensive grazing and marginal agriculture.

General constraints to developmental local governance/DLG are the attitude, political and financial constraints. Attitudinal problems calling for transformational and sustainable development include a lost sense of responsibility of a community for its own development destiny and disintegration of government (GoL) mainstream support services for development project services. Negative attitudes to change are also caused by a lack of commitment by beneficiaries to the project objectives, the handing out of development assistance unconditionally and unwillingness of the government ministries to intervene appropriately when development process is in jeopardy. Sufficient political devolution including administrative and financial and human resources and capacity are still lacking. If all these conditions could be met, probably poverty alleviation could be obtainable, but there is no real political commitment on the part of the central government as the next chapters confirm by this study's data collected and analyzed.

Political structures have been fragmented at national and local levels. This led to confusion and impeded progress of coordination towards achieving community development goals. Decentralization, LG and community-based development have become more urgent to remedy this situation. Respective roles of traditional leadership versus Village Development Committees (VDCs) and/or local government institutions are not yet well understood if not well defined. This creates tensions, conflicts and struggles for power disabling development initiatives. This includes farmers' associations and NGOs' in land and range administration and management. Farmers associations/co-operatives and NGOs are not yet transformed into inputs and outputs producers for effective price instability tackling either for inputs or products and as such consumer-welfare is non-existent. On the part of financial constraints, land and livestock holders are not motivated by commercial opportunities. They act like people not conversant with the ideas of production costs and profit. This financial management attitude in livestock and crops production is premised on cultural attitudes. The effectiveness of farmers associations is constrained by lack of proper maintenance of financial accounting and integrity (GoL Reports, 2000-2008).

Though it has now become the official stand of GoL that development designs need to accommodate the private sector in the pursuit of overcoming mismanagement, many development agencies have not yet significantly integrated this element. Insufficiently addressed gender and herd boys development issues and relations partly contribute to this stagnant position. The outlook of development initiatives has so far not visibly considered gender and herd boys in development planning. Livestock production is still a male dominated sector. The gender division of labour allows women to be in-charge of home-based animals or intensive livestock (mostly poultry). Men are responsible for extensive grazing livestock. In the event of increased male mineworkers' retrenchment, women's de-facto household headship is diminishing, meaning their diminishing user-rights as well. Development projects and co-operatives still function within unreformed discriminatory practices and regulations, group lending is not yet massively done, gender-aware planning is still lacking among development officials and institutions.

Skills impartation programmes and co-operatives are not gender sensitive and female and herd boys' participation not only in implementation but in policy formulation and decision making levels is not yet effectively practiced (GoL, 2000, Seers et al, 1980).

5.2.0 The History of Governance in Lesotho: Decentralization Experience

5.2.1 Lesotho's DGD in the colonial era

The effort by Lesotho to adopt measures of increasing democracy in government by giving power to the people through local governments known as local authorities (LAs) can basically be categorized into the colonial (before 1966 when Lesotho gained her political independence from Britain, i.e. in the years of 1800 when Britain colonized many countries), the post-independence (after 1966), the integrated development (early 1970s to early 1980s) and the military rule (1986-1992) era as forms of organizational developments and then the current or new (1993-2008) organizational measures.

Previous attempts at decentralization can include the establishment of the Basutoland Council for the 1930s, the establishment of District Councils in 1943, the establishment of the District Secretariat with different Development Councils and Committees at district and village/community levels in the 1970s and early 1980s, then the establishment of the Maseru Municipal Council in 1989. These forms of DGD had own institutional constraints disabling them to effectively bring about development. The British colonial regime started breaking down the existing indigenous governmental institutions and introduced direct rule. Lesotho was divided into four districts, Leribe, Berea, Thaba-Bosiu and Cornerspruit. There was a resident assistant Magistrate responsible to the governor of the Cape Colony. The magistrate was maintaining law and order, civil and criminal jurisdiction, land administration and taxes collection and headed each of the four districts. The Basotho traditional 'Khotla'/court (community consultative council made up of the hereditary chief and with his appointed advisory elderly men's council, this was the main local governance system of the pre-colonial era) system was not totally abolished but had been scrapped and remained with limited powers and specific various functions relevant to the then time. The scrapped Khotla system was

placed to enhance local government administration. In 1884, Lesotho became a (British) High Commissioner Territory and Khotla system was replaced by the type of administration known as the 'indirect rule'. This colonial administration was concerned with tax collection and maintenance of law and order. Indigenous local government administrations were revived. Public meetings became the main way of local participation. This tended to centralize the chieftaincy and weakened its responsiveness through public meetings (lipitso). When public meetings lost quick responsiveness and lessened popular participation the first National Council through long negotiations was established in 1903. It became a statutory body in 1910 intended to discuss domestic affairs of Basutoland. It comprised of 100 members, ninety four (94) appointed by the member the Paramount Chief and the Resident Commissioner another five (Wallis, 1999 and Mofuoa, 2005).

This local government was criticized and Alan Pim's Commission of Enquiry was set to constitute the found weaknesses in 1930s. Thus the Proclamations of 1938 were passed aiming at the provision of an integral place in the machinery of administration for indigenous institutions which had previously derived their authority from the custom. Resultantly chiefs were gazetted by the colonial administration for recognition. The gazetted recognized chiefs received statutory powers and law and order maintenance function. The general welfare and agricultural practices also formed their function. The Paramount chief had powers to issue rules to maintain peace, good order and welfare as also approved by the High Commissioner. In this way, since 1938, the legitimacy of chieftaincy became no longer derived from the traditional political structure but from being gazetted. It then became a statutory institution needing selection of chiefs to be gazetted though ungazetted chiefs continued to function. The power base of chieftaincy drastically became curtailed as a statutory body with powers on judicial and administrative issues only. In 1944, the Treasury was established and further cut their power as they could no longer collect fees and fines from court proceedings but all had to be paid to the Treasury. The Pim's commission had done nothing to improve popular participation except to reduce powers of chieftaincy and establish the unrepresentative Basutoland Council as its membership was largely based on chieftainship. This

intensified the commoners' struggle for increased participation in the government. As thus in 1943 the District Councils were established with chiefs as ex-officio members including other nominees at the public meeting (Pitso). Chiefs served as advisory personnel and electoral forums for the Basutoland National Council. Since these councils were unrepresentative they lost their importance and peoples' interest and support. Then in 1959 Proclamation No. 52 was passed revising the District Councils into corporate bodies. They became directly elected institutions but responsible for a very small range of functions. People continued to demand increased participation in the government. In 1960 the Basutoland National council was replaced by the reconstituted Basutoland Council. They had little difference in terms of functions though. They were still unrepresentative and lacked jurisdiction as they had no power conferred upon them to perform governmental functions (Mapetla and Rembe, 1989, Wallis 1999 and Mofuoa, 2005).

5.2.2 The History of Decentralization/Local Governance in Lesotho: Post-independence era/1966-2008

The evolution of local governance in Africa is said to have followed two colonial phases and four post-independence ones. These included, respectively, the indirect rule, that is colonial authorities ruling through traditional institutions in the Anglophone Africa. Colonial district commissioners supervised traditional leadership. The Francophone African areas experienced assimilation and direct rule which later changed to the same Anglophone indirect rule in 1918. The discretionary trends then followed as a phase when colonial authorities introduced controlled democratized native councils. The colonial purpose was to create locally efficient and democratic governments. Some countries overtook the process and gained owned political independence. These localities as a third phase but after political independence were replaced by field administrators who restored centralization and used resource less committees for local ruling. The central through field administrators penetrated the created localities. Then the 1970s centralized decentralization followed in pursuit of self-reliance and local participation but districts remained centralized in the hands of the civil servants who dominated decision making and resource allocation. The declined local participation then prompted a phase

of return to devolution track. This was in the late 1970s and early 1980s. Autonomous district councils were introduced but resources allocation continued to remain centre orientated. Then late in the 1980s with the collapse of the USSR, one party system corruption and failure in economic performance and service delivery revived decentralization with good governance and multi-party system (Mushi, 1992: 32-34 Mawhood 1993, and Olowu, 1995: 2-5).

After gaining political independence in 1966, Lesotho centralized governing. The District Councils that had been established in 1948 by the British colonial government were abolished in 1968. These councils were statutory bodies which functioned as avenues for popular participation, electoral colleges for representation to the National Council, an advisory body to the National Council in local affairs and as local authorities with powers to make by-laws, manage local finances and carry out various responsibilities related to agriculture, livestock, maintenance of bridle paths, and selected roads, fisheries, public order, health and regulation of trade (Wallis, 1984:66). District Councils were being blamed for complicating lines of communication between the central government and the districts. Kotze (1972:57) has stated that the councils 'disrupted a well established deconcentration system of administration to which most people were comfortably accustomed. The strong district Councils had become centres for political dissension and opposition.' The councils were largely dominated by the membership of Basotho Congress Party, the then opposition party to the then ruling Basotho National Party. This formed a competing political structure over loyalty and local resources with the central government though they lacked financial management.

The third Five Year Development Plan of 1980-85 immediately became a response of decentralization to intensifying problems of centralization that included failure of too many development projects without local participation in development and in the government. This development plan re-introduced the then lost decentralization for popular participation in local affairs and in government development programmes. This included the creation of the office of the District Co-ordinator in 1980 and the District Co-ordinators (Vesting Powers Act) 1984; the creation of the Thaba-Tseka (1980) as the

tenth district serving as the experimental model for decentralization. The Canadian International Development Agency (CIDA) and the government of Lesotho joined hands to decentralize this district through the ministry of agriculture. The District Co-ordinator was later given the responsibility of looking after this district. When CIDA phased out funding agricultural and infrastructural developments that were taking place came to a halt because many of the qualified personnel lacked an incentive to pursue such developments. This model could not be replicated anywhere in the country (Mapetla and Rembe, 1989).

So, the beginning of local government in Lesotho emerged in 1948 when under the then British Protectorate of Lesotho district councils were established. These councils had no legislative or revenue raising powers and did not control their own finances. They were merely consultative bodies with very little input into their district development. In 1959 with the issuing of the Local Government Proclamation No. 52 the district councils became of age with power to make decisions at district level, have local financial control and make bylaws. This situation carried on through the period when Lesotho gained independence in 1966. In 1969 the Local Government Repeal Act and the Local Administration Act were passed and an era of decentralization was born on paper. District councils were abolished on the grounds that they were politically unacceptable to the then ruling Basotho National Party that had fewer elected membership in them. It was then cited that there was a lack of financial management and control with a major part of the district finances being spent on salaries and wages and little being directed to the provision of services and capital development (Mapetla et al, 1983, GoL Reports, 1997 and Wallis, 1999).

There was also difficulty in the lines of communication between central and local government. The district councils were also deemed to pose an additional bureaucratic burden in the running of the government. They were replaced by a centralized system with the responsibility of district administration given to the Ministry of Interior, Chieftainship Affairs and Rural Development. The centralization period continued for over twenty years but an informal development of the emergence of Village Development

Committees (VDCs) by communities to coordinate their small local development activities was seen. This development was later formalized by the Development Councils Orders No. 18 of 1981 and No. 9 of 1986 providing for development committees at district, ward and village levels. VDCs supplement to the inundated chieftaincy that could not sufficiently address all the local social and development needs. As this initiative occurred at the local level, two major items of legislation were introduced at the centre; the Valuation and Rating Act of 1980 providing for a modern system of valuation and rating of property to raise revenue for the payment of public services. The other item was the Urban Government Act of 1983, providing for the establishment and regulation of urban local authorities. These Acts led to the establishment of Maseru City Council (MCC) in 1989. MCC has since had a chequered history with donor assistance at its inception and formative years but afterwards having to rely solely on self-generating revenue to fund its services. MCC has already received charges of mismanagement and non-provision of services. It has problems in staff appointments, lack assistance from the central government and bureaucratic structures in its operations. This has resulted in many of its financial weaknesses. In 1993 national elections resulted in the Basotho Congress Party winning all the parliament seats (First Past the Post). This government introduced the constitution including the provision of the establishment of the local government. Chapter VIII-section 106 of the constitution indicated that 'parliament shall establish such local authorities as it deems necessary to enable urban and rural communities to determine their affairs and to develop themselves. Such authorities shall perform such functions as may be conferred by an Act of parliament. Any enactment providing for the establishment of a local authority and in force immediately before the coming into operation of this constitution shall continue subject to repeal/modification by parliament (Mapetla et al, 1983, GoL Reports, 1997 and Wallis, 1999).

The Ministry of Local Government (MLG) was then created in 1994 by dividing the functions of the Ministry of Interior, Chieftainship and Rural Development between the Ministries of Home Affairs and Local Government. The Departments of District Development; Rural Development and Land Surveys and Physical Planning passed to the new Local Government Ministry. The department of chieftainship affairs remained with

the Ministry of Home Affairs until September 1997 when transferred to the portfolio of the MLG. This decentralization move by the Basotho Congress Party/BCP government caused an ideological conflict between itself as the ruling government and the chieftaincy structures. The Basotho National Party/BNP, pro-chieftaincy party held protesting demonstrations at the palace and demanded that the then King dissolve the parliament to later call the elections. The King did dissolve the parliament on the basis of the 'constitutional loophole' that was not well written which said the King could prorogue or dissolve the parliament and then after a semi-colon, stipulating the consultative procedures and conditions, which was deliberately ignored. Severe political massive protests and SADC non-military intervention served to reinstate the BCP elected government. The dissolution was on grounds that the King had powers to do so but the real expressed political campaigns by the BNP were to salvage chieftaincy which seemed to lose too much power and control under the Development Councils Order of 1991 with subsequent amendments of an Order of 1992 promulgated by the Military regime that had toppled the BNP dictatorship of since 1970 and then reinforced and formalized by the Act of 1994 legalizing elected Development Councils as local authorities. The other 'cry foul' campaign was that BCP had manipulated the electoral system to win the elections. At least this political complaint has never yet been proven real. The formalized development councils were structured as follows: District Development Councils (DDCs) consisted of 21 members per council with the following functions; -promote socio-economic development at the district levels, -formulate and implement development projects in the district, - ensure that district projects are in compliance with the national development plan, - monitor the implementation of development projects, - raise funds for implementing development projects, - utilize economically all the district resources for the betterment of the people in the district,- Consult through its secretary, with appropriate Government Ministries on matters relating to development and planning, - coordinate the activities of Ward District Councils (WDCs). The WDCs consisted of thirteen members per council with the following functions; collate development proposals from VDCs for scrutiny and submission for consideration by the DDC and, -monitor the implementation of development projects at the village level. VDCs consisting of 8 members per council had the following functions; plan, formulate, implement and

maintain development activities and social services, - represent and guide the local community in its efforts to identify village development needs, -raise funds for local development, - stimulate local participation in development activities and inform government on local development priorities. A conflict with the chiefs at the time of the establishment and the election of the DCs, delaying and non-cooperation tactics were used so that many DCs could not take place or function. Chiefs formed the mouth of the government for public gatherings to effect elections of such bodies. Chiefs never cooperated. Then the BCP government continued to the effort of introducing local governance through a July 1996 white paper under three sections, the nature and structure of local government, human resource development, staffing and institutional development and the financing of local government. Consultations on the white paper were made and the new Local Government Act was approved by the Parliament in April 1997 and gained royal assent in June 1997. The new Act made provision for the establishment of local government in the form of Community Councils, Rural Councils, Urban Councils and the Municipal Councils to be discussed in detail here later (Mapetla et al 1983, GoL Reports, 1997 and Wallis, 1999)

According to Malcolm (1999), Lesotho has had some experience of local government. District Councils were once introduced during the colonial rule that took effect from 1868 by the British treating Lesotho as a protectorate. These councils were abolished by the new government due to political and administrative differences. That is because councils largely consisted of the then opposing political party elected membership, BCP and were seen as a blockade to centralized influence of the different ruling party, BNP. During the 1980s donor driven limited efforts, to reintroduce local government, were made. This resulted into one council known as Maseru City Council, in the capital city, Maseru. A limited form of deconcentration by district administrators and district coordinators who represented interests of the ruling government in the districts was also seen around the 1980s. Ministries provided services through these officials on ad hoc basis. Chiefs continued to play essential functions of local ruling in the communities. This could not promote local democracy. Basically the country experienced dictatorship civilian rule by the Basotho National Party usurping power from 1970 until being toppled

by the 1986 military rule that was replaced by democratic general elections of 1993. The Basutoland Congress Party won all the parliament seats and was very eager to initiate the process of local government and reintroduce councils in which it used to command majority membership. Inadequate management capacity delayed the introduction of the local government. Traditional chiefs in the senate resisted the introduction of this Decentralization Act as they perceived it to be a tool meant to take the ruling power away from the traditional chiefs into the democratically elected councillors.

Malcolm (1999:91-112) further indicates and clarifies that, as of 1997, there existed only one local authority in Lesotho, the Maseru City Council/MCC. The country was covered by a network of development councils which only served as consultative bodies. Lesotho's local governance may be traced back to 1943 when a national consultative body called Basutoland Council (BC) sought increased popular participation by establishing district councils that were to elect two representatives to the BC per district. The councils were formed and made into statutory bodies in 1948. They were enhanced by the 1959 proclamation that dealt with their powers to make bylaws, finance, organization and proceedings. The principal chief and ward chiefs in a district served as ex-officio members while other members to the council were elected. Their membership ranged between 15 and 28 according to the district size. Councils had power over agriculture and livestock, bridle paths and minor roads maintenance, fisheries, public health, public order, and regulation of trade, commerce and industry (Kotze, 1968).

Some perceptions insist that the nine district councils were an unnecessary expense, complicated administration and hence be abolished. They could be needed in future not at the time. BCP also controlled these councils and as such the new incoming (1965) BNP realizing this basis for intense central-local conflict decided to abolish the councils in 1968. This was a strategic move to undermine BCP in the next 1970 elections which BNP lost but hijacked central governance by not conceding after destroying local governance. The coup enjoyed the paramilitary support. Then the BNP created the office of the District Coordinator in the districts, responsible for coordinating the various departments and ministries at district level in 1980. The appointed civil servants as district

coordinators were BNP representatives. District coordinators were to pursue governments' policies and explain them, develop and maintain cooperation between the departments and ministries, inform government of the wishes and efforts of local people, liaise with the ministries and departments on planning, look after agricultural projects, attend to border problems as all the districts border the Republic of South Africa and maintain financial administration standards in the districts. This provided no room for democratic participation. The created village development committees (VDCs) in the communities only served as limited consultative bodies (Kotze, 1968).

It is important to note that Lesotho's decentralization efforts have to a certain extent been donor driven. The United Kingdom together with World Bank attached their funding to the creation of local government for the main urban area, Maseru. This resulted into the 1983 Urban Government Act, already indicated. The Netherlands aid agencies helped with research funding and decentralization planning. The aim was to give the minister of interior power to create local authorities structures for the capital city Maseru. Power to the minister included having to describe the number of councillors to be elected in each ward, set the method of election of councillors, determine which principal chiefs will be ex-officio members to the councils, divide municipalities into wards and vary their boundaries and determine a method by which councillors would choose one of their men to be the chairperson. The removal of the BNP from power by the military in 1986 meant that district coordinators would have to be replaced by the military partial rule. 'Military commissioners' took up the role of the district coordinators. The military was interested in keeping World Bank funding and therefore did not temper with the 1983 Urban Government Act of 1983 which resulted into the Maseru Municipal Council later known as the Maseru City Council/MCC. The municipal in Lesotho started in 1989. It was established through the Urban Government Act of 1983. It was a pilot project financed by the World Bank but the bank stopped financing the project because of corruption allegations in the project. From there the government of Lesotho took over. Now the municipal falls under the government under the ministry of local government. The municipal is financed and controlled by the central government, thus making it unaccountable to the urban poor. The military rule restricted the urban council to Maseru

urban area only. The council in its election for inception had a discouraging turn out of less than 10% voters. It encountered institutional and service delivery problems that ended up having municipality in Lesotho confined to Maseru city only, while other nine smaller urban areas/towns in the nine districts had urban councils introduced as local government structure in them but still continued to have town clerks and district secretaries now known as district administrators (DAs) for the purpose of representing the ministry of local government and the central government.

The problem is that DAs lack powers over line ministries in the district. District team meetings for coordination are held monthly for coordination and information exchange and planning and staff transport allocation purposes. Urban councils are for smaller urban areas/towns while the municipal is for larger urban areas currently being the Maseru Municipal. Community councils serve an average of 10,000 rural people while Rural Councils serve the whole population of a district except those in urban areas who are to be served by the Urban Councils. Efforts to enhance coordination and capacity in planning and delivery have also resulted in the creation of District Development Coordinating Committee (DDCCs) as 'mixed authority' composed of representatives from all the councils in a district. The Districts Planning Units (DPUs) have also been introduced. It is hoped that they will address lack of planning capacity in the district councils. They are to work with councils on development proposals, formulate development plans and submit them to the DDCCs (See Wallis, 1999). So, some other experiment by the Lesotho government in decentralization was the introduction of the Urban Government Act of 1983. The Act was generally aimed at making provision for establishing and regulating urban local authorities. This Act entrusts certain powers to the Minister of Interior. He/she was responsible for declaring any area to be of the municipal, to assign a name to and alter the name of a municipality defining the boundaries and declare that any area shall cease to be a municipality and how a municipal or urban council shall be constituted.

It may then be noted and clarified that Lesotho Local Governance has been steadily promoted for several decades and culminated in the establishment of district councils in

respect of the country's nine districts in 1959 (Quthing district still included the now newly separate district, Qacha's Nek). However, these councils were abolished after about eight years and their functions were taken over by various government departments and traditional chiefs under the political supervision of a local government appointee with cabinet status. The country was ruled by a council of ministers and a king as a nominal head of state (without executive powers). Parliament was suspended in January 1970 during the second general election held after attainment of complete independence in 1966. Although the constitution had also been suspended, the council of ministers ruled in the spirit of the old constitution. A number of "orders" replaced certain parts of the constitution, clarifying matters such as position of the king and chieftainship (Cross, 1971:20). Later on, various advisory bodies were established, which Wallis (1999) perceives as only consultative bodies. In each case the main objective was to obtain representative expression of public opinion and consultation between central government and local people. The second objective was to encourage public interest in the management of public affairs through the creation of opportunities to elect the representatives and to express public opinion in local public meetings.

It can then also be realized that, at independence in 1966, the District Councils had disagreements with the central government. The result was Government Notice No.8 of 1966 which suspended the Councils and new councillors were appointed. The Local Administration Act of 1969 was now more than a framework for further regulation providing the Minister of Interior with a basis to make provision for the execution of functions formerly performed by the District Councillors. In 1970s, District Administrative Secretary became the District Administrator and Assistant Ministers were appointed as District Government Agents. The districts now had political and administrative heads combined in one office. The politicians were supposed to supervise the execution of government policy and to facilitate communication between grass roots and the centres of policy formulation in Maseru city. It proved very difficult to fill the posts as incumbents tended not to live up to expectations of combined offices. As a result the post was quietly abolished in the 1970s and the District Administrator became the head of government in the districts. Throughout the 1970s and 1980s decentralization

received more attention. In 1977 the Institute of Development Management organized a national seminar on local administration and Local Government and in July 1980 a Government Workshop on Decentralization, held on the campus of the National University of Lesotho prepared proposals on decentralization for consideration by Cabinet. As a result of these continuing discussions, further changes took place. In 1980 the District Administrator was abolished and its functions were split into two other posts. Those functions directly concerned with the Ministry of the Interior were taken over by the newly created Local Administration Officer, whose post was part of the established Ministry of Interior and responsible for, among others, the administration of land and chieftainship affairs. The head of Government at district level was then the District Co-ordinator, part of the establishment of the Cabinet Office and responsible to the Senior Principal Secretary. When central government in 1986 was taken over by a Military government the Head of Government at district level became a Military officer. This was the case until early April 1993 when the civilian government came to power. The head of government at District level is now the District Secretary/Administrator.

Some local authors state that today there is decentralization of power from main governance to local level as good entry point for addressing wide range of social issues including poverty. There are 128 Community Councils, each serving an average of 10,000 households, since the April 2005 local authorities' elections (Sekatle, 2000, Shava, 2004, Shale, 2004 and Likoti and Shava, 2006). The new government (of 1993, BCP having won all the constituencies) lacking political opposition experienced leadership internal conflicts in the party's Executive Committee. There became incidents of sole individual's party running and decision making by some main leaders without party's consultative constitutional practices and procedures. This later led to the 1996 ruling party split through a 'parliament-cross-floor' of the ruling majority of seats in the Lesotho Parliament, resulting into an immediate new ruling party, the Lesotho Congress for Democracy (LCD) which later won all the 1997 general elections that were bitterly protested through violence and massive burning down of Maseru City and other smaller towns in 1998 by the opposing political parties' unruly membership. SADC forces from South Africa and Botswana had to intervene to restore peace and order. The LCD then

remained a ruling party that pursued putting in place a more democratic Local Administration which involves participation of local communities in the management of their affairs. The management of urban centres was thus structured along the Anglophonic lines which vested power for urban development control in the local urban authorities as mandated by Lesotho Local Government Act 1997. The Act empowers local urban authorities to control urban development and provide services which include solid waste management; opening and rehabilitation of roads; development control; primary education and public health.

Objectives of the Lesotho local government include; the provision of a democratic and accountable government, the provision of sustainable services and the promotion of social and economic development by giving priority to basic community, the promotion of the involvement of the community and organizations and individuals in local government issue, the enhancement of participation in national and community programmes, the combination of the municipality and urban boards which are to be combined to the rural and urban areas, thus creating a mechanism which will integrate the historically separate parts of economies.

5.2.2.1 Titles and Roles of Senior Councillors and Staff of Local Authorities in Lesotho

The titles and powers of key office holders in local authorities are prescribed in law. The titles of the chairman and most senior staff member of councils will be as follows:

Table 5.3: Council Type and Senior Staff Membership

Council Types	Most Senior Elected Representative i.e. chair of Council	Chief Executive of Council
Community Council/CC	CC Chairperson	CC Secretary (CCS)
Municipal Council/MCC	Mayor	Town Clerk
District Council/DC	DC Chairperson	DC Secretary (DCS)

Source: Field Interviews, May, 2010.

Local government is constituted by councillors, civil servants and statutory bodies such as tender board. However, according to section 4 of the local government Act of 1997 as amended in 2004; representatives of gazette chiefs shall be members of local authorities; therefore, chieftainship is part and parcel of local government system (Local government, 2005). Councillors are the pillars which support functionality of local government. Needy people are supposed to be able to raise their concerns and views during their meetings with the councillors held before the council meeting. This is representative participation because they are represented by the councillors in the decision-making body and practically remain outside decision making domain. The councillor notes everything raised by the society and during the meeting of the council, he/she presents such issues before the council. For instance, society may agree on addressing the issue of electricity or water. Then they will tell their councillors what they have agreed on as a community. The councillor will then talk about that issue during the council meeting. A councillor sets aside at least a day in a given period for meetings with the community (needy) in his/her electoral division. During this period, both parties share views about emerging issues. The needy are free to present before the councillor their different problems and in turn the councillor tries to solve their problems where necessary. This is because the councillor sees himself/herself as a leader who is in a position to solve problems. Councillor reports to the community the general decisions of the council and the actions it has taken to solve problems raised by those people who are needy in the electoral division. Then the needy are in a position to criticize the decisions taken if those decisions fail to address their problems.

5.2.3 The Historical Nature of Lesotho's LG: Legacies and Traditions

The newly introduced 1993 constitution promoted local self-administration and provides for the creation of local government structures stating that; parliament shall establish such local authorities as it deems necessary to enable urban and rural communities to determine their affairs and to develop themselves. Such authorities shall perform such functions as may be conferred by an Act of Parliament. Then in 1994, a Ministry of Local Government/MLG was established while legislation that introduced local government/LG was effected in 1997. The 1997 Local Government Act (LGA) still remains, with recent

amendments, the legislative premises for the new LGUs being the MCC, DCs and CCs replacing former councils (Constitution, Chapter VIII, Section 106 (1)).

The main pillars and the development strategy of the newly introduced decentralization included Cabinet approving programme for implementation of LG in Lesotho in February, 2004. Time frame was set with allocated funding for LG elections in 2004/05 government budget. The developmental objectives of decentralization include:

- to deepen and widen public access to the structures of government;
- to bring services closer to the people thereby improving service delivery;
- to promote people's participation in decision making, planning and implementation of development programmes giving electorate more control on the development process;
- to promote equitable development in all parts of the country through the distribution of human, institutional and infrastructural resources (Thomi, 2002 and GoL, 2004).

The central government perceives LG as a pivotal strategy towards implementing the Poverty Reduction Strategy/PRS and therefore the realization of the national vision. The introduced LG is expected to attain poverty reduction and obtain the following;

- provide for good governance, ownership and accountability in public policy matters;
- facilitate democratic control over the development planning process;
- move decision making, resource allocation and local level development planning into the hands of the people;
- provide for equitable distribution of human, institutional, infrastructural and financial resources across the country;
- enhance the effectiveness of developmental activities by creating opportunities for elimination or reduction of duplication in development efforts;
- facilitate sustainability by matching development decisions with local conditions;
- and facilitate greater speed and flexibility of decision making as a result of reduced central direction and control (Constitution, VIII, 106 (1) and GoL Reports, 2004:23).

As indicated on the diagram below, a clearer nature in terms of the structure of the current Lesotho's LG, it may be learned that on the basis of the size, a CC consists of

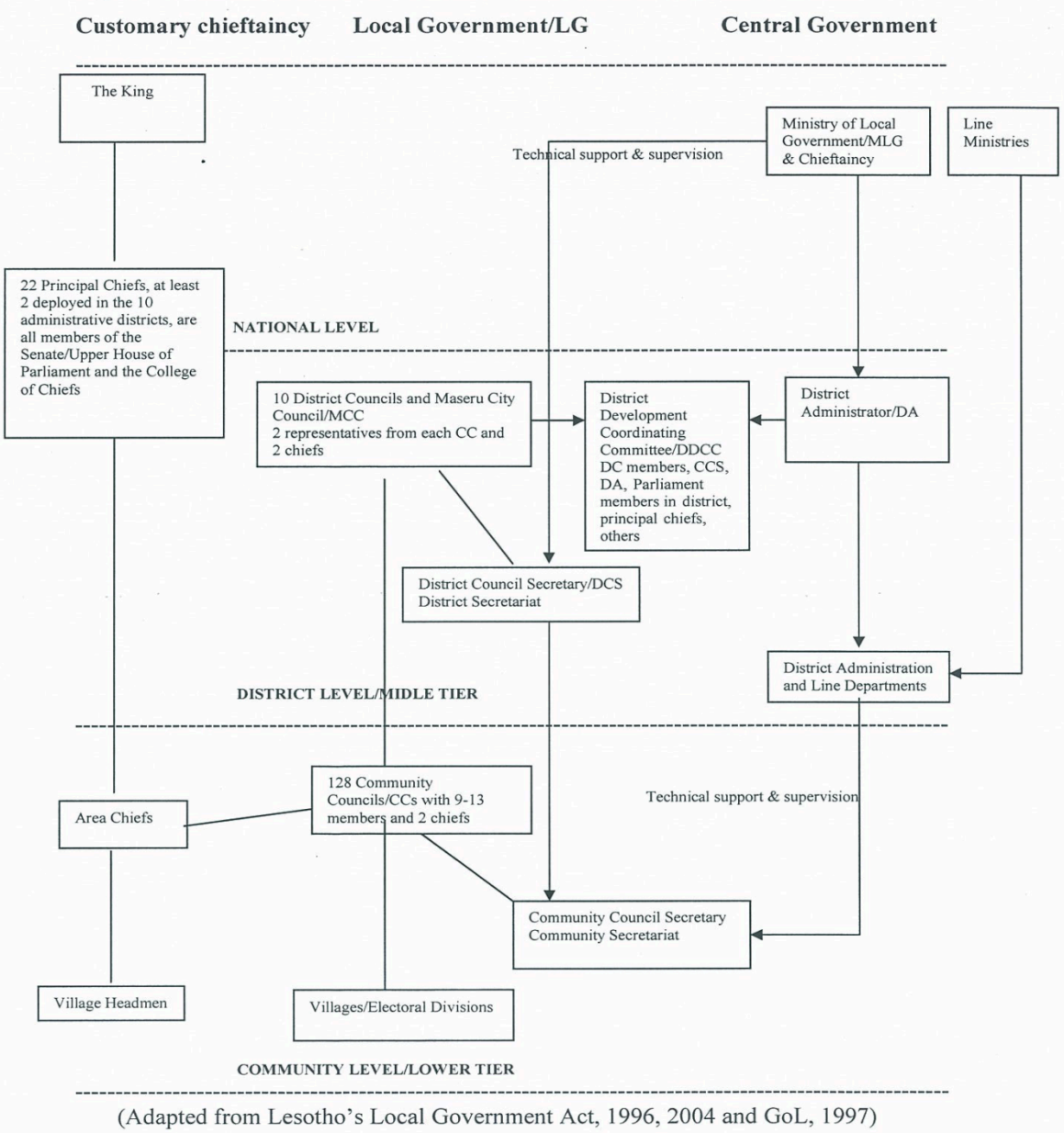
nine to thirteen councillors elected by popular vote and two chiefs elected by all gazetted chiefs of the community area. DCs consist of two representatives from each CC, normally a CC's chairperson and another member and two chiefs. The District Development Coordinating Committee/DDCC, is made up of the DC and representatives of a number of district governance stakeholder groups and institutions. It remains a district level advisory body that usually meets only once a year. Demarcated councils are 128 in all and then the MCC as already highlighted. There is no explanation as to why boundaries cut through urban areas like Butha-Buthe and Hlotse. Chief executive officer of the DC is the DC Secretary/DCS to overseer the CCs with a local administrator called CC Secretary/CCS while District Administrators/DA serve as the structure to "…represent the interests of the Central Government at district level… responsible for coordinating the duties and functions of all public officers in that district, other than those employed by local authorities (Local Government Act, 1996:410)." Let us here, for later analysis, hold for a moment the realization and observation that this structure for all intents and purposes, is preserved for solidifying centralization, again, in decentralization process from the above clear wording of the quotation and declared functional purpose. All whose implications have constituted a severe institutional constraint among other main ones against decentralization and/or poverty alleviation to be studied in here, at a later stage. The first local elections were held on April 30th, 2005 and were generally accepted as free and fair. Lesotho Congress for Democracy/LCD won 76% of the seats, different political opposition parties won only 5% of the seats as the rest was taken by independents. Reportedly, 53% of elected community councillors are women. The overall turnout was very low (30%). Council's boundaries in several cases cut through urban areas. They often do not correspond to national constituencies and principal chief areas (Constitution, Chapter VIII, Section 106 (1), GoL Reports, 1997 and 2005, Thomi, 2002 and Pfeiffer et al 2005).

Hierarchical relations of the Lesotho's LG on the diagram (5.1) below are such that at the higher tier, MLG, together with the other line ministries ought to be offering technical support and supervision to the District Secretariat and Community Secretariat at the district and community level respectively. This hierarchical structure puts the top level as

an overseer to the next lower level (top-down chain of command) (GoL, 1997:1-2, Thomi, 2002 and Pfeiffer et al 2005).

This structure (5.1), below, in itself reading through the powers of policy making in the LG Act (1996), hardly goes more than three sentences without referring to MLG's minister as the main policy formulating, rejecting and/or approving paramount political-chief in command. Clear aspects and at least observable and reported, of local policy designing, implementation, self-monitoring, evaluation and accounting to the electorate by the councils are still only a much desired political environment. This issue of devolution of powers by legislation, to be revisited later in this chapter, is so critical for the successful nature of decentralization towards poverty alleviation in any country (LG Act, 1996). The Lesotho's LG structure (5.1), below, informs that there are generally three vertical spheres of governance. The first is the customary chieftaincy hierarchical column, with the constitutional monarch as the head of the state, reigning through the loyalty of 22 principal chiefs ruling through area chiefs and grass root village headmen who administrate and rule in local political-developmental affairs together with the second middle vertical hierarchical sphere (LG), the district secretariat/DC at district level and CCs at community level. The third vertical hierarchical sphere is the central government consisting of the MLG now combined with chieftaincy working through the DA below and District Administration line departments and line ministries as released by the central sphere. The practical view point from the diagram 5.1 below, observations and conducted interviews with various councillors, this has added more on structural/institutional arrangement constraints to decentralization and poverty alleviation because the central is vacillating. Too many functions as well as resources and power are still centralized though the stated function on the above structure is technical support and supervision. Effort's duplication, confusion, re-centralization and decentralization stifling have been reported. This decentralization's nature is institutionally constrained and may

Figure 5.1 Lesotho's Local Governance Structure and its Internal Relations



(Adapted from Lesotho's Local Government Act, 1996, 2004 and GoL, 1997)

and control of resources and functions, also done by central government through political-elite domination (LCD's dominance, exclusive electoral model), the two often scrambling over power exposes Lesotho's decentralization to vulnerable impoverishing policy-reversals, particularly the incidental deconcentration/re-centralization (Ibid).

5.3.0 The Challenges and Implications of Urban Governance in Lesotho

One of the challenges facing Lesotho today is to cope with the adverse consequences of rapid urbanization, which include a deteriorating living environment and high unemployment. According to the Human Development Report (1992)of the United Nations Development Programme/UNDP, the rate of urban poverty is expanding at about 7%, particularly in urban slums and squatter settlements. Poor people living in these areas face social and economic exclusion, with limited access to basic social infrastructure and services. Little credit is provided for improved housing, thus further reducing their capacity for productive activities.

By the 1970s, towns in Lesotho were estimated to have over 40% of their population living in slums and squatter settlements. The situation seems to have shown little improvement during the 1980s. The failure on the part of Lesotho governments to address these problems is largely due to the challenge of: lack of resources; designs of infrastructure and services set at levels unaffordable to the urban poor; rapid urbanization exceeding capacities to implement city development plans/proposals; measures that have often not reached the urban poor; non-involvement of beneficiaries/communities in planning and implementing urbanization and absence of policies and flexible by-laws to deal with problems of urbanization such as squatter and informal settlements.

A clear challenge to Maseru City Council/MCC is that it lacks direct inclusion of the urban poor. Budget control is still centralized. The urban poor do not participate, neither in the inexistent urban poverty reductive projects nor in the decision making council meetings. The urban poor beside the electoral vote for the councillors cannot further vote to enforce implementation of their proposals or decisions and priorities addressing their poverty/needs. Urban management requires capacity to fulfil public responsibilities with

knowledge, skills, resources and procedures that draw on partnership. Decision making in MCC lacks partnership with the urban poor in any projects' management and implementation and council level.

The government finds itself under pressure of international policies and having to face a new phenomenon of good governance which by definition sounds simple but is practically extremely complex, largely new and potentially a source of high social tension. This is because the top-down kind of governance practiced in Lesotho and inherited from colonialism only sought after its own interests. This has resulted in quite a number of conflicts along political affiliations in Lesotho among citizens, government officials and political parties at large. Political parties used to fiercely strive for centralized political power where the winner of the general elections took all of such power, whether local or national as power was not decentralized (the first-past-the-post (FPTP) electoral model) though mixed member proportional electoral system at national level introduced after 1998 political unrest partly blamed for first-past-the-post weaknesses has provided relative political stability. The challenge is that Lesotho urban governance is still inclined towards first-past-the-post which excludes significant percentage of voters thereby consequently creating exclusion and instability. Urban council in Lesotho lacks cooperative action with the urban poor at planning, implementation, management and evaluation levels, either in the programmes or in the councils. This naturally creates social unrest as poverty needs remain unaddressed. Good urban governance must enable women and men to access the benefits of urban citizenship.

The principle of citizenship affirms that no man, woman or child can be denied access to the necessities of urban life, including adequate shelter, security, safe water, sanitation, a clean environment, health, education and nutrition, employment and public safety. Through good urban governance citizens are provided with the platform which allows them to use their talents fully, to improve their social and economic conditions. Citizens either as the poor urban youth or adults, with their various talents and skills still lack any platform to compete at least in international markets for better income. Urban council has not yet liberated and upgrade its urban poor/informal sector into international trade other

than stifling them with difficult prohibiting regulations. This is contrary to the view that good urban governance implies liberal, free market-orientated democracy, legitimate enlightened and competent leaders who are committed to drive the process of sustainable governance even against huge odds. These must be followed by the relevant structural, functional and behavioural changes that are needed including access to and the appropriate and strategic use of all available resources.

There is overcrowding in Maseru city and there is emergence of squatter settlements and pavement dwellers in streets, street vendors also increase each day. Urbanization rather seems to be characterized by increasing poverty. Maseru urban growth has been characterized by challenging problematic high rate and haphazard nature unleashing tremendous agglomeration of unplanned settlements. Most settlements have sprung up without proper planning and development control requirements. Consequently, these settlements are not recognized by the city authorities and have been described as 'illegal'. To this effect, the Municipal authorities have also tended to ignore them in the provision of the necessary services such as water, refuse collection, electricity and sewerage disposal.

The rate of urban growth in Lesotho as already mentioned is determined by natural population increase coupled with urbanization, which is the result of commercial, industrial and administrative development in the urban areas. There is a fairly direct link existing between the size of a city and housing conditions. The rate of urban growth in Lesotho has an effect of creating an imbalance – this is in terms of demand and supply of urban housing as well as between the income of families and housing costs. Although the imbalance in urban housings demand and supply has not been critical after independence with also less scale of squatters, the urban authority still has failed to keep up with the demand for urban housing. In his report on housing in Maseru, Metcalf (1981: 24) refers as follows to the relation between demand and supply of urban housing:

> "The Maseru housing market has been poorly served by the economics of demand and supply. There is a service shortage of decent, safe and sanitary shelter for low and middle-income families that cannot be alleviated in the near future."

When looking at the position regarding the relation between demand and supply in urban housing it is evident that it is in no way improving. There are still some very considerable problems in the housing sector, e.g. poor conditions, lack of physical planning and infrastructure, lack of finance for private house construction, land tenure problems e.t.c. The most central problem is the high cost of housing. The heavy cost of acquiring land impinges on municipal financial resources. It is not in every case that the municipal has extra or access amount for the people who need land or houses. In the case of Lesotho, such is particularly impossible since the country itself is in debts and crippled by corruption and embezzlement of public funds.

Although the current government does not recognize the informal economic activities in the city, the informal sector workers have organized themselves into civic associations and have secured licenses to operate within the city. These include inter alia: street vendors and hawkers. Urban governance is to a greater extent, encountering a big problem of confrontation between the city council and the legal as well as the 'illegal' vendors in and around the city centre. The Urban Council dominates the decision-making but the civic organizations also exert a substantial pressure through protests and use of the media in determining direction of urban development.

As Municipal has extended into areas that were formally agricultural settlements under the jurisdiction of traditional authorities (chiefs), it has become difficult for the municipal authorities to enforce laws and standards that regulate urban life. Town encroachment has resulted into conflicts between the Municipal land allocating department for urban settlements and the chiefs who with their swallowed up 'rural' community strive for retaining control over land. This usually happens in cases where land for urban settlements has been officially declared as part of Municipal's property for urban development and allocated without consent of the traditional leadership which later opposes by refusing the new urban settlers with among others graveyard sites and allow grazing of animals on their residential sites (The Ha-Matala case, June-July, 2005). Moreover, in Ha-Foso location, chiefs continued to haphazardly allocate for residential

purposes land earmarked for urban development regardless of several warnings by the Municipal land-allocating department. In this context urban governance in Lesotho lacks a sufficiently clear policy at least to the chiefs about their role in it, other than only being elected into urban councils.

Although urbanization has resulted in increased economic activity and competitiveness of the economy, it has also widened social inequalities. This has resulted into low income and vulnerable populations, which are now classified as the 'urban poor'. Poor urban governance and the political turmoil, which have fuelled further deprivation, have worsened the situation. The intensity of the problem is epitomized by slums, shanty housing with lack of proper sanitation and water facilities in urban centres.

These challenges defy the good theoretical view of both good governance and local governance which is regarded as a way of making the government more responsive to local needs and preferences. Improved local governance is critical for better service provision and greater responsiveness to urban poor people's priority problems, still naught concerning Lesotho's urban governance. According to Mabojunge (1991:24), good governance has the following characteristics, which unfortunately Lesotho urban governance is constrained by inherent limitations of the FPTP model, budgetary constraints and requisite inadequate administrative infrastructure being; participation, accountability, transparency, rule of law, strategic vision, consensus orientation, effectiveness and efficiency, responsiveness, equity and inclusiveness and corruption minimization. The challenge is that MCC lacks these aspects and there is incomplete or asymmetric information concerning municipal decisions and opportunities that could be available to the urban poor.

One other challenge it faces is globalization regarded as the intensification of free movement of services, capital, information and other factors of production like labour across national boundaries. Globalization has proved to be the major driving force in shaping urban development, while many effects have been positive it has been imposed unevenly thus exacerbating inequalities within and among cities. Due to globalization

urban management responsibilities have been shifted from the central to local governments which have become actors in urban decision-making. However, the majority of the poor people are often excluded in decision-making. For example, when the 'Mpilo road' was constructed there were many poor people who lived along the hill across which the road passed; their squatter settlements were destroyed without any alternative dwelling place given. Intensified international trade has brought about physical development that is socially exclusive and disruptive to networks of the urban poor. Government is also faced with a set of new challenges in alleviating poverty. There has to be creation of jobs for the majority of urban poor. Migration to Maseru urban leads to the majority of people seeking jobs but in vain and resort to criminal activities.

The government is also faced with a pressure on environmental issues which have become a global concern. The government of Lesotho has to implement policies for environmental protection and also sensitize the masses about the environmental issues. Air pollution from Thetsane and Station industrial areas, traffic congestion from inadequate roads, squalid places, non-maintained sewage spilling over on streets, noise pollution, inadequate mechanisms to cope with garbage and littering, insufficient sanitary facilities and so on have added more to Maseru city environmental problems.

While MCC to a large extent of around 30% of membership is women, the other major challenge relates to strategies intended to address the gender question of leadership. One commonly articulated strategy to increase women's participation in leadership roles is the allocation of quotas in the constitution of leadership bodies such as local councils, parliaments, development boards, civil society organizations and the business sector. In this respect, the United Nations Commission on the Status of Women (1990) recommended that at least 30 per cent of leadership roles should be occupied by women (UNDP, 1995). The argument behind this was that where representation on leadership bodies is not mandated, women have generally been poorly represented (Blair, 2000). Tickell and Peck (1996), nonetheless draw attention to the fact that women's representation is a qualitative as well as quantitative matter. The inclusion of women in local councils through quotas is only a starting point. The location, structural influence

as well as constraints to women's participation need to be taken into consideration (Tickell and Peck, 1996: Geisler, 1995).

The presence of women in public office of MCC does not guarantee that the interests of poor urban women will be represented. Political beliefs, ideology and class all intersect and sometimes compete with claims of gender, thus complicating the relationship between women in power and their presumed female constituency (see Beall, 1996). As argued by Geisler (1995:546) "…this raises questions about the efficacy of increasing the political representation of women as a way of increasing influence on policy formulation and about the nature of the representation of women's interests as such". This gives rise to what Geisler (1995) sees as a serious predicament as to whether women's interests are better served in independent lobby groups in civil society or in national political party structures. In the case of political party structures, Geisler (1995) argues that party divisions often outweigh gender divisions, in which case even when a 'critical mass' of women is achieved in decision-making bodies, it does not guarantee that they will speak in one voice on issues relating to women. Here allegiances to the party often prevail over the need to speak in one voice on women's issues. She very clearly notes that

> … the majority of women politicians … do not see themselves as representing women only, nor do they stress their gender unduly. They campaign on a party ticket and not a women's ticket. They contribute to the discussion of women's issues if and when that is appropriate (Geisler, 1995: 574).

More radical approaches to the gender question on leadership have thereby argued that women's specific needs are better served in women's organisations, in which case women need to focus their leadership efforts in women's civil society organizations (Geisler, 1995). Such lobby groups are often particularly attractive to professional women who feel alienated by the lack of influence in political party structures, where they have to comply with particular templates that do not necessarily enhance women's interests. A major challenge in this approach is that such organizations are often weak in status and budgetary endowment and are weakly linked to formal policy formulation arenas (Geisler, 1995).

5.3.1 The Challenges and Implications of Participation in Lesotho's LG

One of the profound signs of social inclusion is the participation of the urban inhabitants including the poor. Participation can be either formal or informal. Formal participation is the type of participation where members of the public or individual groups, property owners or investors exercise participation by law. Formal public participation may be initiated by decision makers or by independent public initiatives. Examples of formal participation are public meetings of local authority organizations such as town councils, obligation to inform the public in good time about major planning projects at local authority level and finally, polls. The informal participation is seen as a type that has various forms. No restrictions are placed on the extent or nature of such participation provided it does not contravene legal regulations. Participation of this kind is voluntary and supplementary in character. It helps the authorities such as the city council in decision making power .The urban poor must feel that involvement is worthwhile, that they will be listened to and that arguments and ideas they put forth will enable them to exert an influence. Some informal public participation has different forms such as municipal forms, round-table discussion, future prospects workshops, local referenda, public experts' reports, future search workshops.

While participation is regarded as good regardless of who participates or gains, councillors who participate in MCC and gain are only a local elite, the poor and disadvantaged still end-up worse, not taking part in real decision making and resources distribution. This is one other limitation of representative participation. The natural tendency is for those who are empowered to be men and few female condoned elites rather than poor urban women, the better off rather than worse off and those of high status gaining rather than those of lower status. In a brief sense, the focus of social inclusion calls for attention to the need for active intervention by government and social processes of resources allocation to rectify inequality. However, in MCC the urban poor are not effectively included in strategic planning and decision-making on how the resources are going to be allocated within their society, rather these 'representative' officials determine and decide on their behalf with least consultation and accountability.

Elitist oriented representation as in MCC has limited knowledge of local problems concerning the urban poor. Statistical data or information about the problems of the urban poor cannot exactly express how the urban poor feel about their problems or how the suggested solutions fit into their cultural traditions. Often times this representative decision-making does not take complaints of urban poor seriously. There are no specific projects targeting the urban poor by the MCC. The political climate is therefore unfavourable for the functioning of grass roots democracy or there is no such tradition. As a result the urban poor do not serve as a source of useful ideas, such as those from indigenous technical knowledge in decision-making in MCC, hence, they cannot help tailor technical ideas imported from outside, so that such innovations are more workable under local conditions. The voice of the urban poor lacking in decision-making has led to development projects without commitment to alleviate poverty, thus irrelevant development. The urban poor as stakeholders, therefore, lack the capacity to influence and share control over priority setting, policy-making, resource allocations and program implementation. This affirms that representative democracy, indeed, does not necessarily mean that the concerns of the most vulnerable like the urban poor in society will be taken into consideration in real decision-making. The urban poor are denied co-determination and remain disempowered. Robb (1999) also adds that representative democracy is not enough when political decisions are made. It should therefore be complemented by elements of direct democracy.

5.4 Summary

There is a critical need for good local governance that is responsive to the needs of the Lesotho citizens, particularly the poor. Good urban and rural governance through local governance that concentrates on making cities and the rural more inclusive in direct support of marginalized groups living in poverty who are excluded from the political process by representative democracy stifled by dominant political party play are yet still missing and needed in Lesotho. Good urban and rural governance ensure that everyone regardless of status, gender, race, age or religion, is enabled to participate productively and positively in the opportunities local areas have to offer. Stren (2005) emphasizes that

social inclusiveness is an important goal for local governance. It is just, it is democratic and it is productive. Social inclusion is central to sustainable local development. Development thinking is also increasingly stressing the importance of human capital, that is, the important contributions all people including the poor can make to development. Decentralization has, furthermore, focused attention on the local level, as good entry point for addressing wide range of social issues including poverty. However, the participation of the 'urban and rural poor' in Lesotho local governance through LGUs (MCC, DCs and CCs) is inherently restricted by representative democracy promoting indirect participation instead of direct one. Decision making on behalf of the urban-rural poor still disempowers them in terms of (budget) prioritization and poverty specific local development projects. As such, local governance achieves naught in addressing local poverty only surmountable through direct social inclusion. The urban poor thus still remain in the low-income stratum and continue to be marginalized in actual decision making processes and hence left out in effective functioning of the political processes. Insufficient, ineffective and inefficient participation of the poor in Lesotho local governance cannot serve as a pre-requisite for sustainable human development and poverty reduction. The local poor who lack power to pass decisions concerning their lives need not have their participation confined to sporadic opinion expression of erratic public gatherings and mere voting of councillors as is now the case.

The historical overview of Lesotho's decentralization and its political economy in this chapter has further illuminated and substantiated the study's argument shown in the preceding chapters stating that while decentralization may have had prospects for the efficient and effective delivery of rural-urban development goals elsewhere like in Europe, in Lesotho there has been peculiar socio-cultural-political institutional constraints militating against the possible prospects of such decentralization. Such challenges are found in the pre-colonial, colonial and post-colonial legacies, traditional and political systems of this country, urban and rural governance and participation in the decision making structures. The account of this evolution has also affirmed the study's argument that there is an absence of the prerequisites for successful decentralization in Africa but particularly in our case study, Lesotho in this chapter. Furthermore, in this

chapter and the following ones, it can also be realized that politics also account for such prerequisites and constraints. That is the lacking political will to fully implement such a decentralization policy due to foreseeable absent political benefits/goals to the (political) bureaucrats in business and/or heavy political losses/costs. The chapter has explored the various socio-political-economic-institutional constraints militating against the efficient and effective adoption of decentralization for development delivery in Lesotho. It has illuminated the socio-systemic rituals in action against the proficient execution of this potential development-policy. It has historically revealed the degree to which decentralization has been prosperously embarked upon in Lesotho with success/outcomes indicators in developmental-service delivery, though field findings in the next chapters further do so more comprehensively. It gives Lesotho's LG policy's contextual evolution, nature, as well as its prospects and challenges. It constitutes a critical analysis of peculiar institutional constraints to decentralization in Lesotho. The chapter has basically argued and shown that Lesotho has had 'glimpses of decentralization' evolution since the pre-colonial, colonial and post-colonial era but hampered by socio-political-economic institutional constraints uncovered in this chapter and the next ones (6, 7 and 8) which is particularly on chieftaincy's role in decentralization, Lesotho's decentralization nature and its measurement, respectively. These obstacles are insufficiently addressed and continue to impede the efficient and effective adoption of decentralization for development delivery as is now the case in Lesotho, further revealed in the following chapters (6, 7 and 8).

CHAPTER SIX: CHIEFTAINCY'S CHALLENGES IN DGD

6.0 General Introduction

After discussing Lesotho's experience in decentralization and the concerned challenges in the preceding chapter, this chapter's purpose is to consider the roles and the challenges of traditional leadership/chieftaincy in decentralization for development delivery in Lesotho. It deals with the challenges of chieftaincy in decentralized local government in this country. The chapter argues that chieftaincy as a traditional institute poses a role conflict in terms of power allocation and use and allocation of local developmental leadership functions[9]. It thus constitutes an institutional constraint to the DGD's smooth implementation and local development delivery. This expounds further on the thesis' argument that DGD indeed has some socio-cultural institutional challenges that require attention if decentralization is to be effectively and efficiently adopted for successful development delivery in Lesotho. The chapter firstly provides how Lesotho actually endorsed decentralization or DGD. Secondly, the political system also forming the preliminary part of the chapter is discussed setting a background to the existence of traditional leadership in Lesotho. Thirdly, the chapter debates chieftaincy and colonialism and the validity of an argument justifying the role of chieftaincy in the modern DGD and its role in the era of such democracy/DGD as well as its fundamental institutional roles. Fourthly, the chapter analyzes the relations between the democratic local authorities and chieftaincy in Lesotho as well as the role of such chieftaincy and its constraints in the decentralized system of Lesotho.

6.0.1 How Lesotho Endorsed Decentralization

[9]. In the current context of Lesotho and tradition, chiefs help the King to rule the country. As traditional leadership they have to contribute towards stability, safety, peace and tranquility of people under their charge. Chiefs are the custodians of the Basotho culture and traditions. Their functions include: (a) to help people identify lost items including livestock; (b) to uphold the rule of law, to prevent crime and to charge offenders (petty/minor offences); (c) to protect community development projects; and (d) to keep records of birth, death and marriages of their people (LG Act 1996, GoL, 2004, GoL 2005 and LG Act 2004). There are also more details later given in this chapter mainly on the basis of in-depth interviews/fieldwork conducted (Title 6.5.0.1).

There is a widespread belief that the design of governance in the pre-colonial Lesotho (early 1800 to 1868) has greatly been local based on the now almost defunct institution of chieftaincy (Machobane, 1991). Before the 1868 British colonial/protectorate era on Lesotho, such traditional 'local governance' premised on chieftaincy structure was organized in a manner that every village had own appointed chief on merit (acts of bravery in wars, charisma, generosity, brilliance and other valued demonstrated leadership traits) exercising administrative, judicial and some legislative functions. These functions were implemented through the traditional local court ('khotla'/court) composed mainly of socially experienced male elders who formed the chief's (advisory) council. Public gatherings ('Lipitso') also constituted one of the main consultative forums for public opinion mobilization and decision making by village chiefs (Ibid).

The 1868 colonial British rule on Lesotho through the Cape Colony imposed 'commissioners'/colonial masters as the new authority that subdued and subjected chieftaincy to an instrument through which British indirect rule was maintained. The administrative, judicial and legislative powers were taken up by the commissioners (British authoritative natives) who worked through the newly established police force, the treasury and colonial courts (civil/Roman-Dutch law institutions), all directly controlled by the British officials under the commissioner. Various taxes (e.g. hut/house tax, 'sand use tax' and other user charges and various fines) were used to maintain the colonial administrative system. Chiefs were left with reduced (fining) powers on minor (petty-crime) issues. Colonial administration used chieftaincy mainly as its mouth organ and as a mere consultative body. Gazetting became very instrumental in reducing traditional powers of chiefs and in subduing them to the British colonial control (Native Administration Proclamation of 1938). Colonial 'legal legitimacy' modified, weakened and replaced 'traditional legitimacy'. The two forms of oppression on the commoners and their exclusion in these decision making structures necessitated formation of new (interest) political groups by the commoners (e.g. 'Lekhotla la Bafo'/Council of Commoners founded by the trade unionist called Lefela and later the elites and chiefs who belonged to Christian churches particularly the Lesotho Evangelical Church/LEC actively backing formation of the Basutoland (Basotho) Congress Party/BCP in the late

1950s and the catholic church actively supporting formation of the Basotho National Party/BNP in the early 1960s) who put public protests and pressure seeking for political independence that was attained in 1966 (Machobane, 1991).

The political independence of 1966 with its 1965 first general elections placed the BNP government which passed the Local Government Repeal Act in 1968 abolishing the 1950s colonial district councils. This further centralized the state. Then in 1969 the BNP government introduced the 1969 Local Government Act that introduced less democratic local/village development committees (VDCs) that entailed chiefs as chairpersons and main decision makers in allocation of resources particularly land. The BNP leadership has historically been mainly under the senior chiefs' leadership and membership, not to talk of its main founder Chief Leabua Jonathan greatly backed by the Catholic Church. This pro-chieftaincy political party apparently acted and has continued to act along conservative lines of preserving traditional undemocratic powers and be a counteracting political force against the 'commoners', the BCP (with junior chiefs and mostly the commoners as its base) who sought political power to be given back to the grassroots. The manifestos of the two political parties usually sharply differ on the allocation of powers to the chiefs. The BCP which due to the 1994 split and formed the ruling faction the Lesotho Congress for Democracy/LCD has ever since the late 1950s been seeking to install local authorities that would empower the commoners (democratic local governance) contrary to the BNP (GoL Reports, 2000).

As such the second 1970 general elections won by the BCP that was going to cause power shift to the commoners were nullified by the government of the day, the BNP that had won the 1965 general elections but lost the 1970 one. The BNP immediately suspended the constitution to create a centrally one party dictated state, refusing to relinquish power to the commoners for democratic rule. This marked the era of dictatorship, exiles, imprisonment and unaccounted hundreds of killings on active BCP membership by the oppressive BNP regime. The armed para-military unit/PMU (which was named Lesotho Defence Force in 1980) that the BNP used to commit these acts of violent suppression became so anarchic and uncontrollable that it became a competing threat and concern over military order, jurisdiction and functions to the army generals who then led it to topple the BNP regime in

1986. The military regime introduced the Order No3 of 1986 installing the development committees but now with a three-tier structure of village development committees, wards and district development committees (GoL, 2000).

International and local civil pressure demanded reinstatement of the democratic rule from the military rule. The reinstatement of such resulted in 1993 general elections where the BCP won and restored the constitution but now with the new section of 106 that stated that "the Parliament shall establish such local authorities as it deems necessary to enable urban and rural communities to determine their affairs and to develop themselves. Such authorities shall perform such functions as may be conferred by an Act of parliament." This gave way to the 1997 decentralization Act. Despite the hinted constraints to local governance, for some prospects' sake, Lesotho has embarked on the process of decentralization enactment since 1997. This process, as is the case in Lesotho, is usually heavily funded by the concerned government, the World Bank and African Development Bank. An endorsement of decentralisation produced the ambitious 1997 Decentralisation Act and the Lesotho Local Development Programme Concept Paper denoting decentralisation process to be followed so as to attain development oriented Local Authorities (LAs) in Lesotho. The aim is to pursue good governance and developmental goals including the highly embraced Poverty Reduction Strategy Programme (PRSP) and the Kingdom of Lesotho National Vision of 2020. The Vision states that by 2020 the country of Lesotho will be a stable democracy, united prosperous peaceful nation together with its neighbours. It will have a healthy and well developed human resource-base, strong economy, well managed environment and established advancement in technology. The 1997 enactment has been followed by the April, 2005 Local Government/LG elections resulting in 128 Community Councils (CCs in urban and rural areas) and existence of structures including the Municipal Council/Maseru City Council (MCC being piloted as the only municipal in the capital city, Maseru) and the District Council (Urban Boards) consisting of membership from both the CCs and the chieftaincy in both urban and rural areas, for integration and smooth coordination between urban areas, rural areas and traditional authorities/chiefs under the same newly established Ministry of Local Government/MLG. The Concept Paper indicates that Local Governance system of Lesotho will follow political devolution and decentralization of functions, staff

and finances within the framework of a unitary state. The principles of decentralization followed include firstly, *political decentralization* through integration or incorporation of some previously centralized or decentralized service sectors into holistic local government structures functioning within the framework of the constitution and other national policies. This is the devolution of decision making power to the lower government tiers. Secondly, *financial decentralization* in which local governments have powers to pass own budgets indicating own priorities, mandatory expenditure to attain national standards, levy local taxes as a source of revenue generation for local councils while central government still continues to finance through grant system. Thirdly, *administrative decentralization* in which local governments are empowered to recruit, discipline and dismiss own staff. Fourthly, *changed central-local relations* whereby there will be intergovernmental relations with central government having overriding constitutional powers with line ministries becoming policy-making bodies, capacity-building and supportive, monitoring and quality assurance bodies. This embraces forms of decentralization including deconcentration, devolution, delegation and privatization (GoL, 2006).

6.0.2 Chieftainship and the Political System of Lesotho

Lesotho is the only constitutional monarchy in southern Africa[10]. Her legislature is composed of a bicameral parliament. The National Assembly constitutes the lower house of the parliament. It consists of 80 members elected from the constituencies through the first-past-the-post electoral model. It also includes the other 40 through proportional representation since the 2001 constitutional amendment. The amendment was a response to the 1998 general elections political protests and instability that made the country ungovernable. The political protests severely destroyed (burning down of properties and looting) the economy. They were made by the opposing parties' unruly membership against the Lesotho Congress for Democracy/LCD that had won all the 78 out of 80 seats in the parliament. As thus, Lesotho is a parliamentary constitutional monarchy state. The executive powers belong to the democratically constituted parliament. The country's

[10] Swaziland is a mixture of this with the absolute monarchy, lately in the last 20 years, unlike in Lesotho where the Parliament and the Senate pass laws, the Swazi king is an absolute decision/law maker, customarily titled the 'Ingwenyama' ('the lion'), that is one with absolute customary powers.

system of governance follows a two tier structure. The one tier is chieftainship and the other tier consists of democratically elected representatives some of whom are appointed as the executive members. The parliament is made up of two houses of the legislature, the Senate/Upper House and the National Assembly/Lower House. The former house serves to ratify, modify, delay and/or approve the formulated bills into laws. The latter house drafts laws for such approval. Since the 22 principal chiefs form a significant membership of the Senate, this has given them an often opportunity to oppose and frustrate passing of the new laws for reforms that redistribute their traditional political powers to the LGUs. The Prime Minister is appointed from the political party with more seats in the parliament. Most of the Ministers are appointed from the National Assembly and the few from the Senate. Some of the Ministers are then appointed to form the ruling cabinet. The monarch system is in such a way that (22) principal chiefs rule over wards, (1200) customary chiefs under the principal chiefs look after demarcated areas in the ward with the help of (506) village chiefs/headmen in the communities. Lesotho has adopted mixed member proportional model (MMP) before the 2002 general elections. This combined the first-past-the-post (FPP) and proportional representation (PR) systems (GoL, Reports, 2000-2006).

The change from pure FPP was prompted by the 1998 political riots over its exclusiveness in that other parties saw the only one party taking all the seats to have rigged the elections. The riots of 1998 caused damage on property worth of more than USD200 million. The Southern African Development Community/SADC had to intervene militarily using armed forces from the Republic of Botswana and South Africa. Protests barred the parliament from opening. Seventy lives were lost. SADC (of which Lesotho is a member) forces from Botswana and RSA intervened in the upsurge of violence and disorderliness. Then the opposition parties were included through the newly formed Interim Political Authority/IPA with the mandate to review constitution with regard to the general elections process. This gave birth to an electoral code combining 80 parliament seats competed for through the first-past-the-post and the proportional representation of 40 seats. The National Assembly consists of 120 elected members, 80 of those through FPP model while 40 are elected through PR model. The Senate as the

upper house has 33 members whose 11 are nominated by the king through the prime minister's advice and State Council. The other membership of 22 from that 33 is composed of all the principal chiefs also forming the main part of the royal lineage and the traditional structure deployed in the ten administrative districts of the country to head the local communities with gazetted chiefs responsible for wards and headmen directly for a local community. The 22 principal chiefs also constitute the college of chiefs responsible for issues in tradition, chieftaincy, local rule and administration and traditional succession appointment of the king to reign. The king is traditionally and politically expected to reign[11] and not to rule[12]. The power of ruling is jointly exercised by the chiefs and the elected politicians in the constituencies through the parliament and the senate as well as through the LGUs encompassing their representation at the community (community council), district (district council) and MCC level. General elections since 1993 have been taking place after every legislative period of five years. The king is the head of the state while the prime minister is the head of the government with the leverage to partake in politics of which the king is restricted. The senate scrutinizes the bills from the lower house though this may be bypassed for a royal assent for law making (GoL, Reports, 2000-2006).

The senate mainly consists of conservative principal chiefs, this structurally and by default, puts chieftaincy as a legal delaying procedural opposition to democratic reforms. Power struggle is also created between the two houses, whereby the Parliament seeks expedient reforms while the Senate chieftaincy remains conservative seeking to maintain the status quo of concentrated traditional-political power on chieftainship. This opposition and power struggle will be clearer when dealing with our case study later. The 22 principal chiefs in the Senate reportedly voted against the passing of the bill for the now known as the 1997 decentralization Act. This delayed for a long time turning such a bill of 1994 into an Act until just 1997 after several modifications to accommodate the interests of severely opposing principal chiefs/'royal senators'. Unlike in the former local/village development committees, the new bill did not observe chiefs as automatic

[11] to hold a royal title and be head of state while possessing only limited (ceremonial) powers, as in a constitutional monarchy. Basotho perceive their King just as a symbol of national unity supposedly to be politically neutral in national politics. The college of chiefs constitutionally declares the heir along the patriarchal succession lines or the regent but who need not be a male choice.

[12] to exercise sovereign power or a controlling influence over a country, especially to pass laws for a country.

chairmen and members of the LGUs. They also had to be elected. Chiefs perceived this as a ploy to rip them of (customary representative, decision making) power and as a political onslaught to demolish the nation's tradition. The government of the day had to suspend implementation of this Act in response to protesting public statements and pressure by the chiefs compounded by defying opposing pro-chieftaincy BNP political party rallies until late in 2005 when elections for LG were held. This was after the bill had reconsidered to involve chiefs as ex-officio members as on table 6.1 below but not as chairmen of councils. The Parliament deems the Senate as undemocratic and not elected by the people and therefore representing no body, having no mandate. The Senate perceives the Parliament as '*bochaba-sere'/the public says-people* who are pursuing their own political agenda of demolishing customarily collective representative chieftaincy and Basotho traditions. Decentralization as one political institutional reform for local democratic governance has to take place in societies that have had their traditional ways of self-governing. Such a traditional way with the longest history is cultural institutional lineage leadership called chieftaincy. Before the influential winds of colonialism, democracy and globalization this structural form of leadership used to take the responsibilities almost equivalent to that one of the government but in the traditional communistic-collective industrious way of rule involving mainly a male-elderly consultative style and traditional patriarchal autocracy rather than a very clear capitalistic individualistic democratic mode of life. Chieftaincy as traditional authorities therefore poses many challenges to DGD. These difficult challenges at times tend to be a conflict and competition over any form of power over resources, policy and the communities. This chapter is about unearthing these challenges that stand in the way of DGD and realizing the validity of the role of chieftaincy as that may help consolidate the success of decentralization and prosperity of the local communities in Lesotho (Field Interviews, May, 2011 and GoL Reports, 2000-2006).

After becoming a British protectorate in 1868, Lesotho was officially declared a sovereign state to enjoy political independence in 1966. The Basotho National Party/BNP (customary leadership propagating conservative political party) won the first elections of 1965 but seized power and suspended the constitution in 1970 refusing to concede after

losing the general elections to the Basotho Congress Party/BCP (Commoners' political rule propagating less conservative political party). Undemocratic rule by BNP reigned to its internal downfall by its formed military seizing power from 1986 to 1993 after which general elections or some democratic rule was restored. Relatively unstable democracy with some degree of party inclusiveness through proportional representation has existed. The LCD (the currently dominant party split from the former dominant BCP by floor crossing with the founder (Ntsu Mokhehle) of BCP due to internal struggle for party control) has still been the dominant political party always winning above 54% of the votes (GoL Reports, 2000-2006).

The current political system has resulted in the following table of distribution of chiefs in the CCs and DCs as well as councillors countrywide and figure 6.1 below:

Table 7.1: Composition of Community Councils/CCs and Representation of Chiefs in Them

District	**Chiefs in Community Councils**	**Composition of Community Councillors/CCs including Chiefs**			**District Councillors/DCs**	**Chiefs in District Councils**
		Total	Male	Female		
Leribe	36	219	79	99	38	2
Berea	19	124	50	54	22	2
Mafeteng	24	142	58	60	26	2
Mohale's Hoek	27	172	71	74	30	2
Quthing	20	124	51	53	22	2
Qacha's Nek	20	123	47	56	23	2
Mokhotiong	30	184	74	80	32	2
Thaba Tseka	23	149	63	63	28	2
Botha Bothe	20	114	44	52	23	2
Maseru	30	177	68	82	33	2
Totals	**249**	**1508**	**612**	**679**	**276**	**20**

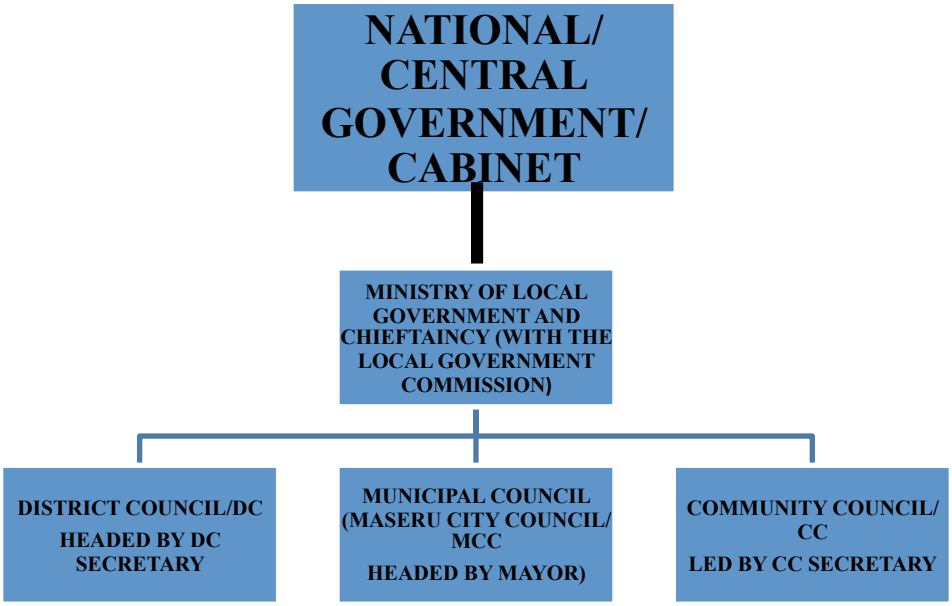
Source: GoL Reports, 2006 and 2009.

For the first time in 2005, Lesotho had local elections and established local (community councils/CCs) and regional or district councils/DCs (provincial) for increased citizen participation. Leadership challenges and political party divisions tend to occur in line

with certain preferred personalities other than on grounds of policy differences (GoL Reports, 2006 and 2009).

Lesotho Local Government Act of 1997 empowers local urban authorities to control urban development and provide services which include solid waste management; opening and rehabilitation of roads; development control; primary education and public health through the local government figure 6.1 below followed by its objectives;

Figure 6.1: Lesotho's Local Government Structure



Source: GoL Reports, 2004.

Objectives of the Lesotho local government include; the provision of a democratic and accountable government, the provision of sustainable services and the promotion of social and economic development by giving priority to basic community, the promotion of the involvement of the community and organizations and individuals in local government issue, the enhancement of participation in national and community programmes, the combination of the municipality and urban boards which are to be combined to the rural and urban areas, thus creating a mechanism which will integrate the historically separate parts of economies (GoL Reports, 2006 and 2009).

6.2.0 Chieftaincy and Colonialism:

As the colonial era began winding down, pro-independence forces criticised the chieftaincy for its accommodationist if not collaborationist policy toward European overlords. This was an unfair criticism in that chieftaincy tried and continued to try in vain to prevent British and French domination (Esman, 1988 and Miles, 1993). But anti-chieftaincy criticism had an even deeper source. Pro-independence politicians viewed chieftaincy as an anachronistic, retrograde or reactionary force with no place in the upcoming 'new' independent Africa (with new institutions, new leaders and new mentality). Thus chieftaincy was not considered as a serious instrument for progress, development or national unity. Other former British colonies tried or even succeeded to abolish chieftaincy (Tanzania, Sierra Leone). Some former colonies just expected chieftaincy to continue owing loyalty to rulers of the colony-turned-nation unquestionably as under colonialism, what differed was just the degree of such loyalty. Regardless of individual failures chieftaincy represented a comfortable image of stability, continuity and familiarity. As an institution, the chieftaincy also suffered more from neglect through colonial non-recognition than any deliberate anti-chieftaincy policy. In some regions the French and British just appointed trusted 'assessors' as authorities to bypass chieftaincy. Assessors acted as intermediaries between locals and colonial authorities. Assessors resolved minor disputes, referred more serious (statutory) crimes to colonial District Agent. They also provided advice to the colonial agents on sentencing, all which was supposed to be done by excluded chieftaincy. Resultantly in such regions chieftaincy became discarded in traditional customary life providing other justification grounds by pro-independence movements but without clear ideal role in modern times (Esman, 1988 and Miles, 1993).

6.2.1 The Validity of an Argument Justifying the Role of the Traditional Chieftaincy in modern Decentralized Government for Development/DGD

In the light of the fact that before the advent of colonialism societies traditionally locally governed themselves through traditional rulers or chieftaincy, the legacy of this is still justified even in the modern DGD era, though chieftaincy's relevance is debatable.

Lesotho is one of the British protectorates which has had traditional leadership before the colonial era, continued to preserve and practice this chieftaincy during and after the colonial era. The British colonial impact on this leadership has not been exceptional in Lesotho. The question then remains in this context, does Lesotho really still need this chieftaincy if it tends out to be a formidable structural threat and challenge for power struggle particularly in decentralization. Reviewing the related literature in this light could help clear the mist between chieftaincy and decentralization in Lesotho. First of all, Miles (1993) argues that though paramountcy of chieftaincy was undone by colonial rule, it served as important adjuncts (add-on) in the administration of post-colonial government in both Africa and Oceania. He argues that chieftaincy is an agent of administration on which governments have all come to rely on its assistance in development activities. He describes chieftaincy as traditional pre-independence governance. Its five modern functions in DGD are (1) linkage/'brokering' between grassroots and capital/central government usually located in the capital city, (2) extension of national identity through the conferral of traditional titles, that is the propagation of nationality and unity through the awarding of customary honorary prizes, (3) low-level conflict resolution and judicial (legal) gate-keeping. (4) ombudsmanship, (5) institutional safety-valve for overloaded and sub-apportioned bureaucracies in DGD. He also argues that creation of educated chieftaincy significantly enhances its effectiveness in contributing in DGD thus educating traditional leadership translates it to relevant helpful backing administration in decentralization. These are discussed further in 6.2.2.1 below.

There is a widespread belief that Western models of administration and socio-economic change are not perfect models for the developing societies, whether it be mixed government and dual authority. Traditional modes of governance need to be recognized for effective administration on the part of national governments. In Africa, mobilization (sometimes demobilization) of chieftaincy by governments acceding to independence has reflected colonial patterns previously established by European powers. The classic contrast is between the French and the British. For example the French incorporated pliable chiefs into their own bureaucracy, strictly as executioners of French administrative policy or appoint non-royals who demonstrated loyalty to the French cause

by prior service where such chieftaincy lacked. But the British conferred greater autonomy (sometimes bolstering/boosting it) to chieftaincy within their colonies including Lesotho. Stricter adherence to traditional norms of chiefly accession was practiced. Resultantly chieftaincy under British colonial rule emerged at independence with greater power and authority vis-à-vis national government that did counterparts in former French territory. France and Britain had different ideas about how local government should be established. Overall retention of chieftaincy and its use as an agent of governance was agreeable to both powers but how much authority should this indigenous institution be granted remained an ambiguous issue. French suspected chieftaincy to be seeking independence before it is ready to accord it (Esman, 1988 and Miles, 1993).

6.2.2 The Role of Chieftaincy in the Era of Democracy/DGD

In this era of global democratization, chieftaincy as a symbol of pre-modern politics and non-democratic governance, may still serve as a valuable adjunct to the process of development (Miles, 1993).

6.2.2.1 Linkage Role: ('middleman' or 'broker' role) chieftaincy is instrumental in serving as intermediaries between government and populace.

1. Chieftaincy relates with national government on advisory and balanced level but sometimes in other places in a directive and coercive manner by governments.
2. Government leaders rely more and more on chieftaincy for as the appropriate mechanism for non-partisan popular exchange.
3. It is incumbent upon chieftaincy to educate masses as to the direction of government developmental policy irregardless of whether the system is egalitarian or authoritarian.
4. The linkage function is generally performed in two ways at grassroots level, firstly, is the direct convocation of local chiefs by representatives of the national

and/or local government. Secondly it is convocation at national level followed by information dissemination down the chieftaincy hierarchy (Ibid).

6.2.2.2 The Chieftaincy's function of entitling for national unity:

Conferring of honorary chieftaincy titles on figures of national prominence 'in appreciation of the recipient's service to the community' promotes national unity. Such entitlement confers local legitimacy on national personalities. It also reinforces local community's or region's sense of belonging to the wider nation which the honouree represents either formally or informally. Bestowing governing commemorative medals to model citizens including chiefs (even by universities) is widely acknowledged for its nation building symbolism (Esman, 1988 and Miles, 1993).

6.2.2.3 Traditional rulers are keepers of the peace function:

Chieftaincy helps national governments in maintaining law and order outside the capital and other main cities, that is in the rural, otherwise such governments would be hard pressed. Police forces are often severely understaffed and lacking in popular support. Access to regular courts is often limited, local chiefs are indispensable in resolving low-level conflicts which would overwhelm meagre police and judicial resources. Chieftaincy serve an invaluable role as conflict gatekeepers, prioritizing problems and deciding which ones do require outside, higher-level restraint adjudication. At times chiefs' jurisdiction vis-à-vis the police may need to be resolved especially on religious and customary disputes. Without chieftaincy hyper litigation and an overtaxing of formal legal institutions would be (Miles, 1993).

6.2.2.4 Chieftaincy helps with the function of tax assessment and taxation:

Where chieftaincy advisory or assessing role as chieftaincy has intimate knowledge of constituent's taxability. Where chieftaincy was used as or associated with fiscal oppression or usurpation overall legitimacy becomes in jeopardy. Specialized local government services must bear the responsibility of tax collection (Miles, 1993).

6.2.2.5 Functions of the Chief as Ombudsman:

Chiefs have historically served as societal ombudsman in centralized, diffused, and segmented systems. Though this needs to be formalized and upgraded it still continues. Ombudsman function needs to be distinguished from judicial one; it implies formality and sanction imposition while judicial is not. It also needs formal training and systematic modernization. But ombudsman-chieftaincy needs to be kept divorced from partisan politics and undue administrative interference. The constitution needs to promote it (Esman, 1988 and Miles, 1993).

6.2.2.6 The function of solidarity safety-valve by chieftaincy:

The most important tangible function of chieftaincy is serving as a symbol of community solidarity (i.e. 'father' or 'mother' of the people). 'Chieftaincy is an institution in which the African… places his trust. His legal and constitutional horizon… reaches as far as his chief, but not to his capital. For many Africans the chief is still the personification of the moral and political order, protection against injustice, evil and calamity (Nieuwaal, 1987a:23)'. The institutional importance of chieftaincy as a second level of legitimacy may not be underestimated. Public agencies simply become overextended, overcommitted and overwhelmed and chieftaincy offers a second tier of dual authority, i.e. safety-valve, safety-net when formal political and social institutions fail because administration functions smoothly only when less is expected of it.

Criticism against traditional rulers assumes them to be ignorant illiterate backward and retaining them holds back progress and development. But chiefs are part of the learning modern society and are part of wider political business competent elite. The educated ones actually find themselves under-utilized. Furthermore the educated ones are usually more relevant to the new dynamic development challenges. As such chieftaincy may not be anachronistic. It needs to be contemporary, knowledgeable, legitimate, customary, communication-channel readily available and be parallel to the government structures and respond positively to the changes for maintaining relevance in development initiatives (Esman, 1988 and Miles, 1993).

6.3.0 Institutional Roles of Chieftaincy

In the run-up to independence, the colonial authorities envisioned a continuing role for chieftaincy after their departure. Chieftaincy thus retained control of local government as head of the Native Authority/later Native Administrative structure. Royalty were often elected to respective Houses of Assembly, and to the national House of Assembly though were not guaranteed representation at these levels. Some countries introduced the House of Chiefs with more powers but with some equivalence to the British House of Lords. Military coups and constitutional changes reduced powers of chieftaincy at local levels introducing elected leadership (e.g. chairmanship of councils), native authorities/traditional authorities with reduced powers with basic functions like advisory to local government and government in general, responsibility for tax collection, religious matters, customary law, arts and culture and chieftaincy matters. As a result the chieftaincy lacked executive power and remained periodically lobbying for more powers. By the end of the colonial era, in French colonies chieftaincy was relied upon as the best counterweight to more radical progressive nationalist leaders despite the initial strategy of 'crush and destroy'. France had no chiefs and understood postcolonial administration and government to be modelled on the metropolitan model. Thus French colonialists put little stock on chieftaincy and its associations as an authoritative group (Miles, 1993).

However, chieftaincy represented a utilitarian institution[13] whose worth lay in its contribution to nation's development efforts. Other than parties and military inspiring more fear, it enthusiastically remained the most viable mechanism for directing and mobilizing the masses thus providing linkage function between the policymakers in capital and villagers throughout countryside for non-democratic development. Oftentimes when electoral democracy/multi-party system developed, chieftaincy experienced under representation and difficult proper role redefining moment as it condoned non-egalitarianism during colonialism (Esman, 1988 and Miles, 1993).

13. That is an institution left primarily for practical use rather than its beauty or relevance in DGD.

6.4.0 Relations between Democratic Local Authorities and Chieftaincy in Lesotho

This portion will be dealt with through the historical and the contemporary perspective. Historically, it can be reiterated that in the pre-colonial era, Basotho had no experience of popularly elected democratic local authorities. All powers were vested with chiefs assisted by advisors. Chieftaincy administered the tribal territory for the welfare and good governance of society. The tribe was consulted on decisions made and developmental issues affecting their communities through '*lipitso'/*public meetings. Then during the colonial period, District Commissioners were introduced and took over most of the administrative powers of the chiefs. The central government established a local National Treasury into which revenues through fines imposed for example on stray animals, *'matsema' levy/levy on working schemes/groups,* and others were paid. This arrangement denied and deprived chiefs of resources to undertake development activities of any significance. The District Commissioners also reduced the number of chiefs through the system of 'gazetting' chiefs. That is considering a chief to be one only on the length of service as a chief and the size of the population of his tribe (GoL, Reports, 1995).

Nonetheless, before independence, a form of local government was introduced by the colonial government in 1959 with the establishment of District Councils. These were elected by the people and their functions included overseeing agricultural, commercial, educational and other developments at the local level. The Principal Chiefs were the presidents of these District Councils. Though still subject to some measure of central control, these bodies encouraged popular participation at the local level and were instrumental in the economic development of the country. The District Councils received a certain though inadequate amount of money from the central government. This structure of local government is the one that was abolished in 1968 by the Basotho National Party government that perceived itself not deserving to coexist with the democratic local government institutions dominated by membership of an opposition party, the Basotho Congress Party (GoL Reports, 1995).

The contemporary perspective on relations between democratic local authorities and chieftaincy begins after independence. This is the period when the Chieftainship Act No. 22 of 1968 was introduced to regulate the administration of chiefs, their discipline, duties and powers. The Principal Chief recommended to the minister the gazetting and appointment of a chief. Chiefs' functions remained the same, that was the good governance of their territories and land allocation, until the latter function was revoked with the establishment of Development Councils. The military regime resuscitated Local Authorities in 1986 in the form of Development Councils at village, ward and district levels. Village Development Councils have thus incidentally been in every village with a gazetted chief and the term of office of members used to be three years. The chief soon lost the legal power to be the automatic official chairman but had to be elected to be the chairperson or remain then as an ex-officio member. The Basotho National Party legacy (1970-1985 dictatorship) used to put a chief as an automatic chairman but when the military regime (toppling Basotho National Party in 1986) critical of chieftaincy somehow, stripped them of such legal power to making them ex-officio members. Chieftaincy was being blamed for widespread corruption and suppression. The chairman of the Village Development Council (VDCs) was elected by members. VDCs' functions were to promote development and community participation in development projects and to allocate land. The Ward Development Council acted as a link between the VDCs and the District Development Council, collating projects from the former and communicating them to the latter. The District Development Council considered projects and promoted development for the general welfare of the people in that district. It was supposed to control a development fund and derived revenue from grazing fees but Basotho resisted this effectively to its failure stating that the military regime never created enough jobs or improved any pastures to impose grazing fees/tax. The central government paid sitting allowances to members of Ward Development Councils and District Development Councils while VDCs were voluntary. Reportedly, there were 8,000 VDCs, 24 Ward Development Councils and 10 District Development Councils. These bodies were largely ineffective and their calibre of membership personnel in terms of competency, quality, qualifications and skills left much to be desired. They could therefore as structures not be

maintained as they were in the then to be the new incoming Local Government of 1997/98 (GoL Reports 1997 and 1998).

The chieftaincy also promoted development projects, acted as a link between the central government and the community and are still responsible for the maintenance of law and order. They shared the responsibility of land allocation with their Village Development Councils as ex-officio members. Chiefs are still being blamed for corruption of backdating land allocations to periods when they were only legally entitled to doing so to get bribes. This used to create a conflict between the Councils and chiefs who wanted to continue operating illegally and frustrate the task of land allocation by the Councils (GoL Reports 1997 and 1998).

6.5.0 Role of Chieftaincy and its constraints in decentralized system of Lesotho

Chieftaincy has been accommodated in the latest adopted local governance mainly for an advisory role and for the sake of maintaining peace and stability, both locally and nationally. Incorporation of chieftaincy into this new local governance is meant to harmonize traditional structures with the modern democratic systems so that there is no parallel structure to democratic local government (GoL Reports 1997 and 1998).

New administrative geographical boundaries for including chiefs in the LGUs had to be done. The purpose was to promote ease of access to developmental services. Boundaries were determined on the basis of communications infrastructure, human geography, population features, economic activities and resource base. The College of Chiefs (22 principal chiefs) has the responsibility of selecting chiefs to serve in the capacity of ex-officio members in the new local authorities. There is still a big challenge on how to integrate traditional authorities into the democratic system of local governance. The College of Chiefs is still given the responsibility of finding out how best to incorporate chieftaincy in the new local governance and democracy (GoL Reports 1995 and 1997).

Chieftaincy perceives itself as non-partisan to political parties and thus appropriate for facilitating and delivering services and development in a just manner while Local Authorities are biased officials representing only a particular political party's interests and are therefore likely going to distribute development benefits, information and opportunities along political inclinations. The chiefs see themselves to be more legitimate than the party representatives and represent the entire communities and not its parts. Local Authorities view chiefs as political affiliates to the BNP, having no public mandate as they are not elected representatives and not answerable to anyone. Some ordinary people still perceive chiefs as custodians of law and security providers to the vulnerable community sectors like the widows, orphans and so on at village level. Chiefs still reduce hyper litigation in that they preside and judge over 'petty' offenses and pass serious criminal offenses to courts of law or the police for action. They are thus seen as the extension of the devolved customary judiciary for peace and stability maintenance. Chieftaincy sees itself as representing the identity of the people of Lesotho including the politicians and that democracy is an imported system alien to the people (Field Interviews/Survey, 2009).

It is necessary to have the right institutional arrangements and a clear line between administrative and developmental responsibilities if decentralization is to succeed in Lesotho. The chieftaincy opposing decentralization comprises almost the entire membership of the Senate house. This institutional arrangement poses a retarding effect on the process and efforts of decentralization. It somehow empowers traditional opposition against democracy. Hence the continuity of the tug-of-war between the Parliament (elected 'subjects') and the senate (appointed 'royals') in terms of power, roles and functions. The parliament has managed to influence local personnel, Local Authorities and some chiefs of the importance of decentralization. Furthermore, local administration is still greatly effected through chieftaincy while development issues are left for the councillors at the community level, urban boards in urban areas and district level and the Maseru City Councils as the municipal established in 1983 for the capital city only. This optimistic tendency of self-competing or unclear division of power between the opposing institutions in action has maintained chieftaincy well against

decentralization for decades in the form of the dictatorial ruling and opposing Basotho National Party, Senators (law-making/approving structure) and grass root administrators. They have at some point been automatic chairpersons of Village Development Councils, that is before 1994 during the military rule of 1986. They have also become ex-officio members of the councils. Unfortunately, integrating them anyhow has maintained them as a formidable force opposing the smooth operation of decentralized governance. In defiance of the law of decentralization chiefs continued to allocate land because they felt stripped of 'birth' powers to rule and perform their duties. This created tensions between chieftaincy and the Ministry of Local Government overseeing decentralization. The ministry took many of them to court and were found guilty. This tended to belittle chiefs further as they form part of the customary judiciary. Basically chiefs find decentralization to be a mechanism of allowing unworthy 'commoners' to rule them as the worthy royal clergy/elite. The tug-of-war of competition over control and power has actually affected some development initiatives at the local, district and urban level. The central government is not able to intervene except where clear human rights have been offended. In cases where the government intervened, it uses arbitration when it is supposed to promote citizen diplomacy so that communities can solve their own problems. Exerting authority by local councils is also put under check by the territorial boundaries demarcated on the basis of chiefs' wards that resist the new authority of local governance. The power, responsibilities and functions or roles and activities still allocated to chieftaincy and local authorities has and can continue to frustrate all development efforts at the local levels (GoL Reports, 1997 and Shale, 2004).

Concisely, chiefs constrain effective decentralization by illegal actions of backdating land allocation documents known as Form Cs for accessing lease titles to a period prior to 1979. The passed 1979 Land Act effectively curtails their unilateral powers in doing so, which they so much cling to and love as affirmed by the many cases in the courts of law. LGUs encompassing chiefs are now supposed to legitimately exercise this power. The extension of the frustration has been severely constraining where in the courts of law councils/LGUs have lost cases to chiefs who on grounds of lack of clear regulatory specifications (on 'burial grounds' control) chiefs offered written permission to bereaved

families to bury their deceased on plots also used for residency other than in cemeteries. Furthermore, chiefs still continue to solely control other natural resources like grazing lands and thatching grass, firewood, medicinal plants and natural springs which are important to the survival of many ordinary Basotho. They informally collect user fees, penalties and fines on these resources but these resources usually require further participatory developmental initiatives for sustainable and equitable use and can be instrumental for the currently lacking financial capacity of the LGUs particularly the CCs still without any bank accounts and income sources. By-laws clearly redistributing powers on this control of these resources are not yet in place though such powers are also given to the LGUs by the 1997 LG Act. Chiefs also maintain their non-compliance with LGUs' passed resolutions though are represented in these councils. They blame this on the lack of timely feedback from their representatives in the councils. The 1997 LG Act is also unclear or silent on such matters of accounting/reporting, answerability, effective coordination and timely efficient dissemination of information or passed decisions. This renders local governance ineffective as also compounded by the fact that chieftaincy is a nested hierarchy ('red tape') whereby a chief reports only to his/her next immediate superior chief and other chiefs in the area of jurisdiction, unbound to report beyond that. This delays information flow or effecting of passed resolutions, stifles effective coordination and delivery in DGD (Field Interviews/Survey, 2009).

Chiefs striving for power to control resources and monies for use of such resources have also been able to maintain poor non-cooperative relations with councils expressly claiming that councillors seem to 'lack knowledge of the limits of their work and infringe on the functions of the chiefs, in fact councillors behave as if they are chiefs and no longer listen to the chiefs.' This attitude portrays a clear contestation for power by the chiefs as they also expressly state that offices of the councils are closed at 4:30 p.m. forcing people to come to them for needed emergency services (e.g. recommendary/referencing letters and permits/affidavits). Yet such councillors are better paid (R1,000/month) than them (R400/month) who serve people round the clock. Chiefs therefore resist LGUs stating that LGUs are a form of discrimination against them by the central government. Chiefs have also expressed that the central government has not

'informed' them of what LG is and its functions, not to talk of their uninformed subjects who continue coming to them for services 'probably' supposed to be given by the LGUs. As such chiefs continue to deny and deprive LGUs of the little potential for effective decentralization and local development delivery (Field interviews, May, 2011).

Political struggle between chieftaincy and local authorities may escalate. Most of the functions of the local authorities to be discussed later here, are by themselves causes of conflictual power struggle as some of them have been traditionally the domain of the chiefs. The chiefs fear the loss of the functions and power to local authorities. They therefore attempt to cling to power by illegally continuing to perform such tasks and frustrate local authorities' efforts by non-cooperation in community mobilization in which they are essential. The functions of the local authorities are also limited still leaving a need for the central government to keep on performing other functions not done by the councils due to lacking in capacity. The decentralization law of Lesotho does not clearly indicate the implications of the decentralized functions in terms of how the local authorities will relate to their central government in implementing such functions. It simply states that local authorities will control natural resources and environmental protection without differentiating different types of natural resources stipulating ones to remain with the central government. Confusion and duplication of efforts thus happen to be incidental where the central government repeats the tasks performed by authorities in a locality. Spelling out how the various sectors of the central government will relate and be involved at the local level has become critically needed to prevent confusion and duplication of efforts. The central government needs to also be clear and decisive on the definite allocation of powers on administrative and developmental roles competed for by the chieftaincy and the local authorities. The challenge is how do local authorities mobilize and maintain peoples' participation, plan and implement development without the administrative or leadership power. At times for development to take place as already indicated it may require both soft and hard approaches. This is intrinsically valuable from the thrust of Lesotho's decentralization purported to promote socio-economic welfare of all citizens aiming at service delivery and good governance/popular participation. This service delivery/development and good local governance comprise objectives and roles

and functions already indicated and set within the 1997 Local Government Act and 1998 Government Elections Act on local authorities elections encompassing objectives such as to provide for good governance, ownership and accountability in matters of public policy, -to facilitate democratic control over the development planning process, -to move decision-making, resource allocation and local level development planning into the hands of the people, -to provide for the equitable distribution of human, institutional, infrastructural and financial resources across the country, - to enhance the effectiveness of developmental activities by creating opportunities for elimination or reduction of duplication in development efforts, - to facilitate sustainability through matching development decision with local conditions, - to facilitate greater speed and flexibility of decision making as a result of reduced central direction and control, - and to facilitate mobilization and maximization of local resources, technologies and skill. Besides these objectives, the roles and functions of the local authorities include; control of natural resources and environmental protection, public health, land/site allocation, grazing control, allocation of burial grounds, control of building permits, local administration of central regulations and licenses, care of mothers, young children, the aged and integration of people with disabilities, mortuaries, burial of bodies of destitute persons and unclaimed bodies and forestry preservation and improvement of designated forests in local authority areas (Ministry of Local Government/MLG, 2003:2 and Shale, 2004).

6.5.0.1 Measurement of the Role and Constraints of Chieftaincy in Lesotho's Decentralization

On the basis of the in-depth interviews conducted in this study, it is also ideal to have a view of the measure of the role of chieftaincy in Lesotho's decentralization and the concerned cultural-institutional constraints against its development-delivery. This in itself provides a further analysis of the relationship existing between LGUs and the local customary leadership. The involvement of chiefs in LG encompasses their traditional and statutory functions. Some of these functions are both statutory and traditional as also stipulated by the law. Others are regarded as primary or secondary as weighed against the traditional local needs and the law. Appendix B analytically helps us to comprehend the extent of the involvement of chiefs in decentralization as examined by the councillors and

the LGUs' personnel. Chiefs' role includes (1) traditional and customary affairs (e.g. traditional decision making in chieftaincy succession and fixed assets inheritance and disputes solving among family/community members), (2) mobilizing and linking the local community even for political-developmental participation or public health issues, (3) being represented in LG and incorporated into LG civil service, (4) performing judicial functions, (5) forming political structures like the Senate and the College of Chiefs to overseer the monarch system, (6) providing social protection and safety particularly for the vulnerable and the local community at large, (7) keeping of law and order, resolve conflicts in the community, (8) keeping records of births and deaths to facilitate legal certification of such, including traditional marriages (lobola/bridal payments documenting), (9) providing authentic information concerning legalization and issuing of documentation affirming citizenship (for passport or identity documents issuing/referencing for access of legal guns for individual commercial projects), (10) facilitating developmental services delivery, (11) keeping census of owned livestock as well as licensing livestock sales, (12) issuing official documentation affirming socio-economic-customary transactions among community/families' members and ownership and sale of other assets and resources, (13) issuing community entry permits and letters of migration as well as (permissions) allowing of (public/private-family) functions (burials, ceremonies, feasts, groupings/gatherings, weddings e.t.c.), (14) participating in burial ceremonies of the locals and (15) in controlling access to, use and allocation of resources (land, quarries/stones/soil use/vegetation use, sand, springs, community forests e.t.c.) (Field interviews, May, 2011 and the Act of 1968).

Councillors and LGUs' staff have also reported and prioritized these following constraints to do with chieftaincy in decentralization, (1) chiefs resist relinquishing the power of control even against new laws redistributing rights of resources' allocation for fear of loss of power and private rewards they used to gain. This creates confusion, conflicts and competition over resources' use and control and hampers development delivery in LG. (2) Chiefs view councillors as political instruments of division in communities seeking to commoditize resources that are customarily communally owned and controlled for unfair money making from the poor and therefore canvass and

mobilize some community members against decentralization activities, thus destabilizing councillors' consultative gatherings and LG's progress. (3) Chiefs perceive councillors as rival leaders of contesting packs for their traditional power over licensing/permits of access/use, ownership and control of resources like land, grasslands and thatching grass, sand, quarrying of building stones, communal forests, graveyards and others, including certification of livestock and property ownership and permits on their sales and authority on issuing of various permits. (4) In cases where the chief is not in support of decentralization and/or some council members, such mobilization is not done deliberately to sabotage the council's programmes. Councillors do not yet have powers to call public gatherings. (5) LG's information dissemination among the chiefs is limited and very slowly. This keeps other communities unaware and not conscientized of the other activities resulting in vandalizing of some activities like parks or hand pumps. (6) Low education of most of the chiefs hinders their effective participation in LGUs' decision making processes as some literacy level is essential for digesting various reports at times even written in English. (7) Chieftaincy lack sufficient knowledge of law, Acts and regulations. This hinders LGUs in the delivery of justice resulting in overloaded centralized judiciary system. (8) Chieftaincy has often acted as a political opposition through its political structures blocking political decentralization bills meant to empower local communities in the management of their development affairs for a reason that they view decentralization as a way of destroying chieftaincy to give too much power to the politicians who are their subjects or commoners. (9) Chiefs have often been blamed for corruption in their dealings like abducting fields supposed to be inherited by widows or orphans, apportioning resources already allocated for bribes, usurping developmental services like public hand pumps for personal gain, favouritism, nepotism and biases. This ultimately stifled needed community driven development and continues to do so in decentralization. The main problem is that most of the locals are still traditional and thus mainly use chiefs instead of LGUs. (10) Some old legal boundaries of areas under the chiefs' jurisdiction are criss-crossed by new LG wards confusing local administration and management of local affairs. This has rendered LG ineffective as most of the locals are still familiar with chieftaincy (Field interviews, May, 2011 and Appendix B).

6.6.0 Summary

The role of community mobilization or participatory processes in Lesotho is still traditionally left with the customary leadership, chieftaincy. Many of such crucial roles of peace and stability keeping, community organization, information dissemination and others indicated are still traditionally in the hands of the chiefs. However, there is a need to train and increase the capacity of chieftaincy to be able to cope with and be part of democratic changes. Such changes involving redistribution of powers in resources control for local development need to be inclusive of chiefs for power sharing and alleviation of fears of power loss to the LGUs. Most importantly chieftaincy is crucial for social and customary functions as well as economic ones including information provision for tax assessment and coordination between the central government and local communities at rather lowest costs and little equipment, unlike with more costly LGUs. Their functioning as a supplementary body to LGUs for poverty alleviation can create room for cost-effectiveness and traditional voluntarism for functions like community's safety keeping, solidarity, law and order and other social functions that councillors may limitedly do. It is often easier to facilitate and maintain participatory development with the inclusive approaches even on indigenous structures while strategically introducing participatory reforms for the better quality of life in local communities. Professional/expertise (elite interaction) rule encompassed by LG and indigenous rule by chieftaincy usually need each other to overcome their limitations in development delivery.

The role conflict between the chiefs and the LGUs, besides power struggle between the two, over resources and community's control, is further perpetuated by the lack of clear regulations stipulating how both the chiefs and LGUs should exercise their duties and functions. The striking observation is that in section 6(1) and 7 of the Chieftainship Act of 1968, duties and functions number 2 and 3 state that chiefs are too to serve the people in the areas of their authority and promote the welfare and lawful interests of people within their jurisdiction. These functions are extremely broad and easily (thus conflictual) entail all the functions of the local authorities enacted by the amended local government Act of 1997. The former Act is the chiefs' product heaping all power on them through

their BNP rule; the latter Act contrarily attempts to redistribute such power to the commoners but without sufficient clear redistributive regulations.

CHAPTER SEVEN: LESOTHO'S DECENTRALIZATION POLICY NATURE

7.0 General Introduction

The purpose of this chapter is to debate both the secondary and the field findings on the main features of the new local government legislation of Lesotho. The chapter focuses on the policy aspects of devolution of powers and more on issues of efficiency and effectiveness in the adoption or implementation of the decentralization policy for development delivery in this country. It is mainly about the nature of LG in Lesotho. It focuses on the relations within the LG and administrative efficiency issues in its adoption for political-development delivery. The contextual aspects to this effort necessitate discussion of how efficiently management of decentralization was done in Lesotho, how is the participation planned though more of the actual examination of citizen-participation by the insiders (beneficiary-assessment) for more details will be in the next chapter. Issues on the nature and devolution aspects of the LG policy are included and synthesized with some expository analysis of constraints to LG's development delivery in Lesotho.

The chapter argues that Lesotho's decentralization policy nature suffers from imbalanced power relations, that is recentralization by the central government instead of effective and efficient power devolution for local poverty reduction. It also argues that such recentralization has foiled possible efficient and effective adoption of decentralization for successful socio-economic-political development in Lesotho. The chapter's expository analysis together with the next chapter as part three of the thesis, affirm further the study's argument that decentralization in Lesotho has had constraints that negatively affected and/or impeded its efficient implementation process and hence its local development delivery.

The main task will be to pragmatically apply and synthesize the theoretical framework for assessing decentralization efficiency and effectiveness in Lesotho. Such framework has been discussed in chapter 4. The application will cover (1) the actual nature of Lesotho's decentralization: approach and adoption efficiency, (2) demonstration of

political commitment and leadership support in Lesotho, (3) the clear promulgation of legal framework for jurisdiction? (4) devices for LGUs' monies and procedural monitoring, (5) availability of competent staff for LG's efficiency in Lesotho, (6) management procedures for coordination for LG's efficiency in Lesotho, (7) technological instruments for policy execution as Lesotho's LG efficiency? (8) efficient fiscal and administrative devolution for Lesotho's LG efficiency, (9) Lesotho's decentralization participation indicators, (10) and indicators for efficient preparedness for participatory local democracy, (11) answerability/accountability and responsiveness of LGUs in Lesotho, (12) elections and representation as LG's efficiency and competences of LGUs in Lesotho as well as substance of powers and the nature of LG's devolution in Lesotho.

7.0.1 Real Nature of Lesotho's Decentralization: Approach and Adoption Efficiency

After providing some critical historical evolutionary and structural nature (chapter 5 and 6) of Lesotho's decentralization and its efficiency theoretical framework in chapter 4, here below such an analytical framework is applied in the context of Lesotho. The analysis uses decentralization efficiency indicators grouped in three efficiency and three participation indicators. The segment for every indicator consists of three parts. The following lessons considering efficiency indicators indicated in chapter 4 within the management of the decentralization at the centre may be learned;

7.0.2 Demonstration of Political Commitment and Leadership Support in Lesotho

The MLG as the line ministry responsible played a pinnacle role in the creation of the decentralization policy process. The first undertaking was to launch this ministry in 1994. This was in line with the 1993 constitution that provided for the formulation of LGUs. The Inter-Ministerial Task Force was built up to actually finalize this task in 2002. This task force produced responsibilities of the central government in the decentralization process which included; (1) development of national policies and establishment of

standards for Local Councils in their community development endeavours; (2) monitoring of local authority work regarding its alignment with national plans and policies; (3) support of local authorities with funding and expertise; (4) make local authorities to be accepted as creditable agencies of development; (5) and decentralization of some of central government functions and responsibilities to the local authorities. The task force outlined the responsibilities of the Minister of Local Government as (i) establishment and facilitation of the functioning of local government authorities; (ii) assisting local authorities to lead the communities effectively in development; and (iii) coordination of policies between the two levels of government. The main aspects like provision of financial resources, setting of standards and the devolution of functions were left as the central government activities. MLG's first responsibility obviously implies the leadership and coordination role to the minister of LG. The Inter-Ministerial Task Force appointment by the Cabinet meant its support for the decentralization process. The central government also integrated decentralization objectives into an overall development strategy in documents like Poverty Reduction Strategy and others which were compiled by one of the key ministries in decentralization for developmental implementation being the Ministry of Finance and Development Planning (MFDP). Nonetheless, the inter-ministerial cooperation between MLG and MFDP, was not efficient because a joint working group (Fiscal Decentralization Task Team) given the task of determining fiscal aspects, never operationalized such fiscal aspects. Resultantly there became no coordinated and coherent strategy of fiscal devolution consented upon. This is often a huge constraint against efficient implementation of decentralization for development-delivery in many African countries. Nonetheless, MLG demonstrated great determination by preparing and implementing LG elections against severe criticism and political opposition (GoL, 2004:19-21 and Pfeiffer et al, 2005).

7.0.3 Clear Promulgation of Legal Framework for Jurisdiction

The efficiency framework analysis (chapter 4) has indicated that the central government of Lesotho has to provide a clear regulatory framework if decentralization in Lesotho is to effect development delivery successfully. Among the roles identified, the central

government had to provide national standards and regulations as one of its primary tasks. LG Act provides the legal foundation for LG's launching and functions' devolution. It explains the structural formulation of LGUs and the manner in which they ought to function. The first main flaw, though, is with the lack of thorough explanation of the functions of CCs and DCs. They are hardly comprehensible. Secondly, officially recognized competences are inadequate. Public administrative skills without employment of civil works/technical skills the local level has provided an incomplete recipe generated by the short-sightedness of the legal framework. There may be no delivery as is and will remain the case. CCs and DCSs frankly may not know how to do everything. Plans become obsolete with backlogs waiting for the technical personnel only rarely limitedly available from the DA's office. Thirdly, execution of all those inadequately stipulated functions need several complementary regulations with legal amendments, for instance, general financial regulations and accounting procedures for LGUs. There is also some confusion and conflict with regard to certain policy areas where functions still legally remain in the control of other central ministries yet also legally allocated to LGUs. This requires legal adjustments to consider decentralization and LG's role. The LG Act in section 95 contains an unhelpful general clause stating that provisions of the LG Act prevail over other laws in the event of inconsistencies or conflicts. This is in LG Act and not in the un-amended Acts for Environment, Agric and Food Security and Works ministries which seemingly happen to be conflicting over the same roles with LG. That is interrelations of legal procedures and the adequate timing of measures tend to be ignored. As such it is difficult to recognize, in this context, a thorough and clear regulatory framework for smooth coordination of procedures preparing the legal ground for the decentralization process and therefore there is no clear legal separation of functions, except duplication, confusion and conflicts. For instance, financial regulations for LG were fashioned in the MLG without involving MFDP responsible for state finances and public sector reform (LG Act, 1997 and Pfeiffer et al, 2005:8).

7.0.4 Devices for LGUs' Monies and Procedural Monitoring

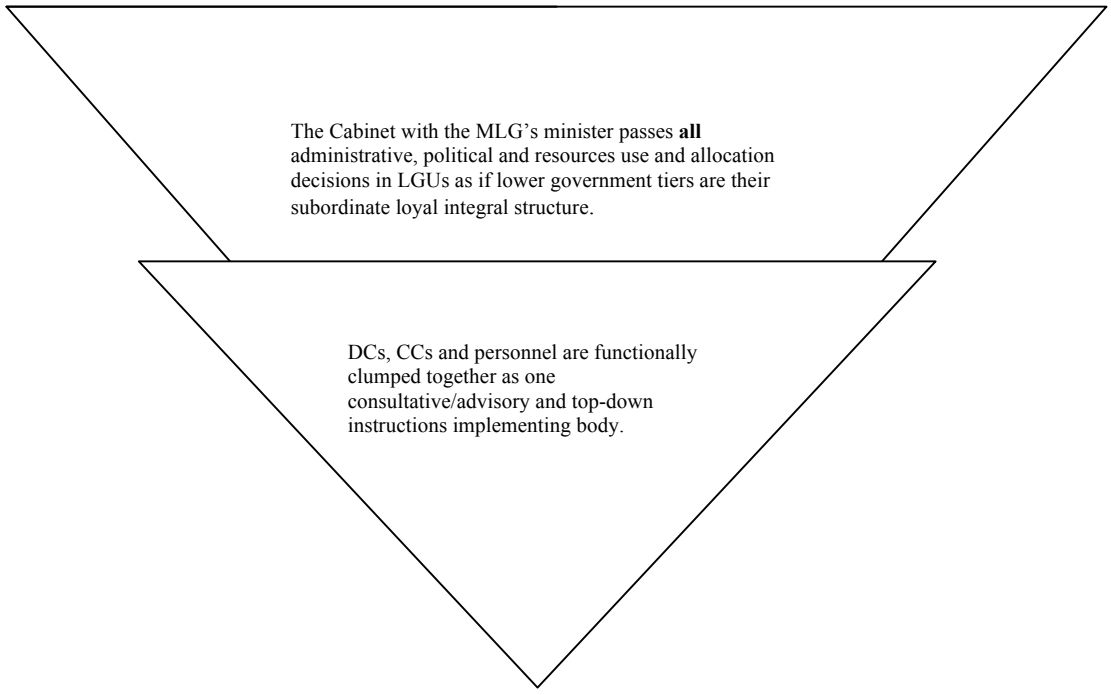
Mechanisms for financial and technical monitoring of LG constitute important criteria for efficiency in decentralization as indicated in the theoretical framework in chapter 4. The observation made is that the LG Act inaugurates a number of control measures for the LGUs in Lesotho. It is important that the Act maintains some degree of supervision on the LGUs by the central government together with some stipulated and sizable self-regulating and autonomy for effective local development-delivery. Such a balance is not readily observable in the 1996 LG Act and the 2004 amended LG Act. If not re-centralization expansion or centralization solidification the portrayed picture is deconcentration with the same effect. The amended LG Act still empowers the LG's minister to:

- declare Community Council areas (Section 3; 83);
- ensure conformity of District Development Plans to the National Plan through the District Planning Unit (Section 30);
- amend by regulation the schedules of the act (referring to the functions of local authorities; Section 32);
- **stop local government by-laws from becoming effective through rejection of approval without the obligation to give reasons** (Section 44); (this is recentralizing)
- review regularly statements of receipts and disbursements on the communities' bank accounts (Section 51; 60);
- **limit the borrowing of Councils** and reject borrowing that exceeds the total CC income of the preceding two years (Section 52); (incapacitating and recentralizing)
- regulate powers of local authorities to impose and levy rates and to publish a list of items that can be subject to taxes or service charges(Section 56; 57);
- implement audits once a year and an extraordinary audit whenever the Minister wishes (Section 63);
- suspend Councillors, to dissolve the Council after inquiry procedures and to appoint an administrator to a Council in case of refusal, failure or inability of the institution (Section 65);
- make rules of procedure for guidance of Councils (Section 66);
- appoint a Local Government Service Commission and through this Commission a Local Government Service Tribunal (Section 75); and
- make any regulations giving effect to principles and provisions of the LG Act (Section 84).

The above absolute authorizations by the minister serve as one form of institutional constraints to local self-administration as they stand from the LG Act. They are not mechanisms for **monitoring** LGUs' monies and procedures but are unchallengeable

over-controlling (recentralizing instead of allowing them to monitor) mechanisms by the political minister who may act on will and at whim without any accountability/answerability. This affirms the argument that Lesotho's decentralization policy nature suffers from imbalanced power relations, that is recentralization by the central government instead of effective and efficient power devolution for local poverty reduction. Clearly, such recentralization foils possible efficient and effective adoption of decentralization for successful socio-economic-political development. So far, the minister has never wished conducting of any audit in the LGUs; the above law empowers and allows this. The observable trend with Lesotho's decentralization is that it is not about devolution but about control and domination of the grassroot masses. Most importantly it is not about development delivery but about political power only. According to the field-interviews with Councillors (May, 2010) such power is concentrated at the ministerial level as shown (figure 7.1) below, entrenched by the cultural proverb and philosophy that 'the law (power of control) begins at the higher house to the lower house', contrary to local democratic empowerment;

Figure7.1: Concentration and Distribution of Power in Lesotho's LG



Source: Field-Interviews with Councillors and Staff, May to December, 2010.

Reportedly, instead of ensuring reasonable utilization of public funds in LGUs, senior politicians are the ones with severe unprecedented financial procedural malpractices with great impunity. The minister is not there to effect, facilitate or monitor political, administrative and financial devolution as observable from above legal clauses. The minister is to counter-act such a process 'legally'. Essentially all the 'leviathan-power' of centrality taking all initiativeness upon oneself as the central, including formulating LG policies, approving or rejecting them has left locals/LGUs helplessly out there as neither policy formulators nor implementers, not talking of monitoring or evaluating. They only gather in councils to play a passive consultative role. Too much controlling power is vested upon the MLG's minister. Financial and technical monitoring parameters and procedures are missing; instead the controlling recentralizing mechanisms are in place ensuring non-delivery and failure of Lesotho's decentralization. The efficiency indicator of financial and procedures monitoring is missed by the LG Act in this decentralization. The legal nature of this decentralization is self-defeating with regard to development-delivery and/or local empowerment by vesting unchallengeable powers on the minister (Thomi, 2002, Pfeiffer et al 2005 and Field-Interviews with Councillors and Staff, May to December, 2010).

Furthermore, in the list of central government responsibilities indicated in the framework, the function of LG supervision in relation to monitoring of financial procedures is not priority task. Issues of concern on macroeconomic destabilization through fiscal decentralization are not addressed in the revised government documents. It is difficult to assess the effectiveness of the local government control mechanisms in this context. LGUs simply gradually assume their functions, they only had own heavy-handedly controlled from the top own budgets in 2006. That was when only the administrative staff was just recruited. The implementation of supervision and control through the MLG is above all constrained by the ministry's own failure to timely produce the necessary regulations for LGUs. It was only in June 2006 that the Fiscal Decentralization Task Team decided which financial regulations would be applied for the LGUs. Such regulations are not known by the senior LGU's staff and council members, safe to say they think and do express non-existence of such regulations as will be confirmed by more

primary data in the next chapter. The failure of the MLG to setup an operative audit system for its own accounts undermines the credibility of the flawed absolute supervision and control mechanisms by the incapacitated minister. Why not have the supervision and control mechanisms under an autonomous legal body with sanctioning powers like the special judiciary with the function of training LGUs also? (Thomi, 2002, Pfeiffer et al 2005 and GoL 2006:10 and Field-Interviews with Councillors, May, 2010).

7.0.5 Availability of Competent Staff for LG's Efficiency in Lesotho

For LG to be successful, councils need to be equipped with the relevant and competent human resources for delivering the allocated functions. The LG Act has established the Local Government Service Commission as responsible for recruiting personnel with administrative capacities into the councils. The Act has placed this commission as answerable to the minister who can reject or approve its decisions and/or act independent of such a commission. Reportedly the minister has already imposed a number of administrative personnel on the councils without involving either the concerned councils or the commission. Such minister's recruited staffs are identified as highly active affiliates to the ruling political party and are also a personal preference if not in certain relationship to the minister. Functions having been devolved through decentralization policy, the respective staff has been transferred from the, reportedly, deconcentrated branch offices of the line ministries to the DCs and CCs, respectively. Additional staff has also been recruited. The LG Act names the CCS, the DCS and support staff for both of them with qualifications in financial management. The first recruitments took place in April 2005 when Community and District Council Secretaries assumed office. At that same time, the MLG collected data on numbers and qualifications of existing staff in the districts from the different line ministries and identified the positions to be transferred. Without changing the practice in the field, countrywide 3.262 former line ministry staff were transferred in October 2005. Salaries and operational budgets for these officers were assigned from the line ministries to the District Councils only at the beginning of the fiscal year 2006/2007. Other line ministry staff in the districts performing functions not considered local government responsibility remained as part of the central government in

the Public Service. This refers to approximately 1.800 officers who report through the DA to the line ministries yet their functions are still not regarded as LG's responsibility (GoL, 2004:7, GoL 1997, Pfeiffer et.al, 2006:9-11 and Interviews, May, 2010).

Another round of recruitment for the LG came into effect in April 2006. Since that month each DC has besides the DCS also an Administrative and a Finance Manager and a Human Resource, a Senior Legal and a Procurement Officer. To support the CCS each CC received an Accounts Clerk, a Clerical Assistant and 5 support staff such as typists, cleaners and messengers. The new recruitments increased the staff dealing with local affairs by 34%. The recruitments were mostly implemented by the Local Government Service Commission equally for each DC and CC irrespective of their size. This resulted in LGUs in districts with small CCs employing significantly more personnel relative to population than LGUs in districts with bigger CCs. There is some 50% of the CC staff belonging to the lowest salary grade reflecting low qualification while among the DC staff only 25% fall into this category (Thomi, 2002, Pfeiffer et al 2005 and GoL 2005:92).

Senior DC and DA positions including the DCS and the DA were advertised and competitively acquired. Here contracts are limited in time with performance based remuneration components. The majority of Community Council Secretaries are university graduates with BA degrees in public administration, management or related majors, but often lack professional experience. When they assumed their office in April 2005 they were confronted with very poor working conditions like missing office facilities and several month delays in salary payments. Information on the upcoming implementation of further decentralization measures such as transfer of staff to their authority trickled down to them only erratically. Until September 2005, all CCS from the whole country received only a five-day-training for all of them together. The major limitation with this available administrative staff as already indicated is technical insufficiency. Technical staff are lacking. This has turned many activities into a backlog and thus development non-delivery. Adding technically competent staff could increase the efficiency capacity of the decentralization policy execution (Ibid).

7.0.6 Management Procedures for Coordination for LG's Efficiency in Lesotho

This part of efficiency in decentralization is about management systems for horizontal and vertical coordination. Weakly managed administrative systems and poor internal cooperation and communication have reportedly created inefficiencies resulting in poor developmental-service delivery (Field-Interviews with Councillors, May, 2010). Worthy to note that introduction of LGUs has increased the number of administrative units, necessitating interaction between a larger number of institutions. Certain coordination mechanisms and functions have become imminent. The CCs channel information from and to the villages and formulate development-priority-needs; the DCs integrate and harmonize the expectations from the CCs into a coherent district policy. The central government's activities on the district level are coordinated by the DA. At the same time the line officers in the District Administration are closely connected to their parent ministry on the central level. Harmonization between the central and the local government's policies is ensured on the one hand by technical support and supervision and on the other hand by the DDCC that additionally takes into account input from other district level governance stakeholder groups. However, the roles and functions of the DDCC are unclear. LG Act provisions and role's description given in the Cabinet's Decentralization Implementation Programme are conflicting. The former requires DDCC's approval to district development plans (Section 81), the latter calls the DDCC only an "advisory body". Furthermore, only members representing the DC have voting power, thus it is unclear why deliberations cannot be implemented in a special session of the DC but need an own body. Other than that, the role of the District Planning Unit (DPU) has to be specified. Consisting of different senior line officers from the District Administration the DPU is supposed to provide planning services to the Councils and to ensure the conformity of the district plan with the National Plan. The DPU according to the LG Act has to finalize the DDP "having regard to the recommendations by the Council". This provision degrades also the DCs to advisory bodies. Without clarification, the cooperation of the different tiers of government on development planning is likely to be hampered by disputes over competences. Coordination of the districts is happening in

the current system merely in the central government. An institution horizontally harmonizing the DCs and representing their entirety on the central level is missing (LG Act 1996 and 2004, Thomi, 2002, Pfeiffer et al 2005 and Interviews with Councillors, May, 2010).

7.0.7 Technological Instruments for Policy Execution as Lesotho's LG Efficiency?

Part of the criteria to Lesotho's efficiency in the decentralization policy planning and implementation capacity is the availability and use of technical equipment for such policy implementation. For a developing country like Lesotho, the Decentralization Implementation Programme also refers to the necessity of infrastructure provisions for the newly established LGUs. DCs have to utilize administrative facilities at the district level but small administrative structures need had to be launched for CCs. The office, meeting space and basic office equipment like desks, chairs and filing cabinets constitute basic needs. These are nonetheless, inadequate as needed basic equipment to effectively fulfil any local functions. The internet and the occasionally available fax line are always almost all year round reportedly and observably dysfunctional (Field-Interviews with Councillors, May, 2010). There is no clear guideline as to how such have to be addressed. Few CCs observably have a permanent office still under construction with limited furniture of one table and few chairs in a rented small building. Most of the utilized facilities belong to other institutions like agricultural department, local courts, clinics, chief's houses or churches. The solar panels installed for electricity provision are either partially operative and/or cannot generate enough electricity for smooth and continued telecommunications service for activities coordination and thus development delivery. Some remote CCs lack adequate housing for the CCS. As such a number of CCS resides in district towns, reportedly, depriving local councillors of adequate interaction for guidance and effective use of the availed administrative personnel. This affects timely decision-making and hence timely delivery. DCs do not yet have their own buildings. They share small facilities with the DA, the Ministry of Education and Training (MoET) buildings or any ministry's limitedly available buildings and facilities in the district towns. Decentralization needs to be the framework of the devolution process involving a

transfer of assets including office buildings combined with a redistribution of existing facilities. This would promote efficient and effective functioning of the DCs further (GoL, 1997, Thomi, 2002, GoL, 2004, Pfeiffer et al 2005 and GoL 2006 and Field-Interviews with Councillors, May, 2010).

7.0.8 Efficient Fiscal and Administrative Devolution for Lesotho's LG Efficiency?

Fiscal decentralization and administrative efficiency also form part of the critical indicators for decentralization's success in development delivery as already indicated. Lesotho's Decentralization Implementation Programme pronounces the financial dimension of this policy as primary principle of the entire process. Let us note once more that there are no traditions of implementing public funds independent from the national budget. Fiscal decentralization is a completely new strategy for Lesotho, though in some of the deconcentrated branch offices of the central government experiences with autonomous budgeting do exist. Concerning the provision of resources for LGU, sections 47-66 of the LG Act has stipulated the general framework for local government finances. The Council's "Fund" (budget) is constituted by all revenues of a Council, which is own revenues from levies and fees, donations, gifts and grants and sums made to the order of the Council by the National Assembly. Nonetheless, the Cabinet still acknowledges that 'notwithstanding the powers of LGUs to levy taxes as a source of their income, central government will still remain the primary financier of LGUs through a grant practice.' LGUs receive grants covering the cost of personnel, allowances for Councillors and some operation costs. Allocations are made subject to the salary entitlements of the transferred and recruited staff and the number of Councillors. On the basis of the big range of CCs' size, budget allocations for CCs per capita vary significantly. Small LGUs benefit most. This type of the transfer of financial resources to the LGUs is not yet adequate for efficient and effective development-service delivery. LGUs still lack financial resources to effect development. They cannot expense or generate income/funds for their development needs. This puts development delivery into jeopardy. Decentralization is mainly about financial and administrative devolution including the autonomous authority and the capacity/empowerment to locally generate funds in a sustainable way for

sustainable development/local development-delivery (GoL, 1997, Thomi, 2002, GoL, 2004, Pfeiffer et al 2005, GoL 2006 and Field-Interviews with Councillors, May, 2010).

The Fiscal Decentralization Task Team, a joint working group of the MLG and the MFDP, after its reactivation in spring 2006 agreed on a method to allocate capital budgets to the LGUs. The national budget includes a title 'Development Fund for Councils' for this purpose. Then the 75% of the fund amount would be distributed according to each CC's share of population. Lacking reliable population data, the number of registered voters became the basis for this allocation. The remaining 25% of these development funds are distributed according to a CC's share of Lesotho's surface. The MLG originally preferred a distribution based on the comparative development and poverty level of a CC. However, reliable CC statistics on poverty were not available. Furthermore, these indicators would be easier to manipulate for political reasons. More pressing than the allocation formula is actually the low amount of the capital budget. The designated sum amounts only to 10% of the funds transferred for recurrent expenditure, being salaries, allowances and operation. In the long-term, regardless of the obvious donor fatigue and impoverishing tied-aid with cumulative-compounding charged interests by international financial lenders in state's development, international donors are still expected to provide additional funds for this purpose. This is pathetic as it affirms the observed situation by Olowu (2000, 2002 and 2005) and Cameron (2005) that African states' decentralization process is greatly constrained by inadequate capital budget and weak central governments themselves. Furthermore, these states have not managed to make decentralization work as they also only decentralized in order to qualify for donor funding. The central government's sector programmes mostly in the district administration level are still retaining the functions ought to now be devolved to LGUs. The given excuse is that LGUs are not technically competent. *Why not devolve those very competent sector programmes retaining functions that are supposed to be devolved, remains an unanswered question*. There is obvious political hesitation to embrace a decision on the design of a comprehensive system of intergovernmental transfers effecting devolution of capital resources and funds generation and management to the LGUs (Field-Interviews with Councillors, May, 2010). Instead, the central government

expressly hopes to be supported by donors to establish a Local Government Finance Commission or Board to responsible of assigning funds to the CCs with an incentive structures for community development projects to be given by donor support through a wished District Development Fund. The terrible attitude of dependency syndrome is now perpetually being transferred by the central government into decentralization policy which ought to root it out. The central government has legally protected itself; audits may be done only if the minister prefers to do so. Government also reportedly represses independent audits by the General Auditor's office. The established Anti-Corruption Unit can only act with the approval of the government's structures. There are no audits, or any substantial financial accounting procedures/accountability systems attract such donor funding wishfully thought for and expressed as a desire preserving inaction in policy documents (Ibid and Field-Interviews with Councillors, May, 2010).

Revenue generation capacity by LGUs as already partly indicated forms an essential requirement for LG's efficiency in development-delivery. The LG Act, section 47, lists possible revenue sources for LGUs including: (a) fines and penalties; (b) rates, taxes, duties, fees and other charges levied under authority of the Act; (c) all sums realized by sales, leases or other transactions; (d) all revenue derived by the Council from any property vested in the Council, or by the administration of any utility services; (e) and all donations, gifts and grants to the Council in the course of the exercise of its powers, duties and functions. The constraint here is that no significant revenues may be raised from any of these sources. Let us cautiously note this constraint together with the real fact that collected revenue are mostly collected as cash by LGUs lacking proper financial systems for the very collection/recording and disbursing, vulnerably promoting any form of corruption, not to talk of the report that many LGUs have no banking accounts yet for specific ongoing cash generating activities. Is it real that we do not have money/capacity to raise it or that our hands, pockets and savings are leaking? Gross errors as signs of mismanagement are so observable in these LGUs financial management and raising activities but this is not the main scope of this thesis. Property rates are limitedly effective only in Maseru. Revenue from fees collected by the MLG in the districts is negligible (Field-Interviews with Councillors, May, 2010). The potential to raise funds locally is at

the moment, besides obvious lack of political will (governance reluctance) to do so in fear of loss of popularity and local political support, remaining ignorably insurmountable as there is no decision or intention to design an investment plan in development to build the 'local revenue capacity' (licensing fees, property taxes, rents, various user fees (public toilets and parking areas, electricity, piped water e.t.c) and levies as well as the accountable institutional capacity all which would minimize being cash strapped and inefficient/corrupt). This pragmatically effectively blocs any poverty alleviating initiatives by the decentralization originally officially purported for that. It then justifies and affirms the argument of this thesis beyond the expected point that decentralization in Lesotho is not only donor driven but further serves as a practical precondition for accessing more donor support, also observing the wish list with inaction by the governments of Lesotho. The excuse is that poverty further limits the possibilities for collecting revenues but policy programmes vacillate and reverse towards centralization re-solidification through deconcentration in decentralization. Collected revenue at the local level, such as pound and grazing fees, sanitary and refine fees, market fees, community hall and public toilets, is currently not properly deposited in bank accounts. These monies are often kept in cash very difficult to properly account for from their collection throughout to any stage even of possible mismanagement (GoL 2006:2, Pfeiffer et.al. 2005:12-18 and Field-Interviews with Councillors, May, 2010).

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One other essential indicator for efficiency in decentralization for development-delivery already theoretically alluded to is the cost efficiency/effectiveness. Lesotho's decentralization needs to optimally utilize financial and administrative resources for maximum output in development delivery to be named efficient or successful. May we recall that the institutions of LG purport to bring development-services closer to local citizens thus improving the provision level, which indeed is referred to as the effectiveness of the services. However, cost-effectiveness/efficiency is not an explicit objective in Lesotho's decentralization programme. For instance, the criterion did not take any crucial role for the Administrative Boundaries Commission. Obviously Council boundaries did not consider already other existing administrative boundaries for effective coordination, resources use and distribution and administrative efficiency. The LGUs'

boundaries cut across political constituencies ideal for voter registration, citizen participation organization and elections management at both the national and local levels. They also cut across traditional/customary chiefs' administrative territories confusing pre-existing local customary governance that founded this nation, not to talk of the essential role chiefs play in development delivery as shown in the earlier chapters. They do the same for the other urban areas as already indicated (Hlotse and Butha-Buthe). This also brings in contradictions in terms of spatial jurisdiction critical for local participation organization and service delivery, not excluding the consequence of confusing channels of information flow (Field-Interviews with Councillors, May, 2010). The accessibility of rather unspecified type of services is said to have been the main criterion but independent of cost-effectiveness even in the delivery of such services whether administratively or otherwise (Ibid).

Furthermore, while section 31 of the LG Act states that each CC will be an own legal entity (body-corporate) employing administrative staff led by the CCS, every position is still recruited for by either the MLG's minister or the LG Service Commission answerable to the minister. This type of re-centralization is not only causing staff inadequacy through recruitment backlog causing LGUs' incompetence but it also overly stretches these central bodies' capacity on irrelevant activities of recruitment for LGUs instead of monitoring and capacitating their performance in development delivery. This is non-optimal use of structures consequently adding to administrative and financial mismanagement compounding development non-delivery in LGUs. Moreover, the LG Act has the provision that the CCS and any of two officers specially authorized by the Council for that purpose shall sign all orders or cheques for payments from the Council's account. That is to say each Council has at least two staff beside the CCS with appropriate financial management competence. These two staff members are still lacking in most of the LGUs, depriving these LGUs any financial competence for cost-effectiveness in local development-service delivery. At the moment additional recurrent administrative expenditure due to the decentralization programme including formation of its new LGUs is inefficiently too high. While administrative costs for any development programme may acceptably be at most 10% of the budget and the remainder for

development delivery or production, Lesotho's LGUs rather spend or consume their budget in the other way round, which is 10%, is left for limited development activities, indicating significant development non-delivery. The administrative costs are far away from being cost-effective because for each of the 128 CCs a secretary and seven assisting staff were newly recruited. Every CC also has to pay allowances for 9 to 15 Councillors. A Councillor's position is regarded as a full-time job. These allowances reportedly surpass the salaries of low qualified support staff (Field-Interviews with Councillors, May, 2010). Furthermore similar recruitment for all CCs but of different size led to significant differences in administrative overhead costs of the Councils. Lack of cost efficiency is seen in that districts with small CCs resultantly employed many more people in relation to the population size than districts with larger CCs. Such a disparity indicates inefficiency in administrative resources deployment and thus non-cost effectiveness (Pfeiffer et.al. 2005 and GoL, 2006:3 and Field-Interviews with Councillors, May, 2010).

7.1.0 Lesotho's Decentralization Participation Indicators

7.1.0.1 Indicators for Efficient Preparedness for Participatory Local Democracy

Applying the already discussed theoretical framework efficiency in chapter 4, it needs to be noted that decentralization and the establishment of LGUs in Lesotho has observably and reportedly been a top-down approach[14] started by the central government and supported by donors/external development agencies like GTZ (German Development Agency), United States of American Aid (USAID), World Bank, International Monetary Fund/IMF, Ireland Aid, United Nations Development Programme/UNDP and others. Checking on the low turnout in the LGUs' elections affirms that a large share of the Basotho population is probably not yet ready or properly conscientized for participatory local democracy. Experience with participation in local affairs management is also generally low though slightly differing regionally. The LGUs highly lack civic culture, even the one that ever pre-existed. For instance, LGUs' establishments have not augmented on initiatives whereby locals took up own effort on HIV/AIDS related

[14]. Top-down in the sense that it was initiated and funded by the central government and external donors and more dangerously, in the sense that it was planned at the centre with no regard for the views and aspirations of the grassroots masses or local level state.

activities of organizing themselves into support groups for home care and various neighbourly support to the local orphans, widowers and widows and the affected. In certain areas with partial NGOs' support, local dwellers formed associations for rangeland management and grazing control involving monetary compensation schemes. The fines for cattle grazing in cultivated fields and preserved pastures for grass/fodder production have often been collected by the local chief or other locally entrusted persons. While in some cases, locals collected money among themselves to contribute in government capital projects benefiting the entire locality; we may recall the small irrigation dams and rural water supply as other existing examples. Working committees with by-laws saw to it that there is no misuse of such funds by the locally entrusted persons. Nevertheless, LGUs formation and functioning lacks including an organized participation of these groupings. Furthermore, a systematic citizen participation involving the joint articulation of political demands is relatively a new concept for Basotho people who mainly survived on migratory labour system, some transhumance, subsistence farming and limited service economy and exploitative textile industry, all now in recession as some near extinction, particularly the migratory labour system from depletion of mines and gold depreciation in RSA. In the late 1980s male migrant labour force was above 52% mainly in RSA exceeding 89,000 men but it is now around 35, 000. LGUs have not clearly incorporated agricultural and other various income generating schemes for these retrenched and sometimes badly injured and disabled poor exploited mineworkers. To the passive Basotho, the idea of being politically responsible for local affairs management is relatively new indeed. Decisions used to be made by a distant bureaucracy or a local chief through traditional authority. That is to say democratic convictions, culture and attitudes are not yet very deeply rooted though knowledge about democracy is fast growing. Councillors and chiefs also lack information about LG's activities; this causes delays that put at risk the prevailing enthusiasm of other local government stakeholders (Gay, 2006:1 and Interviews with Councillors, May, 2010).

The efficiency criterion issue of the promotion of a civic culture and local political elites is also assessed by the decentralization policy 'insiders' in the next chapter for more assessment on citizen participation. Nonetheless, findings generally confirm Olowu's

(2000, 2002 and 2005) argument that developing African countries lack effective civic culture as very few people are members to the limitedly functioning NGOs. Lesotho's decentralization strategy states the goals of widening public access to the government structures and promotion of citizen participation. This includes provisions for a capacity building programme and for the development of a community based planning methodology to serve as a key tool for the implementation of participatory planning within the framework of the new local government structures. Surprisingly, decentralization in this country lacks integral civic education and emancipation. There are no LGUs' budgets for training courses and capacity building. Instead of budgeting for that, investment budget has been used only once by MLG, limitedly for this purpose in a five-day workshop. Unfortunately such sporadic capacity building trainings have also not included key persons to local development issues being the chiefs still responsible for local affairs management. Potential voters in local elections wondered what would be the function of Councillors after the local elections and how the system would function. This was worsened by the fact that fragmentary regulatory framework of Lesotho is still unclear, which prevented the central government campaigns about decentralization from clarity provision to the general public. NGOs' capacity to promote civic culture and support democracy education is quite limited as membership in associations is also very low. Around 12% are active members in community development or self-help associations. Membership in business and farmers associations and in trade unions is even lower. Only one NGO named Transformation Resource Centre acting nationwide in democratic education developed textbooks for pupils and manuals for teachers on the constitution and on local democracy (Gay, 2006, Green/Chikwanha 2006 and Field-Interviews with Councillors, May, 2010).

7.1.0.2 Answerability/accountability and Responsiveness of LGUs in Lesotho

It is essential to note that this aspect has also been subjected to the decentralization policy insiders' assessment in the next chapter. Such analysis will augment this one mainly inclined on decentralization efficiency while the former is based on locals' examination to complement this one. Accountability and responsiveness of LGUs also constitute a critical element of efficiency in LG. Decentralization is frequently motivated by the

phrase, ‘bringing government closer to the people’. Unlike above, here we deal with whether LGUs in Lesotho are prepared to really respond to the needs articulated by the local people. This aspect of efficiency directly hinges on the transparency and access to information by the LGUs’ staff and councillors as well as the local citizens. The LG regulations promulgated in May 2005 demand Councils to function openly. That is Council meetings need to be public allowing public contributions. Minutes of the meetings ought to be accessible to everyone on request. LG Act, section 44, provides that by-laws of LGUs have to be published in the government gazette before coming into operation. The regulations further stipulate the duty of Councillors as to regularly hold public gatherings (lipitso) in the constituencies in order to have the concerns of the locals and to inform them about issues discussed in the Council. The limitation here is that there is no system/standard in place to monitor performance in this task. Informal interviews with more than twenty interviewees have confirmed that councillors are inaccessible and lack enough time to report. There are no known fixed scheduled public reporting sessions except CCs’ indoor un-open meetings in very small offices denying public attendance. Again, organized civil society associations may voice their concerns at the district level in the DDCC but this institution meets only once a year not to mention that NGOs lack sufficient information on how they are to relate and work or participate in the LG. Organized flow of information from the community into the political bodies and vice versa is basically flawed and non-existent. Furthermore, the codified rules do not address the access of citizens or local government Councillors to files and documents of the administrative apparatus of the districts and the central government. The Councillors are to monitor the work of the staff under the Council and the implementation of the approved plans but still, their individual or collective rights to query are not defined yet. Reportedly, CCs take minutes in the councils but in the absence of enough technical equipment even among the Councillors themselves, this is said to be hardly done. At times CCs lack writing paper not to talk of printing one or toner. Photocopiers are limitedly available at the DC office, if made available at the CC, power failure and frequently required repairing is an often hurdle. This puts councils and the staff at CC in a blindly groping working environment whereby issues to be followed up, not accomplished and so on may not be efficiently handled for local development delivery.

Minutes are fundamental to efficient management of local affairs. LGUs also face the widespread lack of any reliable communication infrastructure so that even the calling of a meeting can be a serious logistic challenge. Invitations must often be carried by people who are coincidentally on their way to the locality where a Councillor lives. In many CCs permanent office is not yet there or is very small and meeting facilities are not adequate. This makes it more difficult for people to approach their CC directly. The encountered Councillors reported their occasional implementation of public gatherings in their electoral divisions. The gatherings are normally coordinated by chiefs as this is the way information on local affairs is transmitted. However, councillors reported that this at times gets blocked by chiefs not calling public gatherings when they are not in favour of certain policy aspects, issues or the political party the councillor is affiliated to. At times chiefs refused permission for public gatherings due to personal differences with local councillors. This has adversely affected councillors' transparency, responsiveness and accountability to the locals. Local media like radio stations and newspapers do not exist. The central government's radio is not addressing this lack adequately though radio has the best outreach. Lesotho's LG is not yet well prepared for efficiency through accountability, responsiveness and transparency, all hampering decentralization process for development-delivery, we may conclude (GoL, 2005, Gay, 2006 and Field-Interviews with Councillors, May, 2010).

7.1.0.3 Elections and Representation as LG's Efficiency

In the context of the difficulties in the flow of information the conduct of the local government election ought to receive due attention. As a matter of fact, free elections presuppose access to information about the candidates and the given alternatives. After community boundaries were determined only in October 2004, preparation of the voter lists and candidate nominations took place under a very tight schedule. The time frame for sensitization and campaigning was so short. The Local Government Election Act was approved in 1998. Remarkably, an amendment to the Act in 2004 by the male-dominated National Assembly reserved 30% of the seats solely for female candidates. Due to the first-past-the-post electoral system, the government had to select arbitrarily electoral divisions where only women were allowed to run. After this was legally challenged this

provision was upheld in both instances by the High Court. As a result of tough deadlines and the pre-determination of the sex of the admitted candidates it happened, that in some of the electoral divisions either no or only one candidate could run for office. Apart from that, the NGO, Transformation Resource Centre, assumes that many women were encouraged to run by the 30% quorum. Thus the quorum should have increased the overall number of candidates and the choice for the voters. Where the elections had to be cancelled completely, new elections were organized in May and June 2005. Local government elections are the primary mechanism in which people express their satisfaction or dissatisfaction with the accounts of the political leadership in their local Council. Though the 2005 local elections were the first ever multi-party local elections in Lesotho, this mechanism started to operate. Many of the candidates presented themselves with their good 'accounts' from previous community activity. In total, 3.896 candidates ran for the Councillor posts. These numbers indicate that voters in many places were able to choose between alternatives. The term of office was reduced for the first Councils from five to only two years in order to conduct the next elections simultaneously with the national elections. Facing the capacity limitations of the local authorities this might be too early to present any substantial accounts to the electorate. On the other hand the allowances for the Councillors are high enough to justify an early re-decision on who deserves to be a people's representative (Ibid).

Despite the negative experience made on the national level with a pure first-past-the-post electoral system it was opted to use this system at the local level. Thus inclusiveness of the system is low and opposition or fringe groups are not represented in the Councils. At least in rural areas the virtues of this system might well prevail because constituencies are widely homogenous in terms of socio-economic status and ethnicity. The enthusiasm shown for the elections was much higher in rural than in urban areas. The turnout in the latter was much lower. The role of political parties is somewhat unclear. Councillors in many cases emphasized that party membership is irrelevant in the Councils. However, election statistics indicate the absolute dominance of the ruling LCD that nominated 26% of the candidates but gained 76% of the Councillor posts whereas independent candidates and opposition parties lost ground. The problem of low inclusiveness is even more

relevant in the case of DCs. The members are nominated by majority decisions in the CCs. Thus even opposition groups that successfully placed their candidates in a few electoral divisions completely lack representation at the district level. The problem was slightly litigated but not solved by the minister's intervention in May 2005 as was decreed that opposition parties constituting at least 25% of a CC can send an additional representative to the DC. After the 2005 election this is the case in five CCs nationwide. The predominance of the ruling LCD is still manifested. Strong opposition is unlikely to emerge. The development of political alternatives depends on the pluralism within the LCD (GoL, 2005:507-508, GTZ, 2005, TRC, 2005, Green 2006 and Field-Interviews with Councillors, May, 2010).

7.1.0.4 Competences of LGUs in Lesotho

The challenge here is to find the right means to this end as it involves devolution of such competencies for decentralization efficiency at the local level. This part addresses the process of the competence transfer and their relevance for efficient decentralization in Lesotho. To achieve this, it is important to understand firstly how efficiently the transfer process was done. The implementation of the transfer began with the recruitment and the formal establishment of the new administrative structures in April 2005 followed by the LG election in the same month. In the following months the Councils met for their first meetings, some training for Councillors and for Council Secretaries were conducted. The transfer of staff came into effect in October 2005, for that financial year still without budgets. With the beginning of the financial year 2006/ 2007 in April 2006, budgets for personnel and parts of operation costs were transferred to the DCs. At the same time newly recruited staff assumed office in the DCs and the CCs. So far, the step-by-step expansion of local authorities took place. However, talks with local government stakeholders on the ground conveyed the impression that the process to a big extent lacked predictability. Implementation decisions often were taken in an ad hoc manner on the central level. Affected staff received the notifications on their transfer and first information on its implications only in September, 2005. Heads of line ministry departments in the districts were not involved in the process. The Inter-Ministerial Task Force already in May 2004 prepared a Report on the Proposed Functions for Local

Authorities over the period 2004-09. The report specifies the very broad and imprecise provisions of the LG Act on the functions and competences and lists for each ministry a breakdown of functions to be decentralized in phases. However, timing for the devolution is not suggested and the staff transfer finally happened in one big bang. A manual book used for training of Councillors and LG staff in the chapter on functions of local authorities refers only to the schedules of the LG Act deemed imprecise by the Task Force report. There seems to be a problem of elusive functions of local authorities according to the law on the one hand and practical activities of the local Councils that are somewhat detached from the envisaged functions on the other hand. Thus responsibilities are formally devolved and continuously implemented but not dealt with in the Councils (GoL, 2004, GoL 2005:19 and Field-Interviews with Conucillors, May, 2010).

7.1.0.5 Substance of Powers and the Nature of LG's Devolution in Lesotho

Clear jurisdiction also contributes towards efficiency of decentralization. Section five of the LG Act in two lists specifies very broadly the tasks and functions of LG. While the first schedule refers to tasks that shall fall under the responsibility of DCs, the second names the functions under the authority of the CCs. The first schedule lists the following matters: 1. Control of natural resources (e.g. sand, stones) and environmental protection (e.g. gullies, pollution). 2. Public health (e.g. food inspection, refuse collection and disposal). 3. Physical planning. 4. Land/site allocation. 5. Minor roads (e.g. bridle-paths). 6. Grazing control. 7. Water supply in villages (maintenance). 8. Markets (provision and regulation). 9. Promotion of economic development (e.g. attraction of investment). 10. Streets and public places. 11. Cemeteries. 12. Parks and gardens. 13. Control of building permits. 14. Fire. 15. Education. 16. Recreation and culture. 17. Roads and traffic. 18. Water resources. 19. Fencing. 20. Local administration of central regulations and licenses. 21. Care of mothers, young children, the aged and integration of people with disabilities. 22. Laundries. 23. Omnibus terminals. 24. Mortuaries and burial of bodies of destitute persons and unclaimed bodies. 25. Public decency and offences against public order. 26. Agriculture: services for improvement of agriculture. 27. Forestry: preservation, improving and control of designated forests in LAs (LG Act, 2004 and Field-Interviews with Councillors, May, 2010).

The second schedule lists the following matters as competences of CCs: 1. Control of natural resources (e.g. sand, stones) and environmental protection (e.g. dongas, pollution). 2. Land/site allocation. 3. Minor roads (also bridle-paths). 4. Grazing control. 5. Water supply in villages (maintenance). 6. Markets (provision and regulation). 7. Burial grounds (Ibid).

The LG Act then in section 42 allows Councils to make or to adopt by-laws regulating the issues under their responsibility. By-laws include the option of imposing penalties and fines. Likewise the payment of allowances to Councillors shall be subject to a by-law. The introduction of taxes and rates is subject to limitations as may be specified by the minister (LG Act, section 56-58). The provisions in the schedules are ambiguous because all seven matters in the second schedule overlap with the first and clarification is left open to regulation by the minister. On the one hand this ambiguousness is conducive because districts remain flexible to take care of certain issues if a CC is not capable to find adequate solutions. Larger CCs in urban areas are likely to develop stronger capacities to handle the competences than small rural CCs. On the other hand, this confusion might easily lead to disputes over competences between CCs and their DC. This risk points to another weakness of the LG Act. It fails to specify even rudimentary regulations for dispute resolution. This concerns not only the relations between CCs and DCs but also potential conflicts between the minister and a Council on the approval of a by-law. By-laws do not take effect until they are approved by the MLG/minister. This is a very restrictive and time consuming procedure. Furthermore, neither the LG Act nor the Decentralization Implementation Programme makes any provisions regarding the competence to decide on the size of a Council's administration. The Act (section 38) merely stipulates that the salary, allowances and conditions of service of an executive officer of a Council shall be determined by the Local Government Service Commission (LGSC), established by the LG Act (section 67). Likewise an elaboration of the rights of the Councils to approve the budget is missing (GoL, 1997, LG Act, 1996 and 2004 and Field-Interviews with Councillors, May, 2010).

As noted earlier, for the time being the MLG decided to recruit staff equally for each CC and DC. Staffing is not adjusted to the needs. No choice is left for the Councils to shift funds from the recurrent to the capital budget. The LGSC is responsible for the personnel of the local authorities. While it seems reasonable to ensure countrywide equal conditions for local government servants, it makes no sense to exclude the local authorities from nominating Commission members. The LG Act puts this competence solely into the hands of the MLG and Councillors or Council employees are explicitly banned from membership. A similar problem exists with regard to the Local Government Service Tribunal that is supposed to deal with appeals against decisions of the LGSC. According to the LG Act, section 75, the members of the Tribunal are appointed by the Commission after consultation with the minister. Neither local authorities are involved nor is the Tribunal impartial under these conditions. Competences of the Councils will have to be clarified also in relation to the DA. The issue of development planning has already been addressed above but it may be observed that according to section 30 of the LG Act, the District Planning Unit/DPU under the DA 'finalizes the District Development Plan', though physical planning and promotion of economic development are competences of the local authorities as stipulated in the schedules of the same Act (Ibid).

7.2.0 Summary

In practice the coordination and cooperation within the central government so far are insufficient and fail to provide a regulatory environment conducive to a smooth effective and efficient autonomous functioning of the LGUs. Rather, provision of absolute powers is made to the MLG's minister, consequences of which are naturally known in Africa currently, mainly development-non-delivery, putting aside the worst others. The MLG lacks the capacity to exercise such powers as supervision is not a matter of priority. LGUs still lack policy planning and implementation capacity as are legally-politically constrained. The District and Community administrations still have most of their functions left centralized in the DA's office. Many competences and resources are still held there in favour of continued centralization, confusing most of these LGUs' officers.

Considering policy planning and implementation capacity at the community level, staff competency is questionable, as reportedly, there has been recruitment of largely unqualified personnel which exacerbated the extremely bottom heavy structures. CCS' capacities for appropriate management of the staff assigned to a CC are overstrained. They always have to try and do more than they can due to lack of support from limitedly skilled support of their juniors. Furthermore, the flow of information to them is reportedly insufficient. There is need for an institutional design with a framework enabling vertical and horizontal cooperation of different institutions and tiers of government. Inadequate technical infrastructure is clearly a limiting factor for efficient and effective work of the newly created administrative units especially at the CC level (Field-Interviews with Councillors, May, 2010).

Lesotho's preparations for decentralization process largely ignored the fiscal implications and hence a non-cost efficient policy process. The implication is that decentralization may in the short-run and long run remain a failure in the delivery of sustainable development for poverty alleviation. Not unless imbalances causing cost inefficiency are well addressed. The central government failed to develop a workable system of effective equitable intergovernmental transfers and recruitments for LGUs' competence in poverty reduction though the intention to complement the political dimension of decentralization with a financial one is clearly stipulated in the LG Act and in other approved legal documents. The requirements for proper financial management of LGUs still remain unclear. Demarcation of Councils' boundaries, recruitment procedures and current allocation pattern has been a hasty ad hoc decision making ignoring cost efficiency in development delivery. Instantly, small CCs have incurred too high administrative overhead costs. The central government has ignored the obvious alternative of reducing recurrent cost in favour of community investments for sustainable development/poverty reduction (Field-Interviews with Councillors, May, 2010).

Preparedness for participatory local democracy still leaves much room for more improvement to effect constructive local self-administration. Some few traditions to build on are existent. Very few people are engaged in political management and the

organization of joint community activities. Where they are, their activities restrictively normally relate only to the village in which they live, not to the CC area consisting of a number of other villages. The ad hoc financing of capacity building and training measures without a separate budget item gives another indication that these issues lacked the necessary priority in the preparations for the implementation of the decentralization process in Lesotho. These constraints contribute perpetually to the failure of potential decentralization in Lesotho's development-delivery. While locals may now raise issues on the community or the district level and address an administration that is less fragmented than before regulations theoretically ensure transparent procedures within the Councils. Lack of an adequate basic office and telecommunication infrastructure limit transparency. Citizens and Councillors lack instruments to monitor and control the work of the administration. Local democracy may now be limitedly be exercised for the first time through the LGUs, still, the design of the CC boundaries and the electoral system have revealed defects. Opposition groups are still marginalized. It seems almost impossible for them to gain representation at district level. A one-party DC may in the long run support patronage and further weaken the control of the district level administration.

Concerning LG competences the main problem is the impreciseness and incompleteness of the provisions of the LG Act. LGUs still lack the sovereignty over the budget expenditure which is an essential core competence. The freedom of choice of the Councils is significantly restrained. LGUs also lack sufficient influence on human resource issues. They are not adequately represented in the Local Government Service Commission and in the associated Tribunal. No provisions are made for the case of arising disputes over competences with other institutions such as the MLG, the DA or the chief on the community level. Currently the MLG retains decisive influence on the businesses of local self-administration. This is no devolution of powers if not re-centralization through deconcentration. A transparent agenda and a consistent concept for the devolution process are missing. Processes are managed more in an ad hoc centralized manner. The challenge seems to be to make the Councils proactive in dealing with the competences and choices they have. On the basis of this analysis it is possible to

conclude that Lesotho has not adopted and managed some of the critical and main factors of decentralization's success efficiently and effectively for development-delivery, affirming the argument that this policy has institutional limitations hampering it even against poverty reduction (Field-Interviews with Councillors, May, 2010).

CHAPTER EIGHT: ASSESSMENT OF DECENTRALIZATION IN LESOTHO

8.0 General Introduction

The last chapter mainly dealt with the nature of Lesotho's decentralization. The fundamental aim of this chapter is to further address, mostly through my questionnaire, interviews and examination of primary data, the following:

- The degree of decentralization and its contribution towards political-development attainment/service-delivery in Lesotho. Indices which have been used for such measurement through the conducted questionnaire included; (a) the degree of local government autonomy in the selection of local staff, (b) the ability of local government to access national government (c) and influence national local government policy, (d) the range of local government functions, (e) the degree to which local political parties can make decisions independently of their national structures (f) and the degree to which local governments can raise their own sources of revenue independent of higher tiers of government.
- The extent, effectiveness, and impact of decentralisation in Lesotho.
- The assessment of the public and developmental administrative nature, type of relations between Local Government Units/LGUs and customary chieftaincy and central government, financing/budget, political and electoral systems and institutional and human developmental effects of decentralization,
- The identification and assessment of decentralization's constraints and improvements and the demographic aspects of the Councillors together with the staff so as to analytically investigate on issues of competency in policy execution as well as efficiency and effectiveness aspects of citizen-participation inclusive of development delivery.

The chapter argues and critically demonstrates through field findings analysis that decentralization in Lesotho has experienced key specific intervening factors that thwarted and eroded its potential local democratization and development delivery or effective local governance.

8.1 Demographic Aspects of Lesotho's LGUs Personnel

Still in the same application of this conceptual framework within Lesotho's context, let us observe the demographic aspects of the LGUs' councillors and personnel. There is no doubt from the table 8.0 below that gender-wise women in Lesotho are greatly involved in LGUs. The age range participating is from 21 to about 71, though age group 41-50 is the highest (30%), followed by 31-40 (27%), 51-60 (16%), 61-70 (15%) and 21-30 (10%). Higher women's involvement in LG is due to higher male labour migrancy and low remuneration in LG *(Field Survey/Interviews, July 2009 to July, 2010).*

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According to my field survey and interviews (summarised in Table 8.0 below), the aspects of poverty, on the direct immediate beneficiaries of Lesotho's decentralization, that is the LGUs' staff and councillors, can be readily confirmed by the fact that most of them occupy below 4 habitable rooms, yet most of their household size is between 3 to 4 and 5 to 6 persons almost equal in terms of occurrence/frequency. This range of household size justifies the need for habitable rooms to be at least mostly 5 to 6 (better level of life widely accepted) for better living conditions without congestion, limited privacy and for healthy environment. Furthermore, more than half (51%) of the LGUs' administrative personnel including councillors has no useful livestock and arable land (55%). Table 8.0 created from the interviews I conducted indicates *(Field Survey/Interviews, July 2009 to July, 2010)* that the existing council areas have single mothers with 3 or more children ranging between at least one household to eight of such poor families. Income level is very low in any terms, it is entirely earned from LGUs as allowances and almost all of the councillors are unemployed. This gives some degree of needy household structure, vulnerability and poverty stricken aspects of local population that decentralization is encountering in Lesotho. This neediness level by immediate direct participants affirms extreme local poverty constituting a constraint to LG for local resources mobilization/revenue/productive base, thus local development delivery *(Field Survey/Interviews, July 2009 to July, 2010)*.

Lesotho's LGUs' personnel competency from the demographic data below is observably very low as only 15% has university education while 56% has primary education only. These extremely low levels of education underpin very low levels of technical, financial and administrative capacity. This is compounded by the fact that the elected (90%) councillors and staff have less than 4 years experience in LG. Many (27%) have to be commuting from outside council's area stretching funds through commuting or travelling allowances, limiting timely responsiveness and decision-making on local needs and thus efficiency and effectiveness of LGUs in development delivery. The one strong (79%) political party-affiliation to the ruling Lesotho Congress for Democracy/LCD condones political-social exclusiveness and political-clientelism *(Field Survey/Interviews, July 2009 to July, 2010)*.

Table 8.0: Respondent's Demographic Data

Variables	Fill Ins/Category	Frequencies	Percentage
Gender	Female	33	45
	Male	40	55
Age	21-30	7	10
	31-40	20	27
	41-50	22	30
	51-60	12	16
	61-70	11	15
	71+	1	1
Number of owned/rented habitable rooms	1	0	0
	2	12	16
	3	19	26
	4	22	30
	5	11	15
	6	6	8
	7+	3	4
Household size	1to2	8	11
	3to4	21	29
	5to6	22	30
	7to8	12	16
	9+	10	14
Livestock owned	None	37	51
	Pig	12	16
	Horses/Donkeys	23	32
	sheep/goats	35	48
	Cattle	21	29
	Fowls	20	27
Number of Households with single mothers & 3 or more children	1to2	19	26
	3to4	3	4
	5to6	2	3
	7to8	12	16
	0	37	51
Number of fields owned	0	40	55
	1	16	22
	2	5	7
	3	6	8
	4	3	4
	5	3	4
Marital status	Married	63	86
	Single	5	7
	Widowed	5	7
	Divorced	0	0
	Separated	0	0
Highest Qualification	Primary	41	56
	Secondary	8	11
	High school	10	14
	Tertiary/college	3	4

	University	11	15
Type of work/Main occupation	Unemployed	58	79
	self-employed	1	1
	Employed	15	21
Years of experience in Council	1year	0	0
	2years	5	7
	3years	21	29
	4years	30	41
	5years	17	23
	6years +	0	0
Office held/office type occupying	community-council	46	63
	district-council	31	42
	MCC	18	25
How was position obtained/elected?	Employed	7	10
	Elected	66	90
	Appointed	0	0
Respondent's Position	community-councillor	48	66
	MCC-Councillor	15	21
	MCC-Professional staff member	3	4
	district-councillor	31	42
	CC-Secretary	4	5
	DC Secretary/Staff	3	4
	Chief in MCC	2	3
	Chief in CC	2	3
	Chief in DC	2	3
Party affiliation	None	12	16
	LCD	65	89
	ABC	1	1
	BNP		
	Other party		
	Independent		
Place of residence	in council's area	73	100
	outside council's area	20	27
Place of council	Elsewhere and distant other than at council's place/office		
	Right at the city/MCC	18	25
	Right at the urban/district council	24	33
	Right at the Community Council	31	42
Range of income in thousands/month?	1-2	10	14
	3-4	48	66
	5-6	11	15
	7-8	0	0
	9-10 and above	4	5
Income sources	Employment from the Council	73	100
	Other formal employment		
	Informal/casual employment/sales	31	42
	Self-employed-professional	1	1

	Owned business	5	7
	Rentals (rooms)	5	7
	Pensions	1	1
	Spouse's income from other formal employment	6	8
	Migrant remittances	3	4

Source: Field Survey/Interviews, July, 2009 to July, 2010.

8.2.0 Strategic Indicators of Decentralization and Local Governance/LG in Lesotho

The above demographic aspects of direct participants in Lesotho's decentralization designing, implementation and evaluation also as key informants in this study indicated some institutional constraints argued as prevalent against the success of local decentralization. Nonetheless, the actual measurement of Lesotho's decentralization in line with the above conceptual framework needs to be done and enhanced by the indicators of such success or failure as here below; recalling that, "The success of policy is observed by looking at *outcome indicators*…concerned with whether policy (decentralization) goals are achieved and whether people are satisfied with the results (Parnell et al, 2002:252)."

Councillors were interviewed on the strategic indicators of LG in Lesotho, for example, the community council's elected chairperson in Qacha district in the council area called White Hill, Mr. Makoko has stated that,

> "The political signs indicating some decentralization in our country are that we hold elections for our councillors, once after every five years. We have council meetings twice a month, a general council meeting and committees' meetings but we do not have standard legal mechanisms for accounting to our communities. Concerning devolution of administration, I think we are still behind because it is still the minister who hires and manages the personnel. The ministry is totally responsible for recruitment and control of staff. With regard to resources decentralization; I can say councils do not yet have sources of revenue by themselves. We do not have specific taxes we can use to raise funds. The money comes from the ministry (*Field Survey/Interviews, 25 August, 2009*)."

A 76 year old community councillor, Mr. Tokelo Mohlophe, in Qacha district, in Khomo-Phat'soa council area also stated that,

> "Members of the councils select their own chairpersons. The ministry gives the money and controls it. Some donations are from the Germans (GTZ) and other donors. They are transferred to our councils through our ministry that controls how we are supposed to use the money. Audits are not done. I have not seen them performed, published or posted on any regular basis (Field Survey, Interviews, 25 August, 2009)."

8.2.1 Political Decentralization Indicators

The operational indicators serving as results for measuring or indicating degree of success of LG in Lesotho with regard to political decentralization were formulated and translated into questions for obtaining responses (interviews) from the key informants as done in the tables (8.1 and 8.2) below: It can be confirmed that there are LGUs established with elections after every five years and working committees membership elected annually. All which meet at least once every month as scheduled. They also elect own LGUs' chairpersons. However, these LGUs do not approve their own plans and budgets. The 100% of key informants stated that, *MCC councillors provide prioritized urban community needs for inclusion into the budget to be discussed and approved by them as a council for direct funding by the government's cabinet but the minister usually makes major changes on the plans and the budget (Field Survey/Interviews, July 2009 to July, 2010).*

Table 8.1: Political Decentralization Indicators

Political Indicators	Response	Frequency	Percent

(a) How often are there fair and free (regular interval) local council elections?	*-After every 5 years for MCC, DCs and CCs.* *-Councillors elect each other for working committees annually while those committee members elect their chairperson.*	73 out of 73 respondents 53 out of 73 respondents	100 73
(b) How regular and frequent are there meetings of the local council?	*-There are monthly & emergent meetings for MCC & its 6 Council Committees made of 5 councillors.* *-DCs and CCs often meet monthly including working committees. There are also emergent meetings as well.*	18 out of 18MCCs. 55 out of 55 DCs and CCs respondents	100 100
(c) How can you explain whether there is approval of plans and budgets by the local council?	*-MCC councillors provide prioritized urban community needs for inclusion into the budget to be discussed and approved by them as a council for direct funding by the government's cabinet. The minister usually makes major changes on the plans and the budget.* *-CCs and DCs councillors and the personnel produce local budgets for modification, approval and/or rejection by the political minister as well. Councils mainly provide information about local needs for the minister to approve as a budget for modification and granting.*	73 out of 73 respondents 73 out of 73 respondents	100 100 100
d) How can you explain whether local council selects its own chairperson?	*-MCC, CCs and DCs membership vote for their chairperson. The chairperson of the MCC becomes the Mayor of the MCC. Councils also elect their deputy chairpersons.*	73 out of 73 Respondents	

Source:Field Survey/Interviews, July, 2009 to July, 2010.

CCs and DCs and the personnel produce local budgets for modification, approval and/or rejection by the political minister as well. Councils mainly provide information about local needs for the minister to approve as a budget for modification and granting. Then Lesotho's LGUs are mere consultative bodies accountable to the minister and not to local citizens, which is recentralization if not deconcentration, constituting policy reversal/vacillation as self-repeating regime/institutional constraint against effective LG in development-delivery (Field Survey/Interviews, July 2009 to July, 2010).

8.2.2 Administrative Decentralization Indicators

Besides the reversed political decentralization in Lesotho as assessed by key informants, it could be good to let them also assess whether at least there has been any administrative decentralization. As shown below; Lesotho's LGUs' still lack authority. The minister approves requests for disbursements on a monthly basis for LGUs. They also still lack authority to recruit or manage their own staff, this is answerable to the minister. There are no performance, management or financial systems or standards for LGUs, the MLG's given grant is fully controlled by the minister. This lack of administrative

decentralization puts this policy to an idle decentralization process with regard to development delivery as then local needs are not effectively addressed other than political goals of the ruling LCD, nationwide. The study's findings affirm that there has not yet been administrative devolution *(Interviews, July 2009 to July, 2010)*.

Table 8.2: Administrative Decentralization Indicators

Administrative Indicators	**Responses**	**Frequency**	Percent
(a)What could be the % of total government expenditure in LGU jurisdiction as controlled by LGU?	-MCC is financially run exactly like a government ministry entirely answerable to the political minister of Local Government (LG). LGUs basically lack any jurisdiction over expenditure currently. The minister approves requests for disbursements on a monthly basis. LGUs still lack the capacity in terms of skilled personnel, financial and management systems to effect control or exercise full jurisdiction in expenditure. They still lack autonomy and capacity to disburse funds.	73 out of 73 respondents	100
(b)Could you explain how the LGU hires, manages, and evaluates government personnel working in the LGU area (percent hired, managed, evaluated?) and what records are available on that?	-Local Government Service Commission consisting of 5 MCC members belonging to the ruling LCD political party hires needed staff but the minister from MLG has also surprisingly been filling some senior vacancies by personal appointments of personnel openly affiliated to her ruling LCD political party. The staff also clearly takes working instructions from her and reports to her the minister, directly. There is no staff performance appraisal or management system in MCC. The LG service commission also hires for the CCs and DCs but under the absolute scrutiny of the minister. Councils are not yet empowered to hire, manage and evaluate own personnel. It is distributed by the commission under the minister of LG.	18 out of 18MCCs, 55 out of 55 CCs and DCs respondents	100 100
(c)To what extent does LGU personnel perceive donors and government to be supportive, coherent and coordinated in their work with the LGU?	-At the moment there is no external funding, MLG grants MCC as the central government and also uses its raised road fund. The grant is directly controlled by the MLG resulting in uncontrolled uncoordinated improper infrastructural developments (evidenced by improper overly consumptive poor street lights e.t.c.) done by central government's minister appointed incompetent contractors unknown to the MCC, not supervised/monitored. The annual grant is usually inadequate, around R50 Million while the budget required for city's infrastructural development and maintenance according to the MCC's yearly budget is well over R700 Million per year. Direct external funding is seized by the central government. The central tier controls all the funding and its use, prioritizing its national political goals of continued dominance and long stay in power thus lacks effective support, coherence and coordination needed for local development.	40 out of 73 respondents, 13 could not comment on MCC, they lacked knowledge.	55 but 18% did not know much about MCC here
	-LGUs in Lesotho receive controlled grants from the MLG. Donors like GTZ (German Development Agency), UNDP and the international financial institutions still occasionally donate decentralization through the MLG under an illusion that the funds will be well managed, coordinated and used properly to directly support LGUs in a coherent manner. There is no transparency and effective/adequate support in the use of such resources for LGUs. MLG controls LGUs' everything and does not support them towards autonomy and self-sustenance. It could be better for LGUs to directly access and account for resources from donors and Lesotho Revenue Authority (LRA) responsible for tax collection and raising of LGUs' road fund. Direct dealings between LGUs and sponsors are essential to minimize power abuse and corruption which are probably among the main impediments of LGUs' progress in Lesotho.	73 out of 73 respondents	100

Source:Field Survey/Interviews, July, 2009 to July, 2010.

8.2.3 Resource Decentralization (Fiscal and Personnel) Indicators in Lesotho's LGUs

Key informants confirmed that decentralization in Lesotho lacks both political and administrative devolution. One of the most critical pre-requisites for the success of decentralization in development delivery is the devolution of resources, that is capital, personnel and financial resources to the LGUs. There are many opportunities for the MCC and DCs to raise funding for their urban development budget, for instance, possible charges on car parking, public toilets, tollgate fees and so on but surprisingly from the table (8.3) below, LGUs in Lesotho can hardly raise any funding. They lack any effective billing system and have not embarked upon retailing needed most profitable public utilities like water and electricity. These are still centralized in the parastatals lacking country coverage, Water and Sewage Authority/WASA and Lesotho Electricity Corporation/LEC. The central government lacks the political will to stipulate any specific taxes to preserve popular support. The limited grant to LGUs is completely controlled by the MLG. Furthermore, lack of resources devolution from the table 8.3 below can be confirmed by the fact that 100% of the key informants have agreed that 'clientelism and political loyalty to the ruling LCD political party and MLG's minister matter most in almost all aspects of personnel management. There is no staff performance appraisal. Many staff members feel insecure and are busy secretly seeking alternative employment. The range of unfilled vacancies from 40% to 60% for skilled personnel is very high confirming the need to let LGUs recruit for themselves instead of the MLG's minister or LG commission under the minister. The untrained and inexperienced CCSs are regarded by the central government as the supportive staff for training LGUs for increased capacity and competency in the yet unrealized local development delivery. Resources are not devolved as confirmed table 8.3 below, this is an illusive decentralization *(Field Survey/Interviews, July 2009 to July, 2010)*.

Table 8.3: Resource Decentralization (Fiscal and Personnel) Indicators

Resource Indicators	Responses	Frequency	Percent

(a) What are the sources and amount of total revenue of the LGU?	-MCC just has about R50 Million as a yearly grant from the MLG and raises less than a percent of that per year from the property rates, business and building permits, public toilet fees, clinics, market stalls/fees and waste disposal fees. The entire system of the LG basically depends on the controlled grant from the MLG. Such a grant is said to be10.8% of the country's total revenue.	55 out of 73 respondents	75
(b) What is the trend of and how much is the per capita revenues of LGU?	-Payments are not regular; there is so much evasion and avoidance as there is no effective billing systems and law enforcement to make MCC become effective in revenue collection. Per capita revenue is dwindling every year due to such inefficient billing system and massive migration into the city. This makes LGUs to lack reliable data for the accurate per capita revenue besides the fact that grants from MLG never increase substantially to respond sufficiently to the local developmental needs.	41 out of 73 respondents	56
(c) Percent of revenues LGU raises from local sources and specific taxes used (Explain)? % raised from local sources? Specific taxes used?	-The MLG has been reluctant to introduce any taxes through MCC, CCs or DCs, in fear of loss of popular political support, thus no taxation is done yet.	73 out of 73 respondents	100
(d) What is the Percentage of revenues transferred to the LGU with only general guidelines and goals (Explain)?	-Almost all of the funding is from the MLG and is closely controlled through the minister's instructions on senior personnel who also usually divert funds among MCC's departments at will and at whim without any financial accounting or justification to anyone, including the cabinet that approved funding as there is not even any internal auditing. There are no amounts transferred with only general guidelines and goals, disbursements directly get approved by the minister.	73 out of 73 respondents	100
(Personnel Issues) (e) Does the LGU use standardized procedures in all aspects of personnel management (Explain)?	-Clientelism and political loyalty to the ruling LCD political party and MLG's minister matter most in almost all aspects of personnel management and there is no staff performance appraisal. Many staff members feel insecure and are busy secretly seeking alternative employment.	73 out of 73 respondents	100
(f) What is the Percentage of LGU senior/managerial slots filled with qualified persons (Explain)?	-Only around 60% of the senior managerial slots are filled as so many critical posts like the Works-Engineer, Building Control Officer e.t.c. have been vacant for years with obvious illegal improperly located mall buildings developing and owned jointly by political ministers. For other LGUs only 40% of vacancies is filled. Vacancies spent years unfilled.	60 out of 73 respondents	82
(g)Number of person-days of visits by national personnel for training and other assistance to local personnel and other support of LGU (Explain)	-There is no form of any support, assistance or training from the MLG to the MCC or LGUs in general. Supportive training sessions are quite unknown or reported not to exist.	68 out of 73 respondents	93
	-Community council secretaries are regarded by the central government as national personnel for training and assisting LGUs.	5 out of 73 respondents	7

Source:Field Survey/Interviews, July, 2009 to July, 2010.

8.2.4 LGUs' Transparency in Lesotho

One other strategic indicator for the successful decentralization for good governance is transparency. Local citizens need to be up to date with the developments in their LGUs for their participation in decision making and contributions in development activities addressing their local needs. The aspect of transparency in Lesotho's LGUs is constrained by the fact that venues for the scheduled meetings are small and inaccessible to the local dwellers. The used closed government boardrooms and halls of hotels for

meetings bar participation of the locals. This in itself disempowers local population in enforcing local accountability and relevant development projects for poverty alleviation. It puts LG at an inaccessible unresponsive position characteristic of the central government. Physical structures accessible and open to the local communities are not used. Meetings are scheduled on a monthly basis but they are not publicly posted, announced and made open to the public. This severely limits needed citizen-participation in decentralization for poverty alleviation *(Interviews, July 2009 to July, 2010)*.

Audits though so critical and essential for financial transparency are not done. They may be done according to the minister's demand according to the decentralization Act. This puts accounting to the local public as a matter of no priority. It creates a conducive environment for financial mismanagement, corruption and impunity. It has indeed promoted impropriety and unaccounted funds diversion and personal misuse as reported mainly by the LGUs' senior staff who would like to remain anonymous. Structures/vacancies that could effect financial monitoring, management and proper accounting standards are left unfilled for years. Many of the staff members cannot remember when the last audit was made. They want to safely argue that there are such financial requirements in the government ministries including the LG. The central government hopes that international donors will put money in the LG to boost efforts to reduce local poverty. Most of such donors as prerequisite to donating development seek well maintained yearly audit records to be guaranteed that their freed funds will be indeed properly used and managed. Probably, LGUs' lack of transparency is also due to lack of effective opposition parties in the LGUs. As has been observed from the demographic aspects of the respondents earlier, almost every councillor is a member to the ruling LCD political party. Contrary to the norm whereby local council meetings ought to be publicly posted, announced and made open to the local population, audits having to be performed regularly and be published and posted in accordance with the stipulated law in the Act of decentralization, Lesotho's LGUs operate for years without those hoping that at one time the minister may call for an audit as the law operates on the basis of such minister's will and discretion *(Interviews, July 2009 to July, 2010)*.

Table 8.4: Transparency Decentralization Indicators

Transparency Indicators	Responses	Frequency	Percentage
(a) Are Local council meetings publicly posted and announced and open to the public (Explain)?	-MCC's meetings long time ago when it began used to be public in community halls where the public could freely participate by asking questions, debate issues and even provide information about their development needs but of late they are held in the closed private boardroom of the Mayor quite inaccessible and unknown to the public's participation. Other LGUs also hold council meetings in closed halls of hotels and other government buildings. Physical structures accessible and open to the communities are not used. Meetings are monthly scheduled but are not publicly posted, announced and made open to the public.	70 out of 73 respondents	96
	-Dates for LGUs are publicly known so people can freely come and participate.	3 out of 73 respondents	4
(b) Are audits performed, published and posted on a regular basis as required by law (Explain)?	-There are no internal and external audits made at MCC, except one of long time ago when MCC was being introduced as there is also no internal auditor. This abnormal practice has resulted in uncountable consequences of unaccounted missing physical and financial resources, not to talk of non-delivery of essential developmental quality services. Other LGUs are not audited as well.	73 out of 73 respondents	100

Source:Field Survey/Interviews, July, 2009 to July, 2010.

8.2.5 Lesotho's LGUs and the Rule of Law

It can be observed from above that transparency is limited in Lesotho's LGUs but furthermore, for decentralization to be efficient and effective there is need for it to be implemented within the institutional framework able to keep and maintain the rule of law for its smooth functioning and development delivery. All respondents (100%) from the table 8.5 below confirm that there are set standards and regulations for MCC only on the paper but what is practiced is the direct will of the political minister. Meetings are inaccessible to the public, personnel actions have to follow direct instructions from the minister of the MLG. Plans and budgets made through councillors only constitute a consultative exercise as funds usually get diverted anyhow, unaccounted for and under absolute control by the minister. There are no tendering procedures adhered to though written down, MLG has for many times imposed unsupervised unknown development contractors particularly in Maseru city without involving MCC, this has severely compromised developmental service delivery and standards. LGUs' personnel to a greater extent has no opportunity or

Table 8.5: Rule of Law Indicators

Rule of law Indicators	Responses	Frequency	Percent
(a)Does LGU personnel follow national and locally required procedures for meetings, personnel actions, planning, tenders, service standards, budgeting bylaws etc (Explain)?	-There are set standards and regulations for MCC on the paper but what is practiced is the direct will of the political minister. Meetings are inaccessible to the public, personnel actions have to follow direct instructions from the minister of the MLG. Plans and budgets made through councillors only constitute just one consultative exercise as funds usually get diverted anyhow, unaccounted for and under absolute control by the minister. There are no tendering procedures adhered to though written down, MLG has for many times imposed unsupervised unknown development contractors particularly in the city without involving MCC, this has severely compromised developmental service delivery and standards. LGUs' personnel to a greater extent has no opportunity or much room to follow national and locally required procedures for meetings, personnel actions, planning, tenders, service standards, budgeting bylaws and other acceptable standards because they are directly micro-managed by the minister without adequate capacity for efficiency effectiveness. Tenders are unfairly given, only our ministers know about them. A lot of money has disappeared in the name of LGUs.	73 out of 73 respondents	100
(b) Does LGU executive follow lawful instructions of local councils and other organs of the government (Explain)?	-Practical executive powers contrary to the expected legal normal standards rest with the minister. MCC and other LGUs are overly politicized and lack any form of practical autonomy. Only political will and instructions from the MLG are followed and thus not lawful ones originating directly from the grassroots. The staff can only keep this trend to also preserve their jobs. The MCC and other LGUs' executive follow lawful instructions of councillors to a very limited inconspicuous extent in this scenario.	73 out of 73 respondents	100
(c) Are Election requirements and procedures followed satisfactorily (Explain)?	-Elections for councillors in the MCC and other LGUs are held after every five years but unfortunately follow the 'first-past-the-post' model where the winner takes all the seats on the basis of nominal figures ignoring representation and participation of the necessary opposition. As such, LGUs in Lesotho lack opposition and are 'yes men' of political ministers. Legal procedures followed are to the disadvantage of real inclusive democratic participation. They are unsatisfactory because they lack proportional representation of other political parties except the dominant ruling party.	73 out of 73 respondents	100
(d) How do (and Can) Citizens bring grievances regarding the LGU to independent adjudicatory bodies (Explain)?	-Citizens have occasionally and are expected to use media and the office of the Town Clerk in bringing up grievances about the MCC, however, the public has just often acted against MCC's billing decisions and activities, at times through vandalism on MCC's imposed projects. Other LGUs being CCs and DCs are just legally regarded as entities that may be taken to court but there are no clear structures through which to raise grievances.	71 out of 73 respondents	97
	-Community members do not raise grievances formally, they may only complain to the councillors.	2 out of 73 respondents	3

Source:Field Survey/Interviews, July, 2009 to July, 2010.

much room to follow national and locally required procedures for meetings, personnel actions, planning, tenders, service standards, budgeting bylaws and other acceptable standards because they are directly micro-managed by the minister without adequate capacity for efficiency and effectiveness. It is widely believed that tenders are unfairly given, only the ministers know about them. A lot of money has disappeared in the name of LGUs. Citizens lack knowledge on how to address their grievances about the LGUs. The first-past-the-post electoral model used is exclusive and promotes dominance by the

LCD ruling party. Rule of law is legally undermined in Lesotho's decentralization *(Field Survey/Interviews, July 2009 to July, 2010)*.

Conducted interviews with councillors about the rule of law and electoral procedures also revealed the following;

> "Concerning the rule of law and procedures in elections, I can say that, election procedures were followed satisfactorily in 2005 for electing councillors but the opposition parties are complaining that the first-past-the-post election method used across the country in local governance is not including them, unlike at the national level where 40 seats are reserved for mixed membership. The only place in Lesotho, where some seats were given to the opposition through mixed-membership proportion is in the district of Mokhotlong but only the ABC and BNP parties managed to get around 3 seats only. It is our minister who allowed that arrangement in Mokhotlong (Mr. Mohale Maluke, DC, Thaba-Khubelu, 25th of August, 2009)."

8.2.6 LGUs' Accountability Decentralization Indicators in Lesotho

Besides transparency and rule of law indicated above, one other aspect of efficient and effective decentralization is LGU's accountability to the locals. This constitutes good governance, facilitates development delivery and curbs corruption. For such accountability to prevail, LGUs need not only consist of elected councillors and their sector management personnel but have to regularly and frequently hold open meetings with the local public for consultation and citizens' participation. LGUs' personnel also need to produce regular reports to the MLG about local conditions, maintain compliance with national plans while prioritizing local needs, adhere to set service standards and established LGUs' operations and activities, plans, budgets, revenues, expenditures and audits. It is also crucial for the MLG to respond effectively to the LGUs' reports with suggestions, recommendations and assistance (Olowu et al 2006:187). Contrarily for LGUs in Lesotho, key informants (62%) reported that councillors and staff use rare public consultative meetings compared to their often used political gatherings. This is politically exclusive. The personnel often works together with the councillors and chiefs

for facilitating public meeting in other LGUs beside MCC, specifically for initiating new public projects as well. Other key informants (32%) further confirmed that councillors and staff rarely hold consultative meetings with locals, there is no clear plan or programme or schedule for such a practice to effect accountability. Every respondent (100%) agreeably noted that LGUs' accountability is also undermined and compromised by the fact that Basotho are a very passive people in politics because their tangible interests are not addressed by these political structures which they also do not understand their functions, the 'first-past-the-post' model of elections different from the proportional country's general elections have provided the ruling party, LCD, through the MLG still such terribly unmarked and unchecked political domination as successive councils tend to consist of the entire LCD's political membership too loyal to the will and whim of the minister. The one dominant party system deprives citizens of equitable participation and power balance giving absolute power to the minister in the MLG unaccountable to the citizens but to the ruling political elite. This is the trend for both the MCC and the other LGUs. The minister is the one actually receiving reports from the LGUs not the public through any form of request. MCC's staff have also reported that there is a circular often released from the minister's office reminding them that no form of any information may be made available to any one requesting for it. This insulates Lesotho's LGU's from local accountability and disempowers locals from participating, barring political opposition and shielding malpractices of any form including curbing local pressure for developmental delivery.

All the respondents (100% on table 8.6 below) have reported that accountability in Lesotho's LGUs is also compromised by the fact that decentralization in Lesotho does not comply with public accountability or consultative practices, its specific objectives of attaining the provision of a democratic and accountable government, sustainable services provision, promotion of social and economic development by giving priority to basic community, promotion of the involvement of the community and organizations and individuals in local government issues, enhancement of participation in national and community programmes and the combination of the municipality and urban boards to include rural areas. All of the respondents substantiated that MCC's provided services have no sustenance due to lack of adequate budget and self-fund raising development

projects' activities for such a developmental purpose of maintenance. All other LGUs also fall in the same bracket. MCC's development services cannot have sustainability because it lacks legal protection to enforce proper control on the so many illegal developments (malls) directly owned by senior politicians in the city or urban areas. Such sub-standard developments have also compromised safety standards and impede smooth flow of the traffic though the public would blame the powerless MCC and the DCs *(Field Survey/Interviews, July 2009 to July, 2010)*.

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All the key informants (100% on table 8.6 below) also confirmed that accountability is further hampered by the fact that audits are not made but plans, budgets, revenues and expenditures are made and put under the control of the MLG through the minister and are basically approved by the cabinet for all the LGUs. Worst of it, the MLG hardly responds to the recommendations and/or reports by the LGUs. Mrs. 'Manapo Matlali, an elected district councillor in Rat'soleli council in Qacha district further explained that, "the ministry of local government does not respond satisfactorily to our reports with suggestions and recommendations. We get little assistance from the ministry for our developmental needs (*Field Survey/Interviews, 25 August, 2009*)." Existing laws allowing the LGUs some autonomy, for instance, in decision making to raise funds and solve its various limitations including financial ones lack adequate specific stipulation, practice and enforcement. There is no support from the MLG. Accountability is also constrained in that LGUs' activities are still limited, other various functions are still centralized in the hands of the chiefs, mainly of the District Administrators/DAs and MLG for the lower, middle and central tiers respectively *(Field Survey/Interviews, July 2009 to July, 2010)*.

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Table 8.6: Accountability Decentralization Indicators

Accountability Indicators	Responses	Frequency	Percent
(a) Do the elected LGU and sector management personnel attend open	-MCC's elected and sector management personnel hold consultative public meetings particularly on new development projects not necessarily on a regular and frequent basis as a norm. The working population's opinion is usually collected through hand delivered survey	45 out of 73 respondents	62

meetings to consult with the public on a regular and frequent basis (Explain)? (b)Does LGU personnel provide regular reports to national government ministries regarding local conditions (Explain)? How regular are the reports?	questionnaires to their households about particular new development projects. Most of the councillors are affiliated to the ruling political party and represent this party locally. They use rare public consultative meetings compared to their often used political gatherings. This is politically exclusive. The personnel often works together with the councillors and chiefs for facilitating public meeting in other LGUs beside MCC, specifically for initiating new public projects as well. -Councillors and staff rarely hold consultative meetings with locals, there is no clear plan or programme or schedule for such a practice. - MCC's personnel produces weekly reports for the committees and the council. Other LGUs do the same. Quarterly and annual reports are provided for the MLG. Special reports and project proposals may also be produced. Some reports include evaluation and procurement reports. Most of the reports are made for the minister in the MLG.	28 out of 73 respondents 73 out of 73 respondents	38 100
(c)To what extent is there LGU's compliance with national plans and service standards (Explain)? How is the compliance with?	-MCC adopts the country's developmental vision of 2020 in its plans. The plans comply with the goal of creating labour-based programmes and attain socio-economic development. The minister modifies both MCC's plans and other LGUs' to ensure compliance with the 2020 vision and the Poverty Reduction Strategy/PRS as well as the Millennium Development Goals/MDGs. Nonetheless, there are no clear service standards set for the LGUs.	73 out of 73 respondents	100
(i) provision of a democratic and accountable government,	-Basotho are almost a very passive people in politics, the 'first-past-the-post' model of elections different from the proportional country's general elections have provided the ruling party, LCD, through the MLG still such terribly unmarked and unchecked political domination as successive councils tend to consist of the entire LCD's political membership too loyal to the will and whim of the minister. The one dominant party system deprives citizens of equitable participation and power balance giving absolute power to the minister in the MLG unaccountable to the citizens. This is the trend for both the MCC and the other LGUs.	73 out of 73 respondents	100
(ii) sustainable services provision,	-MCC's provided services have no sustenance due to lack of adequate budget and self-fund raising development projects' activities for such a developmental purpose of maintenance. All other LGUs fall in the same bracket. MCC's development services cannot have sustainability because it lacks legal protection to enforce proper control on the so many illegal developments (malls) directly owned by big politicians in the city. Such sub-standard developments have also compromised safety standards and impede smooth flow of the traffic though the public would blame the powerless MCC.	73 out of 73 respondents	100
(iii) promotion of social and economic development by giving priority to basic community,	-MCC and other LGUs are the political-wing of the ruling dominant political-elite who practically adopt an absolute top-down approach to development delivery. Right after the councillors and staff have gone through the budgetary and needs prioritization process of the city's community, CCs and DCs, MLG sets own different specific tasks, targets and inadequate budget allocation for the MCC's departments and other LGUs. The budget allocations just also get vired and diverted among the votes and departments ultimately ending up unaccounted for with no delivery. Promoting socio-economic development by prioritizing basic community is just a wish, provision of trading opportunities and licenses or business permits is not oriented towards helping the urban and the rural poor. There is a 'crowd out effect' whereby business opportunities and lucrative jobs and/development contracts are in the hands mostly of foreigners having the ruling political-elite as the main share-holders and beneficiaries, right from ownership of (streets) cleaning companies, rubbish and waste disposal, roads-building to (gravel-quarries and other precious resources/minerals) mining and masonry. Senior ruling politicians are the ones freely investing in and personally owning so much of infrastructural development (business-malls) for personal gain. The MCC and other LGUs are not prioritizing or investing in any community-driven development projects targeting the poor. The labour-based programmes remunerating far below real survival minimum wage	73 out of 73 respondents	100 52

	level are only accessible to the LCD loyal membership through the MLG's minister's appointments and the politically dictated to Local Government Service Commission supposed to be independent in employing newly needed staff.		but48% strongly do not believe in piece jobs and few services as long lasting benefit
(iv) promotion of the involvement of the community and organizations and individuals in local government issues,	-There is a belief that MCC prioritizes the local community by its provision of solid waste management services, roads building, street-lights and employment of labour from the locals. The other LGUs together with the MCC at least serve as some advisory bodies about local needs to the minister.	38 out of 73 respondents	
	-The one-dominant-political-party system and constitutionally biased model of local elections still keep on stifling proper and effective involvement of the MCC's and other LGUs' communities, grassroots organizations and individuals in local government issues. Only councillors predominantly belonging to the ruling LCD political party are involved, so far.	73 out of 73 respondents	100
(v) enhancement of participation in national and community programmes,	-MCC promotes participation in national and community programmes by collecting peoples' ideas through environmental assessment studies and other questionnaires, public gatherings and media programmes which are turned into national and local environmental conservation programmes for approval and implementation by the National Environmental Secretariat (NES). Other LGUs completely lack clear structures, standardized mechanisms and resources for diffusing information to activate peoples' good participation locally and nationally.	73 out of 73 respondents	100
(vi) and the combination of the municipality and urban boards to include rural areas	-MCC has a community development office that takes care of the developmental issues that affect both the city area and the rural areas/outskirts. This is about settling disputes over use of resources (land/cemeteries, quarries e.t.c.), newly expanding or changing boundaries and coordination of activities. It is actually the district council composed of the rural local/community councils' representation with towns' councillors that address rural and towns' development needs. The legal municipality unit is still confined to the main/capital city of Maseru as a pilot project. DCs combining representation as a provincial or regional tier cater for the other (towns) smaller urban areas and the rural.	73 out of 73 respondents	100
(d)What are the LGU's operations and activities?	-MCC's activities include development and maintenance of infrastructure/roads and parks, some street lights, solid waste management, (health, environmental) awareness campaigns, provision of health services and advertizing billboards, public toilets and business and building permits and sites and burial grounds allocation and collection of property rates. DCs also deal with refuse collection in the towns, sites and cemeteries' allocation, roads building and maintenance, public toilets and market stalls provision for a levy and business permits for street vendors and other smaller businesses. CCs control grazing and concerned grassland offences and community forests, burial grounds, sites and fields (land) allocation, some village water supply projects, minor roads development and registration of livestock. Other various functions are still centralized in the hands of the chiefs, mainly of the District Administrators/DAs and MLG for the lower, middle and central tiers respectively.	73 out of 73 respondents	100
(e)How are LGU's plans, budgets, revenues, expenditures and audits made and controlled?	-Audits are not made but plans, budgets, revenues and expenditures are made and put under the control of the MLG through the minister and are basically approved by the cabinet for all the LGUs.	73 out of 73 respondents	100
(f)How satisfactory do national ministries respond to LGU reports with suggestions,	-The MLG hardly responds to the recommendations and/or reports by the LGUs. Existing laws allowing the LGUs some autonomy, for instance, in decision making to raise funds and solve its various	73 out of 73	100

recommendations and/or assistance (Explain)?	limitations including financial ones lack adequate specific stipulation, practice and enforcement. There is no support from the MLG.	respondents	

Source:Field Survey/Interviews, July, 2009 to July, 2010.

8.2.7.0 Lesotho's LGUs Indicators of Participation in Decentralization

It can already be observed from the key informants' assessment that decentralization in Lesotho has not been efficient and effective as it lacks political, administrative and resources decentralization, transparency, rule of law and accountability which also serve as aspects of good governance and effective local governance for poverty alleviation. Brynard Petrus (1996:133-134) regards citizen participation "as purposeful activities in which people take part in relation to a local authority area of which they are legal residents…it lays emphasis on the person rather than the state in the participatory relationship." Participation generally includes involving and educating the public, mechanisms for democratizing the development planning process, creative network potential, equality fostering and non-exclusion, maintaining a balance between the central government demands and control and the requirements of local government and administration and access to information concerning local conditions, needs, desires and attitudes. It is not only about receiving information but includes actual power sharing in shaping final decisions. Olowu, et al (2006:186) perceives it concisely through indicators of efficiency in decentralization as the percent of the electorate voting in LGU elections and as the number of members of local organizations including Non-Governmental Organizations/NGOs, the private sector and sub-LGUs attending the open LGU forums. The table 8.7 below exposes Lesotho's LGUs' experience in participation to be too low, confirming passiveness and inefficiency in involving and educating the local public, promoting mechanisms for democratizing the development planning process locally, enhancing local creativity, fostering equality and non-exclusion, maintaining a balance between the central government demands and control and the requirements of LG and administration and access to information concerning local conditions, needs, desires and attitudes as voter-turnout is only around 5% with no civic participation in the LGUs at all *(Field Survey/Interviews, July 2009 to July, 2010)*.

Table 8.7: Participation Decentralization Indicators

Participation Indicators	Responses	Frequency	Percentage
(a) What's the percentage of the electorate that votes in LGU elections (Explain)?	-Only around 5% of voters do actually participate in voting for councillors in the MCC and other LGUs.	67 out of 73 respondents	92
	-There is a very low voter turn-out because the locals put more of their faith in general elections than LGUs'.	6 out of 73 respondents	8
(b) Number of local organizations (NGO, private, sub- LGU) that attend open LGU forums?	-There are no local organizations (NGOs, private sub- LGU) that attend LGUs' meetings as their forums are also not so practically open/public. Scheduled monthly meetings are actually held in the closed doors of the Mayor's boardroom for the MCC. Participation of the civil society is not inculcated and this has resulted in a lot of negligence and low maintenance of democratic, human and developmental rights and non-delivery. Monthly meetings for the DCs are also held in closed doors of central government's facilities or hotels, almost private inaccessible venues.	73 out of 73 respondents	100

Source:Field Survey/Interviews, July, 2009 to July, 2010.

Confirming the findings in the above 8.7 table, a district councillor, in the Patlong council in Qacha district, Mr. Thabo P. Thatho expressed that, "our communities are still passive in governance. They are not participating actively. I think that this is their fundamental right but we have not yet created enough platforms that facilitate genuine engagement with them on matters that affect them. Sometimes we have public meetings with them together with the staff, I can say on discretionary basis, integrating their interests satisfactorily cannot be said (*Field Survey/Interviews, 25 August, 2009*)." A community council chairperson of the Mosenekeng council area in Qacha district, Mrs. Molungoa Moloi has also told that "we do not have local non-governmental organizations in our councils that could attend our open forums. There are also no such open forums given (*Field Survey/Interviews, 25 August, 2009*)."

8.2.7.1 Political Participation Forms by Grass root Communities in Lesotho's LGUs

Table 8.7(i) below shows that key informants (100%) strongly believe that communities' political participation in Lesotho's LGUs is very limited as they reported that there is no effective local communities' political participation in Lesotho except for merely voting political party representatives who are directed by the ministers and ceaselessly attend

political 'talk-shows' for sitting allowances in LGUs. Limited political participation has also been confirmed by the following responses;

Mr. Mothepu Sebilo, a district councillor from Thaba-Khubelu council in Qacha district, explained the concern that, "…political participation in our councils is not satisfactory because there are no clearly legally stipulated mechanisms and ways that actually foster it for the benefit of our people (*Field Survey/Interviews, 25 August, 2009*)." "My view is that our communities have fewer choices, the Local Government Act is not articulating how our communities can really participate for their development, it is short of enough public participation bodies that can institutionalize regular political participation, we need more of such structures (Mr. Tsebo Lerotholi, the Ha Sekake Community Councillor, in Qacha, *Field Survey/Interviews, 25 August, 2009*)."

According to the LG Act (2004), only the MLG's minister has powers to pass laws in LGUs. Respondents (100%) also confirmed this, reporting that councillors initiate recommendations for amendments and introduction of new laws through higher spheres like district councils, particularly the minister and the members of the parliament. Participation also involves communities holding public gatherings to express their developmental priorities through the councillors who help transform local needs into development plans and budgets. Nonetheless, the MLG's minister approves, rejects and modifies these budgets and plans and decides on approving their grant *(Field Survey/Interviews, July 2009 to July, 2010)*.

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A worrying trend is observable here as all (100%) respondents stated that political parties nominate candidates to be voted by local communities into decision making councils. This trend has consequences of the only one dominant ruling party being represented socially excluding smaller membership-sectors of the society. Table 8.7(i) below affirms this limited political participation that is only conducive for actual observable recentralization. It also further confirms that there has not yet been political decentralization in Lesotho since councillors do not really make laws, implement, monitor and evaluate them, specifically for their LGUs *(Field Survey/Interviews, July 2009 to July, 2010)*.

Table 8.7(i): Forms of Political Participation by Grass root Communities in LGUs

LGU's inputs/political activities	LGU's outputs/outcomes	Frequency	Percent
-Local communities elect councillors to represent them in the councils for decision making and formulation of policies.	-local legal political and representative structures are made up for communities.	55 out of 73 respondents	75
-Communities hold public gatherings to express their developmental priorities through the councillors.	-Political gatherings for self-expression of developmental needs are attained.	18 out of 73 respondents	25
-Councillors help transform local needs into development plans and budgets.	-Local development plans for service delivery are made.	73 out of 73 respondents	100
-Councillors initiate recommendations for amendments and introduction of new laws through higher spheres of e.g. district councils, the minister and the members of the parliament.	-Acts and laws beneficial to locals are in place.	73 out of 73 respondents	100
-Political parties nominate candidates to be voted by local communities into decision making councils.	-Political parties' manifestos are implemented at the local level	73 out of 73 respondents	100
-There is no effective local communities' political participation in Lesotho except for merely voting representatives who are directed by the ministers and ceaselessly attend political 'talk-shows' for sitting allowances LGUs.	-Several expensive consultative forums bearing no community-driven development.	73 out of 73 respondents	100

Source:Field Survey/Interviews, July, 2009 to July, 2010.

Ruling political party domination is also affirmed by table 8.7(ii) below indicating that Lesotho's LG suffers from recentralization through the ruling political party. This is one of the crucial elements of real extent of political decentralization to be considered as its effects of such decentralization are often negated by party centralization now incidental. Party politics in LGUs in Lesotho are exclusive and dominating. This transforms LGUs into instruments for central government use and not for local development *(Field Survey/Interviews, July 2009 to July, 2010)*.

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Table 8.7(ii): The Role of Party Politics Gauging Political Decentralization

Features of party politics	Degree of application?	Frequency	Percent
Candidates have to be selected by the party.	Candidates are entirely selected as political nominees for LGUs' elections by their political parties' senior administrative structures.	73 out of 73 respondents	100
A distinct policy programme is made for a local party group.	There is no distinct policy programme formulated for a local party group.	73 out of 73 respondents	100
A party election manifesto, to which all party candidates are expected to adhere, both during the election campaign and once elected, is produced.	Councillors pursue and adhere to their party election manifesto used during the election campaign once elected locally. This manifesto is usually focusing at the country's general elections lacking relevance to local needs but focusing on national issues mainly concerned with central governance. This transforms LGUs into instruments for central government use and not for local development.	73 out of 73 respondents	100
An attempt is made to implement the manifesto in the event of the party winning a majority of seats on the council.	The LCD now ruling usually wins almost all of the seats and freely wrongly puts its national manifesto as a blueprint for local development. This perpetuates political domination by the central government and the political majority at the expense of proper community driven development measures and effective democracy through a flawed first-past-the-post electoral model enabling only one dominant political majority ruling party.	73 out of 73 respondents	100
Councillors are organized into party groups for the purposes of allocating committee places and other positions of leadership and responsibility, to develop and co-ordinate party policy, to determine strategy and tactics and to ensure group discipline.	There is only one party dominating council membership. Where few negligible seats are won by the opposing party, councillors are not organized into party groups.	73 out of 73 respondents	100
Group leadership, comprising an individual leader and usually a committee of group executive officers, is elected by the members of the group.	Committees elect their leaders. They usually consist of three to five members who are usually from the same dominant political party.	73 out of 73 respondents	100
Pre-council & pre-committee party group meetings are convened to enable party members to agree on policy and plan debating & voting tactics.	Caucus meetings are not essential as most of the membership belongs to one main ruling party.	73 out of 73 respondents	100

Source:Field Survey/Interviews, July, 2009 to July, 2010.

8.2.7.2 Indicators of Empowerment in Lesotho's Decentralization

Empowerment in decentralization, in terms of empirical indicators for a successful development delivery, generally refers to the "number of NGOs active in the LGUs… sub-LGU community and neighbourhood governance organizations…number of meetings between LGU senior or elected personnel and representatives of NGOs, sub-LGUs and women/vulnerable groups (Millet, Olowu and Cameron, 2006:187)." Key

informants from the table 8.8 below and above have confirmed that LG in Lesotho completely lacks NGOs' activeness in any form. There are no meetings between LGUs' personnel or councillors and the NGOs' representatives. A discouraging statement from these key informants is that 'there has not yet been any plan to encompass the disabled and the weak in an institutionalized manner in the LGUs'. This type of political-social exclusion can only consequentially ensure inefficient and ineffective LG in development delivery. NGOs naturally embody the spontaneous socio-economic interests of the collective needs of the locals. It is their participation in LGUs that may only automatically direct LG into being relevant to the local community's developmental needs. While chiefs form part of the ex-officio representation in the LGUs, as one other form of local traditional elite, representation of the collective needy local groupings is not guaranteed as such do not constitute membership of either the traditional elite or the political-elite or the elected councillors' constituency. Chiefs are elected by chiefs' forum to represent them in the LGUs, councillors are mainly elected by own political parties' membership to be their proxy. Only traditionalist and political interests are represented in the LGUs. The potential expression of local collective needs is left out, rendering Lesotho's LG ineffective in development delivery *(Interviews, July 2009 to July, 2010)*.

Table 8.8: Empowerment Decentralization Indicators

Empowerment Indicators	Responses	Frequency	Percentage
(a) Number of NGOs active in LGU?	-There are no NGOs active in the MCC and other LGUs.	73 out of 73 respondents	100
(b) Number of sub-LGU community and neighbourhood governance organizations active in LGU?	-Except for the two chiefs as ex-officio members and the six working committees made up of elected councillors there are no sub-LGU community and neighbourhood governance organizations active in MCC. The same goes for other LGUs.	73 out of 73 respondents	100
(c) Number of meetings between LGU senior or elected personnel and representatives of NGOs, sub-LGUs and women's/vulnerable groups?	-There are no meetings at all between LGUs' senior or elected personnel and representatives of NGOs, sub-LGUs and women's/vulnerable groups.	71 out of 73 respondents	97
	-There has not yet been any plan to encompass the disabled and the weak in an institutionalized manner in the LGUs.	2 out of 73 respondents	3

Source:Field Survey/Interviews, July, 2009 to July, 2010.

Findings in the table 8.8 above were also confirmed by this following councillor's opinion, "I wouldn't say our councils themselves are empowered enough because there is

still no clear demarcation of functions between chiefs and us, chiefs still continue their illegal allocation of land without consulting us. They still control range-management and other natural resources and fines. They don't understand our functions and some refuse our decisions in local matters. The representative chiefs do not pass information in a satisfying manner to others outside the councils (A district councillor from Thaba-Lit'soene community council in Qacha district, Mrs. 'Mat'sepo, *Interviews on 25 August, 2009*)."

8.2.8 Lesotho's LG Indicators for Efficiency in Key Services, Public Goods and Regulatory Functions

Indicators for efficiency in key services, public goods and regulatory functions in Lesotho need to include beneficiaries' assessment as on table 8.9 below on (a) percent of capital budget spend in areas outside the LGU seat (only for rural LGUs), (b) percent of LGU population with access to potable water, (c) level of local conflict, (d) number of local business persons trained or otherwise assisted by the LGU, (e) LGU's role in regulating access to and use of natural resources such as water, forests, grasslands and so on. Respondents (100%) have reported that there is no percentage of capital budget spent in areas outside any LGU's seat. LGUs have also not yet trained or assisted any local business persons. The data on the table further indicates that real devolution of key functions for service delivery is not yet implemented in Lesotho's LG. This goes back to issues raised in the last chapter that traces of recentralization in terms of regulatory framework in Lesotho's LG are so obvious which is significantly confirmed by the non-devolutions of key production services and functions. This in itself creates an impasse in development delivery by LG in Lesotho *(Field Survey/Interviews, July 2009 to July, 2010)*.

Table8.9: Production of Key Services, Public Goods and Regulatory Functions Indicators

Services-Goods-Regulatory Indicators	Responses	Frequency	Percentage
(a) Percent of capital budget spent in areas outside the LGU seat (only for rural LGUs)?	-There is no percentage of capital budget spent in areas outside any LGU's seat. -Some wards of the MCC have been encroaching by using gravel-quarries not belonging to them for small roads.	73 out of 73 respondents 18 out of 73 respondents	100 25
(b)Percent of LGU population with access to potable water?	-The supply of potable water in Maseru city is the responsibility of the parastatal, Water and Sewage Authority and not the MCC. There is no population with access to potable water by the MCC. As for the other LGUs, particularly the CCs, it could be estimated that at least 5% of the households have been supplied with potable water by funds from MLG.	73 out of 73 respondents	100
(c)Level of local conflict (Explain)?	-MCC and other LGUs consist mainly of councillors with a full affiliation to the ruling LCD party only seeking to offer their loyalty to the leadership of their minister in the MLG. There is no obvious/observable conflict in the LGUs.	73 out of 73 respondents	100
(d) Number of local business persons trained or otherwise assisted by the LGU?	-LGUs have not yet trained or assisted any local business persons.	73 out of 73 respondents	100
(e) LGU's role in regulating access to and use of natural resources such as water, forests, grasslands, etc (Explain)? Water? Forests? Grasslands? Others (Specify)	-MCC (in the capital city) and DCs (in the towns) do not really play the role of regulating access to and use of natural resources such as water, forests, grasslands and the like except for CCs in the rural, they concentrate on the offering of other developmental infrastructural services/civil works, clinics and primary health care, city parks, solid waste management and environmental conservation programmes for NES, market stalls provision and control of (gravel, sand, stone) quarrying and physical developments. Land allocation is mainly done by the Lesotho Housing Corporation and Lands Survey and Physical Planning with partial inspection of the MCC. Water and Sewage Authority is the parastatal responsible for potable water provision, electricity supply is the responsibility of Lesotho Electricity Corporation/LEC, forests and grasslands are controlled by the NES and the new Ministry of Forestry and Conservation. These parastatals are directly answerable to the different relevant central government ministries just like the MCC itself, thus still preserving much of centralization in real terms with the DAs under MLG still doing most of the functions that were supposed to be devolved in districts and towns.	73 out of 73 respondents	100

Source:Field Survey/Interviews, July, 2009 to July, 2010.

8.2.9 Opportunities for Women and Vulnerable Groups in Lesotho's LGUs

Besides NGOs representation in the LGUs as an indicator for LG efficiency, there is need for clearly availed opportunities for women and vulnerable groups in Lesotho's LGUs. Currently as reported in table 8.10 below, by respondents (100%) the percentage of locally elected offices held by women is 53 in all the LGUs countrywide and 66 in the MCC but zero for the members of religious or non-home peoples' groups. Unfortunately, these are the only ruling political-party affiliated women. Opportunities are thus effectively for the ruling political party/LCD, not for women, vulnerable groups, agriculture/local business or children's education *(Field Survey/Interviews, July 2009 to July, 2010)*.

Table 8.10: Opportunities for Women and Vulnerable Groups

Women-Vulnerable-groups'-Opportunities Indicators	Responses	Frequency	Percentage
(a) Percent of local elected offices held by women %, members of religious%, ethnic minorities %, or by non-home peoples' groups %?	-The percentage of locally elected offices held by women is 53 in all the LGUs and 66 in the MCC but zero for the members of religious, ethnic minorities, or non-home peoples' groups. -Women are slightly more than men in most of the councils.	65 out of 73 respondents 8 out of 73 respondents	89 11
(b)Number of women and members of vulnerable groups receiving occupational, organizational, or governance-related training ___ (Explain)?	-There are no women and members of vulnerable groups receiving occupational, organizational, or governance-related training by the LGUs.	73 out of 73 respondents	100
(c) In rural areas, percent of children enrolled in elementary schools __? (d) In urban LGUs, the percent of all children enrolled in elementary school _____?	-MCC, DCs and CCs do not enroll children in elementary schools as this is the responsibility of the Ministry of Education and Training (MoET) through the programme of 'free and compulsory' primary education.	73 out of 73 respondents	100
(e) In rural areas, the percent of the LGU budget spent on programmes focused on small or marginal farmers____?	-CCs in rural areas do not deal with agriculture and thus have no budget spent on programmes focused on small or marginal farmers. Agricultural functions are still centralized in the Ministry of Agriculture and Food Security (MAFS).	73 out of 73 respondents	100
(f) In urban LGUs the percent spent to assist small and medium enterprises__?	- MCC and DCs have no budget to assist small and medium enterprises in the city and towns respectively.	73 out of 73 respondents	100

(Field Survey/Interviews, July, 2009 to July, 2010)

The following statement also affirms findings in the above 8.10 table; "Women are more than men in almost all of our local councils countrywide but they still need proper training in leadership skills to handle community development issues successfully. Although our culture trusts men in decision-making, we still leave much space for women especially in homely issues (Mrs. M. Ramoeletsi, Qacha's district councillor, Interviews on the 25th of August, 2009)."

8.3.0 Lesotho's LG Indicators

LG indicators for efficiency generally include political-oriented indicators, resources management abilities and sustainable developmental-service-delivery. Political-indicative-aspects refer to the extent to which LG addresses the following in implementation as assessed below (table 8.3A) by key informants: (a) institutional autonomy of LG, (b) quality of participation in LG, (c) depth of democratic participation in elections, (d) transparency of information flows between public bodies and civil society and (e) accountability of LG officials; staff and elected councillors.

Table 8.3A: Political Indicators of Decentralization

Political/Institutional Dimension Indicators	Responses	Frequency	Percentage
To what extent is there? (a)institutional autonomy of LG	-MCC lacks any institutional autonomy, politically, financially and administratively. The case is the same for other LGUs. Legal power for functions, decision and policy making is centralized in the MLG's minister.	73 out of 73 respondents	100
(b)quality of participation in LG	-The non-empowering political participation in MCC is limited to the only one dominant ruling LCD political party loyal membership from the uneven electoral model results of the first-past-the-post to top-down decision making by senior politicians. The trend is the same for other LGUs.	73 out of 73 respondents	100
(c)depth of democratic participation in elections	-All the seats in the MCC and in almost all of the other LGUs are won and owned only by the ruling LCD party; there is neither opposition nor civil society as ex-officio members to effect political pressure for local development delivery. The percentage that votes is even negligible, usually less than 5% as citizens have no political confidence in the LGUs.	73 out of 73 respondents	100
(d)transparency of information flows between public bodies and civil society.	-LGUs do not network, work or share information with the civil society. As such transparency of information flows between public bodies and civil society is non-existent.	73 out of 73 respondents	100
(e) accountability of public officials; staff and elected personnel?	-Public officials; staff and elected personnel in the LGUs literally regard themselves as civil servants accountable to the minister in the MLG. The labour code and benefits applied to them are the same as those used for government employees.	72 out of 73 respondents	99
	-Staff and councillors are accountable to an elected central government.	1	1

Source:Field Survey/Interviews, July, 2009 to July, 2010.

Respondents (100%) have reported that LGUs lack autonomy because the MLG's minister is the one with legal power for functions, decisions and policy making. This affirms recentralization. They also reported that public officials; staff and elected personnel in the LGUs are literally civil servants accountable to the MLG's minister. The labour code and benefits applied to them are the same as those used for government employees. They also emphasized that staff and councillors are accountable to an elected central government, that is the ruling party/LCD or the MLG's minister. The expected indicated political standards/indicators are not prevalent in Lesotho's LG as civil servants are still completely accountable to the MLG's minister. They also do not share any information/network with civil society whose political pressure is vital for development-delivery. This recentralization is further confirmed by tables below (8.3A(i) and 8.3A(ii)) affirming that LGUs still lack own political autonomy, treasury, taxes, budget, accounts and personnel or procedures for operating *(Field Interviews, July 2009 to July, 2010)*.

Table 8.3A (i): Measurement of Decentralization/DGD through Its Other Classical Definition

To what extent are LGUs	Responses	Frequency	Percentage
•constitutionally separate from central government and responsible for a significant range of services?	The Act and by-laws for decentralization or the constitution itself, in Lesotho, clumps the two together empowering the minister in the MLG to direct, approve and publish and gazette functions and policy directives for the LGUs. This type of decentralization has extended centralization.	65 out of 73 respondents	89
	-There is no difference between LGUs and the MLG.	8	11
•having own treasury, separate budget and accounts, own taxes as significant part of produced revenue?	LGUs in Lesotho do not have their own treasury, separate budget and accounts, own taxes as significant part of produced revenue. They all receive limited grant from MLG with absolute approvals of how to use by the minister.	73 out of 73 respondents	100

•having their own personnel with the powers to employ and discipline or fire own employees?	LGUs in Lesotho do not have their own personnel with the powers to employ and discipline or fire. The employees are recruited as complete central government personnel deployed in local councils.	73 out of 73 respondents	100
•able to elect local policy, predominantly consisting of local representatives?	While local representatives may be elected as new councillors after every five years, no policy recommendation can be applied at any level without approval, publication and gazetting of the MLG minister. Representative structures are mainly of LCD membership and serve as consultative committees only.	73 out of 73 respondents	100
•having central government only playing an indirect advisory, supervisory and inspectorate role	The central government mainly plays a direct instructive, supervisory and inspectorate role through the cabinet and the minister.	73 out of 73 respondents	100

Source:Field Survey/Interviews, July, 2009 to July, 2010.

The situation below (8.3A (ii) further confirms that there is no devolution yet. There is to a greater extent deconcentration. The range of functions is still limited and to a greater extent still centralized. Control for financial management/resources, politics and administration are still centralized and heaped upon the MLG's minister belonging to the dominant ruling political party *(Field Survey/Interviews, July 2009 to July, 2010)*.

Table 8.3A (ii): Comments on Nature and Degree of Autonomy of Lesotho's LGU on Certain Indicators

Indicators	Qualities of Degree of Autonomy	Frequency	Percent
Personnel: The personnel is recruited through central government structures and treated as all other government employees in every way. It is directly accountable to the minister.	The political minister approves and directs operations by the personnel. There is upward reporting and accounting only.	73 out of 73 respondents	100
The Integrated System: Autonomy in revenue collection and its administration are non-existent. The minister has to approve any method of revenue raising, LGUs are mainly funded by central government's absolutely controlled grants. There are no specified kinds of local taxation approved by the central government yet.	There is no administrative, political and financial devolution yet. There is to a greater extent deconcentration.	70 out of 73 respondents	96
The Unified System: The financial regulatory methods and systems by the central government are said to be non-existent. Pre-set financial systems are removed; every programme and activity has	The minister approves and controls the budget, expenditure, designing of development plans and their implementation. There is no autonomy to empower the poor.	73 out of 73 respondents	100

to receive minister's permission.			
Other personnel indices: The minister does personally appoint employees to fill vacancies, instructs transfers and yearly operations.	The central government recruits, disciplines and fires employees and does not provide them with training for more capacity in delivery.	73 out of 73 respondents	100
Access: The ability of LGUs to influence the central government is limited because they serve as consultative avenues and lack any legislative powers to effect policy changes.	LGUs are political structures without legislative power and/or function to pass or effect laws for any change. They are tied to government approved operational activities.	73 out of 73 respondents	100
Functions: The legally stipulated functions are still centralized in other ministries. These include: 1. control of natural resources (sand, stones, e.t.c.) and environmental protection (pollution, soil erosion e.t.c.) 2. Public health (food inspection, refuse collection and disposal e.t.c.) 3. Physical planning, 4. Land/site allocation, 5. Minor roads and bridle-paths, 6. Grazing control, 7. Water supply in villages, 8. Markets provision and regulation, 9. Economic development promotion (foreign investment attraction), 10. Streets and public places, 11. Burial grounds, 12. Parks and gardens, 13. Building permits control, 14.Fire 15. Education, 16. Recreation and culture 17. Roads and traffic, 18. Water resources, and 19. Fencing	Other Acts put almost all of these functions under mainly centralized ministries. There is no concurrent amendment to these Acts to allow LGUs of smooth operating and delivery. The incoherence, conflicts and contradictions emerging in the stipulated various Acts do constrain LGUs to perform almost all of these functions. Synchronizing amendments practically enabling effective decentralization still remains just a wish.	73 out of 73 respondents	100
Party politics: Unfair party politics through one dominant ruling party and biased electoral model for councillors have stifled other forms of democratic participation like the civil society, local community based associations/groupings, the vulnerable groupings, other political parties and individuals.	Party politics have allowed senior political-elite capture of LGUs.	73 out of 73 respondents	100
Finance and autonomy: LGUs survive on government's inadequate completely controlled grants.	LGUs still have no financial autonomy of any kind.	73 out of 73 respondents	100
Nature of revenue base: There is no legislative framework stipulating clearly the revenue base of LGUs in Lesotho.	Revenues' control and allocation is still centralized. There is no financial devolution.	73 out of 73 respondents	100
Elasticity of sources of revenue/tax base: This is still outside the scope decentralization.	Decentralization is still constrained by lack of clear taxes it should use as sources of funding for local development.	73 out of 73 respondents	100
Amount of financial discretion over expenditure: Expenditure is entirely controlled and approved by the minister through direct meetings with the staff, monthly, quarterly and yearly reports.	Expenditure is still centrally controlled in LGUs.	73 out of 73 respondents	100
Local expenditure as percentage of total central expenditure: The central government or MLG has still concentrated itself with all of the resources and facilities, just allocating or approving expenditure for LGUs as per programme or activity. This is one other severely limiting factor to the real implementation of decentralization. The budget for the central government is not known but obviously all resources including technically skilled personnel and facilities are misallocated in the hands of the central government structures.	There is no practical devolution of finances. It is therefore impractical and impossible to have a fair local expenditure as percentage of total central expenditure reflecting good implementation of decentralization. Funds are not decentralized but are deconcentrated.	73 out of 73 respondents	100

Source:Field Survey/Interviews, July, 2009 to July, 2010.

Respondents (100%) stated that party politics have allowed the ruling LCD's senior political-elite capture of LGUs. Table (8.3A(iii) below further proves that we still have formal

Table 8.3A (iii): Hierarchical Relations as an Indicator of Decentralization or Recentralization

Administrative Control Mechanisms Possible	Commends indicating more practiced mechanism	Frequency	Percentage
(1)Approval of decisions, decisions can only come into effect after approval by the higher authority.	This is actually the main and the only way of operating in our decentralization process.	73 out of 73 respondents	100
(2)Directives/instructions; ordering local authorities to do or refrain from doing some act.	The minister is the one giving instructions all the time.	73 out of 73 respondents	100
(3) The power of suspension; this is where higher tier authority has the power to suspend the activities of the local authorities.	NA	NA	NA
(4) The power of annulment; decisions of the local authority can be overturned.	NA	NA	NA
(5) The power of reformation; decisions of the local authority can be modified.	NA	NA	NA
(6) The power of substitution; the higher authority can act in place of a lower one	NA	NA	NA
(7)Higher tier control including circulars laying down policy, inspectors, and the requirement of reports on progress in specific services.	It is usual for the MLG to control everything about decentralization.	73 out of 73 respondents	100
(8)Effective delivery system, (c) and (d))	NA	73 out of 73 respondents	100
(9)Political decentralization with accountability to local citizens,	This is non-existent.	73 out of 73 respondents	100
(10)Administrative decentralization with autonomy,	This is non-existent.	73 out of 73 respondents	100
(11)Resource decentralization with human and fiscal dimensions	This is non-existent.	73 out of 73 respondents	100

Source:Field Survey/Interviews, July, 2009 to July, 2010.

administrative mechanisms through which MLG control over LGUs' powers is currently maintained/recentralization. Reportedly, it is usual for the MLG to control everything about decentralization *(Field Survey/Interviews, July 2009 to July, 2010)*.

Commenting on the features of their LG, key informants (100%) on table (8.3A (vi)) below further affirmed that LGUs lack a well-defined area of jurisdiction. Incoherence, conflict and confusion in the Acts in terms of powers and functions remain unresolved. Top-down control impedes LGUs from implementing their legal mandate and obligation to serve all their inhabitants with basic services, particularly localized development objectives, LGUs' do not pass any laws at all. They lack such autonomous power. It is the minister who passes any by-laws through gazettes. LGUs offer limited services, not safety in terms of road safety, traffic control, civil protection, fire brigade, ambulance services and so on. Participation is mainly limited to political membership of the dominant ruling party having its nominees elected as councillors who constitute a consultative representation for the MLG *(Field Survey/Interviews, July 2009 to July, 2010)*.

Table 8.3A (vi) Comments on More Indicators Measuring Degree of DGD: Features of Local Authorities/LAs

Extent these Features below are in Lesotho's LGUs	Commends on LGUs' Decentralization features	Frequency	Percent
Local authorities having a well-defined area of jurisdiction?	LGUs lack a well-defined area of jurisdiction. Incoherence, conflict and confusion in the Acts in terms of powers and functions remain unresolved.	71 out of 73 respondents	97
Local authority having a legal mandate and obligation to serve all its inhabitants with basic services, in particular localized or contextualized Development objectives besides the normal legislative functions, that is poverty-reduction oriented and responsive enough to local needs?	Top-down control impedes LGUs from implementing their legal mandate and obligation to serve all their inhabitants with basic services, in particular localized or contextualized Development objectives besides the normal legislative functions, that is poverty-reduction oriented and responsive enough to local needs.	73 out of 73 respondents	100
Local authorities operating in conformity within the legal framework of the national and middle-level framework. They may not pass laws in contradiction with those of the above levels. The important feature here is having autonomous power to pass some laws?	Local authorities are not operating in conformity within the legal framework of the national and middle-level framework. They do not pass any laws at all. They lack such autonomous power to pass some laws.	73 out of 73 respondents	100
Having legislative powers to pass by-laws or regulations for orderly development and well being of the urban or rural area?	It is the minister who passes any by-laws through gazettes.	73 out of 73 respondents	100
While are to promote provision of the social, political, physical, educational,	LGUs offer limited services, not safety in terms of road safety, traffic control, civil	73 out of 73 respondents	100

cultural and economic development to the citizens; they are to provide safety in terms of road safety, traffic control, civil protection, fire brigade, ambulance services and so on?	protection, fire brigade, ambulance services and so on.		
They are to employ own staff to do their daily business?	MLG, the higher tier employs own staff to do LGUs' daily business.	73 out of 73 respondents	100
They should determine, prioritize, and translate local development needs into financial plans?	MLG, through the minister determines, prioritizes, and translates local development needs into financial plans.	73 out of 73 respondents	100
Ninthly, they need to promote local participation. They must be consultative in any decision they take and thus involve local people in decision-making?	Participation is mainly limited to political membership of the dominant ruling party having its nominees elected as councillors who constitute a consultative representation for the MLG.	73 out of 73 respondents	100
They need to regularly communicate and inform the locals of their policies, decisions and plans so as to have an informed local citizen?	LGUs lack mechanisms to regularly communicate and inform the locals of their policies, decisions and plans so as to have an informed local citizen.	73 out of 73 respondents	100
They must have regular free and fair elections to elect new councillors?	Elections are legislatively faulty enabling the participation of the dominant political party only. They are exclusive and do not involve representation of other vulnerable groupings of the local communities.	73 out of 73 respondents	100

Source:Field Survey/Interviews, July, 2009 to July, 2010.

LGUs lack mechanisms to regularly communicate and inform the locals of their policies, decisions and plans so as to have an informed local citizen for effective citizen-participation *(Field Survey/Interviews, July 2009 to July, 2010)*.

8.3.1 Resource Management Abilities in Lesotho's LGUs

The level of capacity of LGUs in resources management include indicators such as the (a) ability of local institutions to mobilize, allocate and manage funds, (b)fairness and efficiency of LG institutions' procurement of goods and services from the private sector and (c) the ability to attract and retain motivated personnel. All the respondents as on table 8.3B below, have reported that the central government is 'reluctant to introduce user fees like vehicles parking fees, taxes and other levies in fear of loss of political popularity and the potential of inviting public and political pressure and protests demanding transparent financial accountability and development-service-delivery to tax payers and their real participation. Respondents believe that there is the ability to mobilize, allocate and manage funds by MCC and the DCs but the controlling MLG lacks such a political will. There are so many untapped sources of funds for the MCC, including that one of a climatic comparative advantage of massive production of flowers for export to the European Union with relatively longer and severe winter yet are high consumers of flowers. However, the population in the CCs suffers 80% unemployment making it quite

difficult for the CCs to mobilize funds locally *(Field Survey/Interviews, July 2009 to July, 2010)*.

Fairness and efficiency of LG institutions' procurement of goods and services from the private sector in Lesotho are still lacking. Responses from the collected data indicate malpractices in tenders and contracts' distribution by the senior ruling political elite. At the moment this may be said to be one of the serious problems of corruption in Lesotho and RSA's LGUs if several media reports are indeed correct. There is reportedly so many incompetent development contractors working in the city of Maseru and other towns known to be owned or in shares with senior public/political figures. This has undermined quality and proper standards in development-delivery. MCC and DCs have no say over the poor service delivery distributed through contractors approved by ministers. Such contractors are not monitored or inspected in their infrastructural developing operations and strikingly deliver poor quality of service or infrastructural development *(Field Survey/Interviews, July 2009 to July, 2010)*.

Table 8.3B below further indicates that the ability to attract and retain competent personnel in Lesotho's LGUs is constrained by the fact that the private sector and the RSA offer better incentives to qualified local staff and cause much brain drain to LGUs and other ministries.

Table 8.3B: Resource Dimension Decentralization Indicators

Resource Indicators	Responses	Frequency	Percentage
To what extent is there? (a)ability of local institutions to mobilize, allocate and manage funds.	-MCC is controlled by the MLG/the central government that is reluctant to introduce vehicles parking fees, taxes and other levies in fear of loss of political popularity and the potential of inviting public and political pressure and protests demanding transparent financial accountability and service delivery to tax payers and their real participation. There is the ability to mobilize, allocate and manage funds by MCC but the controlling MLG lacks such a political will. There are so many untapped sources of funds for the MCC, including that one of a climatic comparative advantage of massive production of flowers for export to the European Union with relatively longer and severe winter but are high consumers of flowers. The same applies to DCs in the towns but the population in the CCs suffers 80% unemployment making it quite difficult for the CCs to mobilize funds locally. -The government has centralized procurement and	73 out of 73 respondents	100

(b)fairness and efficiency of LG institutions' procurement of goods and services from the private sector.	tendering, MCC is no longer doing this, instead the MLG does it for the MCC but with clear lack of fairness and efficiency in such procurement of goods and services from the private sector as reportedly only 'private companies' having shares with the ministers and/or senior bureaucrats or 'greasing their hands' (bribing them) win such tenders/contracts. There is reportedly so many incompetent development contractors working in the city and towns known to be owned or in shares with senior public/political figures.	73 out of 73 respondents	100
(c) ability to attract and retain motivated personnel	-Government remuneration scale is demotivating, almost every civil servant jumps for the next better opportunity made available. In fact there is recordable high labour turn-over in the ministries including the LGUs. There is low labour productivity, self-absenteeism, laziness, too much 'rent-seeking' (bribery seeking) due to low staff morale from poor remuneration. This is also confirmed by many (especially senior engineering posts) vacancies constituting 40% to 60% in the MCC that have lasted for years without being filled. Some staff members resign because they dislike a working environment where a politician will just ebb too low and instruct your subordinates or just tell you what to do.	70 out of 73 respondents	96
	-The private sector and the Republic of South Africa offer better incentives to qualified local staff and cause much brain drain to LG though this is a better paying ministry compared to others.	3	4

Source:Field Survey/Interviews, July, 2009 to July, 2010.

More of councillors' responses on the ability of LGUs to mobilize resources locally affirming findings in the above table 8.3B are as follows; Chief 'Mualle Letsie, the district council member representing chiefs in Qacha from Thaba-Lit'soene area said,

> "I think there can be better money for local governance than now, the municipal and the district councils can generate it and control it but the ruling party is reluctant to introduce user fees like vehicles parking fees, taxes and other levies in fear of loss of political popularity and the potential of inviting public and political pressure and protests demanding transparent financial accountability and development-service-delivery to tax payers and their real participation (*Field Survey/Interviews, 25 August, 2009*)."

The district councillor in Qacha district, Mr. Katiso Mabusetsa from Rat'soleli community council area also told that, "Our councils consist mostly of the loyal members of the ruling LCD party, it is not necessary to squeeze our poor communities monies they do not have and cause public dissatisfaction. So, our councils have not yet started wanting taxes from our people (*Field Survey/Interviews, 25 August, 2009*)."

8.3.2 Development-delivery Indicators in Lesotho's LGUs

It can be observed from the table 8.3C below that one of the indicators of development delivery is the LGUs' capacity to provide basic infrastructure and services that reduce poverty. However, all the key informants in explaining how far decentralization has

Table 8.3C: Developmental Dimension Decentralization Indicators

Developmental Indicators	Responses	Frequency	Percent
How far has your LGU achieved the following? (a)provision of basic infrastructure and services which contribute to reduction in poverty	-MCC lacks adequate budget by more than 700% to be able to attain sufficient provision of basic infrastructure and services which can reduce poverty. The MLG grants MCC around R34 Million per year for service delivery and around R50 Million per year for new roads building when the budget required is at least R700 Million plus for effective and adequate delivery to reduce poverty. As for other LGUs the situation is even worse there is complete underfunding by the more than the indicated percentage and the MLG is never transparent in financial issues as to how much is exactly funded to the DCs and CSs.	57 out of 73 respondents	78
	-MCC has used a 'community contracting approach' and a 'public-private-partnership' (PPP) by contracting rotated unemployed poor urban community labour to collect waste from households to collection points for an agreed remuneration. MCC also leases out contracts including one year contracts for the full operation of door to door waste collections, litter picking and weeding along the streets. MCC then pays the private lease contractors through collected fees from city households and businesses the agreed monthly amounts. The paid out amounts are barely enough for hand-to-mouth survival not for effective poverty alleviation. Community contracting involves the MCC assisting city communities to set up community waste management and local public health committees. The communities agree on fees to be paid for the collection of waste, then committees select waste collectors for public areas/streets and individuals who collect waste from households to collection points. All this unemployed labour gets rotated. Committees facilitate collection of fees from households and overall management local public health issues. Households deposit service fees into joint management bank accounts opened together by both the MCC and the communities. This community contracting public-private-partnership has been ideal for the peri-urban areas including Motimposo, Naledi, Khubetsoana, Ha Mabote, Lithabaneng, Ha Abia, Lithoteng and Qoaling. The lease contracting has been beneficial to urban areas including Maseru Central Business District (CBD), high and middle income suburbs such as Hillsview, Friebel, White City, Old and New Europa, Maseru East, Lower Thetsane, Arrival	16 out of 73 respondents	22

	Centre, Happy Villa, Florida and Race Course. The UNDP is the one that introduced the PPP concept paper and proposal. It sponsored a workshop involving key stakeholders on how it could be implemented by MCC.		
	-In an attempt to address provision of services to the poor, MCC, in early 2009, entered into another PPP with a local private health services provider to manage two MCC's clinics in Maseru city to provide curative services, ante-natal and post-natal services, monitoring of children's health under the age of five, family planning services, TB treatment and HIV and AIDS counseling and treatment including ARVs supply to AIDS patients. PPP arrangement usually has specifications on the caliber, quality and quantity of medical staff to be employed, other essential services to be provided, performance and quality standards as well as reporting obligations and penalties to be incurred in non-performance by service providers and MCC's obligations in monitoring and payments. PPP has also extended to three local companies to manage some 277 street advertising signs of various kinds (e.g. billboards) which have generated revenue of over R550, 000 per year for the MCC. PPP will also be used in future to manage municipal cemeteries, parks and recreational facilities, to maintain and manage municipal roads, street parking and street lighting.	73 out of 73 respondents	100
	-MCC's provision of infrastructure and services that could reduce poverty is also constrained by the very fact that its 60% of more than 450, 000 population lives below poverty line and cannot afford fees they are expected to pay. The unemployment rate is also above 50%. The HIV prevalence rate is around 40% creating a non-viable population in terms of derivable income/fees for development. The rapid urbanization worsened by limited availability of physical space and unplanned nature of many settlements has created severe pressures on the provisions of developmental services and utilities. The growth of many unplanned settlements due to overpopulation and heavy rural-urban migration makes it be very difficult to have adequate and proper construction, delivery and management of efficient networked urban services and facilities including roads, water and sanitation systems, electricity grids, solid waste management services, bus and taxi ranks and urban markets.	73 out of 73 respondents	100
	-MCC's provision of developmental infrastructure and services that could reduce poverty is constrained by many factors such as the following;	73 out of 73 respondents	100

(b)facilitation and/or authorization of private economic initiatives (c)facilitation of use of community resources such as land, water, forests e.t.c (d)effective resolution of conflicts among local citizens	ever increasing competition for scarce land resources between residential, industrial and commercial users and for the delivery of water, electricity and sewerage services. This is worsened by the lack of coordination of city planning and management activities, especially for the delivery of developmental services and utilities. There is also a limiting problem of ever increasing and unsustainable vehicular and pedestrian congestion. The bus and taxi terminuses are extremely crowded, particularly around the bus stop area. The proliferation of licensed and unlicensed street vendors along the main thoroughfares also worsens congestion and violation of MCC's by-laws for cleanliness and health environmental standards. There are increasing volumes of solid and other waste and illegal waste dumps creating an unclean, unhealthy and hazardous urban environment. -MCC and DCs have only been able to give and control licenses and market stalls to street vendors. There are no big private economic initiatives yet. The LGUs are not yet empowered by law to attract foreign direct investment. The ministry of trade is entirely responsible for this function. -There is a need for review of the legislative framework to separate functions and roles clearly to empower MCC and DCs to effectively facilitate use of community resources such as land, water, forests and others because other ministries are still owning the control and access to such resources. So far MCC and DCs have only been giving business and building permits. CCs have to a limited extend in conflict and competition with chiefs facilitated use of community resources such as land, water, forests and others. -No conflict among local citizens needed LGU's resolution.	73 out of 73 respondents 73 out of 73 respondents 73 out of 73 respondents	100 100 100

Source:Field Survey/Interviews, July, 2009 to July, 2010.

delivered development in their localities, stated that DCs and MCC's provision of infrastructure and services that could reduce poverty is constrained by the fact that MCC's 60% of more than 450, 000 population lives below poverty line and cannot afford fees they are expected to pay. Unemployment rate is also above 50%. HIV prevalence rate is 40% creating a non-viable population for derivable fees for development. Rapid urbanization worsened by limited availability of physical space and unplanned nature of

many settlements has created severe pressures on provisions of developmental services and utilities *(Field Survey/Interviews, July 2009 to July, 2010)*.

Growth of many unplanned settlements due to overpopulation and heavy rural-urban migration makes it be very difficult to have adequate and proper construction, delivery and management of efficient networked urban services and facilities including roads, water and sanitation systems, electricity grids, solid waste management services, bus and taxi ranks and urban markets. Provision of developmental infrastructure and services that could reduce poverty is also constrained by the ever increasing competition for scarce land resources between residential, industrial and commercial users and for the delivery of water, electricity and sewerage services. This is worsened by lack of coordination of city planning and management activities, especially for the delivery of developmental services and utilities. There is also a limiting problem of ever increasing and unsustainable vehicular and pedestrian congestion. The bus and taxi terminuses are extremely crowded, particularly around the bus stop area. Proliferation of licensed and unlicensed street vendors along main thoroughfares also worsens congestion and violation of LGUs' by-laws for cleanliness and health environmental standards. There are increasing volumes of solid and other waste and illegal waste dumps creating an unclean, unhealthy and hazardous urban environment *(Field Survey/Interviews, July 2009 to July, 2010)*.

8.3.3 Indicators for Sustainable Development by LG in Lesotho

Indicators for an efficient and effective decentralization in sustainable development among others need to show the extent to which LGUs assisted local people in the following: (a) assisted local women in the reduction of their the triple role, gender division of labour, time allocation from gendered tasks (gender-workload), less leisure, non-wage labour, subordination to the state and the market on their sold produce, strategic gender needs, (b) assisted local people to attain self-reliant development within natural resource constraints, (c) assisted local people to attain self-sustaining production without environmental degradation, (d) assisted local people to attain health control, appropriate technologies, food self-reliance, clean water and shelter for all of their

households (e) and assisted local people to attain community driven development and administration system flexible enough to correct itself. Table 8.3D below confirms that LGUs in Lesotho have not yet achieved such indicators/sustainable development. Mainly such tasks are still centralized and limitedly done by LGUs, affirming recentralization.

Table 8.3D: Sustainable Development Milestones/Decentralization Indicators

Table 9.3D:	Responses	Frequency	Percent
To what extent has LGU assisted local people in the following: Assisted local women in the reduction of their the triple role, gender division of labour, time allocation from gendered tasks (gender-workload), less leisure, non-wage labour, subordination to the state and the market on their sold produce, strategic gender needs?	-MCC and other LGUs have not yet adopted gender-workload reducing related development projects.	73 out of 73 respondents	100
	-MCC so far only concentrated on refuse collection projects through community contracting and public private partnership. DCs' and CSs' expenditure is mainly on recurrent costs and limited capital investment. Helping local people to attain self-reliant development is not yet embarked upon.	73 out of 73 respondents	100
Assisted local people to attain self-reliant development within natural resource constraints?			
Assisted local people to attain self-sustaining production without environmental degradation?	-MCC only conducts environmental assessment studies and prepares proposals for approval and implementation by the National Environmental Secretariat/NES. Self-reliant schemes for communities have not yet been adopted even in other LGUs.	73 out of 73 respondents	100
Assisted local people to attain health control, appropriate technologies, food self-reliance, clean water and shelter for all of their households?	-LGUs have not yet fully assisted local people to attain health control, appropriate technologies, food self-reliance, clean water and shelter for all of their households. These are still left mainly as the responsibilities of other central ministries. MCC's health committees and its two clinics play a limited role in this regard in the city while CCs just facilitate little supply of clean water to rural households through community taps and handpumps.	43 out of 73 respondents	59
Assisted local people to attain community driven development and administration system flexible enough for self-correction?	-LGUs have not yet launched community driven development projects.	30 out of 73 respondents	41

Source:Field Survey/Interviews, July, 2009 to July, 2010.

One other form of assistance LGUs have failed to do for locals is the creation of human, financial, social, natural and physical capital as table 8.3D(i) below further confirms. Limited financial capital formation is in issuing of trading licenses for street vendors and offering them with market stalls. Community labour is also hired to collect waste.

Table 8.3D (i): LGUs Activation of Capital Formation in Lesotho

Forms of capital formation	Activities/Inputs	Outcomes/Outputs	Frequency	Percent
(a) Human capital (the skills, knowledge and ability to work depending on adequate nutrition, health care, safe environmental conditions and education)?	LGUs have not yet started contributing towards forming human capital.	NA	NA	NA
(b)Financial capital (income primarily from the sale of labour and sometimes the sale of other household assets)?	MCC issues trading licenses for street vendors and offers them with market stalls. Community labour is also hired to collect waste.	-Orderly informal sector generating income for the unemployed.	58 out of 73 respondents	79
(c) Social capital (networks of mutual support that exist within and between households, extended family and communities, to which people have access)?	-LGUs are not contributing towards social capital formation.	NA	NA	NA
(d) Physical capital (assets that include housing, tools, and equipment that people own, rent or use, public infrastructure and amenities that people have access to)?	LGUs have to a limited extent made some roads, public toilets, parks, street lights, market structures and rentable dust bins for rubbish collection.	-Improved accessibility, public sanitation facilities in place, clean and safe streets and small-scale business opportunities in the urban streets.	15 out of 73 respondents	21
(e)Natural capital (environmental resources such as land, common property resources and open access natural resources which people use to have access to in their livelihood strategies)	-LGUs have not yet done anything to activate natural capital.	NA	NA	NA

Source:Field Survey/Interviews, July, 2009 to July, 2010.

Concerning physical capital formation LGUs, particularly MCC, have to a limited extent made some roads, public toilets, parks, streetlights, market structures and rentable dustbins for rubbish collection. LGUs' developmental effects are not yet realized as table 8.3D(ii) below shows no impact on production, consumption-patterns, trade, capacity in revenue mobilization for local development, income, services distribution and local welfare *(Field Survey/Interviews, July 2009 to July, 2010)*.

Table 8.3D (ii): Indicators of Decentralization-Developmental-Policy Impact: LGUs' Effects in Lesotho

Other Forms of Developmental Effects of Decentralization	Developmental Effects of LGUs	Frequency	Percent
-Effects on Prices?	There is no clear macro-economic policy or productive activities of any supply that influenced inflation in any direct manner.	73 out of 73 respondents	100
-Effects on production (quantities on outputs and inputs)?	There is no clear macro-economic policy or productive activities of any supply that influenced production clearly for economic growth.	73 out of 73 respondents	100
- Effects on local consumption patterns/demands?	Communities are beginning to be conscientized towards complete self-administration. More political demands are slowly beginning to be forged through towards attaining local development.	73 out of 73 respondents	100
-Effects on trade?	There is no clear macro-economic policy or productive activities of any supply that influenced trade clearly for economic growth. The informal sector has provided some survival strategy for the unemployed through urban market opportunity. The effect of this may not be claimed to push any one to a transformed life above poverty line. .	73 out of 73 respondents	100
-Effects on local budgeting capacity (tax receipts and public expenditure)?	Local budgeting capacity is initiated but throttled by absolute approval and rejection of the political minister who has to make sure that LGUs' budges and plans conform to the central government development plans and not necessarily to local prioritization. National goals by the central government are often about economic growth and not necessarily real transformative sustainable local development.	73 out of 73 respondents	100
-Effects on (equity) income and services distribution?	Service delivery is not yet widely recognized. LGUs have severe budget constraints and lack local economic base.	73 out of 73 respondents	100
-Effects on local social welfare?	Vulnerable sectors of the communities are not yet included as direct beneficiaries of LGUs' activities.	73 out of 73 respondents	100
Specific effects on urban development?			
-on solid waste management;	Rotated casual jobs for collecting and piling waste for disposal by hired services of individuals generate some short-term employment and income for surviving.	73 out of 73 respondents	100
-opening and rehabilitation of roads;	The little budget does not allow for maintenance of many constructed roads and new desperately needed ones. This is not sustainable development.	73 out of 73 respondents	100
-development control;	Some functions are still in the hands of the central government. This hampers development control in	73 out of 73 respondents	100

	the urban areas.		
-primary education	Primary education is mainly the responsibility of the central government through the free and compulsory primary education programme.	73 out of 73 respondents	100
-and public health	The two few clinics targeting the HIV/AIDS patients run out of medical supplies and are always under pressure to serve too many patients. Resources are not adequate to attain effective health system.	73 out of 73 respondents	100
Specific effects on rural development			
-Control of natural resources,	Chiefs and the central government still control natural resources. Effective devolution of such powers is not yet practically attained by LGUs to have the significant positive impact on local development. Limited control given may not bring a good impact.	73 out of 73 respondents	100
-Public health (e.g. ARVs provision by who/how),	The central government has turned the HIV/AIDS into a cross cutting priority. Almost all the central government ministries have a budget put aside for treatment and care for workers, orphans and the poorest of the poor through a centrally controlled social welfare department and rural and urban clinics to roll out subsidized ARVs. LGUs have not yet clearly budgeted for this pandemic though.	73 out of 73 respondents	100
-Physical planning,	Other ministries in the central government are still taking the responsibility of physical planning,	73 out of 73 respondents	100
-Land/site allocation,	LGUs together with chiefs as ex-officio members control site allocation in the rural areas. Some nepotism and favouritism in the former allocation of land is minimized and there is some striving for equitable access to land.	73 out of 73 respondents	100
-Minor roads,	Minor roads have been built to a very minute extent because the budget for investment in capital infrastructure is too low.	73 out of 73 respondents	100
-grazing control,	Chiefs still control grazing and charges on offenders. In some cases grazing associations continue to collect fines on illegal grazing.. This confusion and lack of policy clearance have left LGUs constrained.	73 out of 73 respondents	100
-water supply in villages	The ministry of natural resources is still in the hands of the central government. Devolution is essential to attain any developmental impact.	73 out of 73 respondents	100
-and Markets	CCs have not yet provided any markets.	73 out of 73 respondents	100
-Migrant-remittances dependency of local households	LGUs have adopted labour intensive infrastructural development activities to accommodate many of the retrenched mineworkers from the RSA. There are also specific development projects (irrigation) by the ministry of agriculture to help them with productive and business skills.	73 out of 73 respondents	100

Source:Field Survey/Interviews, July, 2009 to July, 2010.

Besides the invisible LGUs' developmental impact on the macro-micro economy, this table also affirms that functions for urban and rural development are still greatly

centralized and thus LGUs have nothing to deliver for development besides the fact that they are denied such a potential capacity by recentralization as one councillor also confirmed stating, "I see a severe lack of capacity for the councils; they do not have enough money and officers and facilities. They need authority and independence in making their own money. They should have such legal powers, be supported and guided by the ministry all the time, the ministry needs to just lead but not control everything councils intend to do as it is doing now (District councillor, Mrs. 'MaMotlatsi, from Qacha Ha-Ramat'seliso community area, interviews on the 25th of August, 2009)".

8.4 The Impact of Lesotho's LG on Local National Development Priorities

There is a strong belief that if decentralization is to reduce country's poverty, it also needs to synchronize its activities with the national development priorities as well as its LG's prioritized development objectives. In the case of Lesotho, the national development priorities to be related to the LG's execution in order of importance are (1) combating HIV/AIDS, (2) eradicating extreme poverty, (3) achieving universal primary education, (4) promoting gender equality and empower women, (5) reducing child mortality, (6) improving maternal health, (7) ensuring environmental sustainability, (8) and developing a global partnership for development. Appendix A shows that in Lesotho there is a weak link between LG and prioritized objectives. This has brought limited outcomes for Lesotho; including only two clinics built for health care provision in the MCC area which trained a few support groups for caring for HIV/AIDS patients. Casual jobs by the MCC and DCs offer a limited short-term employment lacking impact on poverty, LGUs do not offer or sponsor universal primary education-this is still a centralized function in the MoET. LGUs have no strategic programmes to redress gender imbalances. MCC's two clinics do very little to reduce child mortality and improve maternal health. The function of environmental conservation is still centralized and LGUs have no development networking or partnerships *(Field Survey/Interviews, July 2009 to July, 2010)*.

Appendix F (field interviews) also provides key informants' assessment on specific LG's development objectives of Lesotho including: (9) providing a democratic and accountable government, (10) and sustainable services, (11) promoting social and economic development by prioritizing basic community, (12) promoting involvement of the community, organizations and individuals in LG issues, (13) enhancing participation in national and community programmes and (14) combining municipality with urban boards and rural areas. Such specific development objectives of LG are not yet realized as all respondents (100%) affirmed that administrative, political and human and financial resources devolution are not yet effected by Lesotho's LG, thus there is constrained nominally participatory democracy and non-accountability. LGUs have not yet introduced development projects fully owned and driven by the local communities for such sustainable services including gender equity development programmes. Only councillors are getting involved in LGUs' issues, community organizations and individuals are still excluded even in national development issues. Chiefs are also representatives of the urban and rural communities in the municipalities to maintain a link and smooth flow of information between the urban/district councils, rural/community councils and the municipality. This is often limited by the fact that chiefs' forums for disseminating information are not clearly specified and/or formed beside the fact that most of the reports are mainly made by the staff in English only for the MLG's minister's access. Chiefs' low literacy and inaccessibility of information limit their role in information flow, there are no clear sufficient structures linking the urban and the rural.

8.5 Measurement of DGD Effectiveness in Line with Good Governance for Solving LG Challenges

One other important way of measuring decentralization's effectiveness in development delivery is assessing its extent of adoption of the values and principles of good governance also valuable in overcoming the very challenges of LG. Key informants' opinion constituting beneficiary assessment is crucial in examining such effectiveness. Such principles of good governance to be examined normally need to include (a) local governments' ability to provide services that are in part dependent upon their ability to

mobilize taxes locally, (b) where most part of the revenue base is coming from and how it is transferred and the challenges thereof, (c) how LGUs overcome or prevent capture by local elites as local governments may be vulnerable to local elites who then receive a disproportionate share of public spending on public goods. The challenge then becomes the extent to which decentralization processes enable the poor to access publicly provided goods, (d) the effective and efficient delivery of public goods and services, at the local level as dependent on the good co-ordination of delivering agencies. What is important here is how do LGUs avoid coordination failure, namely redundancy (resulting when two or more organizations/agencies perform the same task in which case resources are wasted), lacunae (resulting when no organization performs a necessary task, in which case service delivery gaps occur.), incoherence (resulting when policies, programmes, projects or agencies with the same clients have different goals and requirements which may trigger conflicts between agencies and organizations over resources and clientele. Making synchronization of policy across ministries and departments, at the local level, to be a major challenge), (e) determining specific service delivery functions that are decentralized leading to a loss of economies of scale (the direct implication of which is the loss of efficiency), (f) the extent to which individuals knowledgeable about the running of LG are available/employed/deployed to LGUs and undertake such tasks as to be taken by LG and (g) what the central government is doing to enable citizens to get better quality goods and services.

Appendix C provides us with the field findings on these aspects that; Lesotho's by-laws do not stipulate specific taxes LGUs can use to fund the supply of services locally. There is legally no capacity or clear premises to mobilize taxes. There are no jobs, so taxation is impossible and LG cannot mobilize any taxes. There are no taxes LGUs are able to mobilize and are specifically assigned to mobilize. Most part of the revenue base comes from the central government constituting more than 98% as a grant transferred and approved by the cabinet in line with the budget approved by the MLG's minister *(Field Survey/Interviews, July 2009 to July, 2010)*.

Decentralization in Lesotho is reportedly captured by the ruling political elites from its conception or design due to its biased adopted electoral model (first-past-the-post) advantageous to the dominant ruling LCD political party with loyal membership majority, in practice and statutorily. This type of centralization expansion poorly considers needs of the poor except party's political interests of power and dominance maintenance *(Field Survey/Interviews, July 2009 to July, 2010)*.

Coordination failure is unavoidable in Lesotho because LGUs operate without networking with other development agencies in their localities. Service delivery gaps are severe because there is usual annual under funding. There are also no joint projects, outsourcing or adequate donations to address LGUs functions *(Field Survey/Interviews, July 2009 to July, 2010)*.

Chieftaincy is still struggling and resisting to relinquish traditional political power over resources and local community leadership to the elected councillors. Furthermore, Lands Survey and Physical Planning/LSPP, ministry of forestry and land reclamation, parastatals like Water and Sewage Authority/WASA, Lesotho Electricity Corporation/LEC and Lesotho Revenue Authority/LRA (taxes collecting authority) as agencies over the same client with LGUs have different goals and requirements. These agencies are still controlling land allocation, use of forests and grasslands, water and sewage, electricity supply and imposition and collection of taxes for the central government, respectively. This has resulted into a major constraining legislative incoherence on decentralization and needs urgent synchronization *(Field Survey/Interviews, July 2009 to July, 2010)*.

Functions are still centralized in the hands of ministries and parastatals under such ministries. The main trend of decentralization has been a process whereby much of power in the hands of chiefs is modified and redistributed to the elected locals. Main developmental functions are still in the hands of the central government. The decentralization process also included massive privatization process of many developmental service delivering institutions like Coop Lesotho that was responsible for

the supply, sale and storage of subsidized agricultural inputs countrywide through the government storage facilities. Food security for the poor has worsened because Coop Lesotho has lost its inputs distributive storage facilities and thus countrywide distribution efficiency especially in the remotest parts of the country. LGUs could have been given a statutory role here to own and control properties from Coop Lesotho so as to improve local food security; instead all is lost through privatization for the benefit of senior politicians as the main individual shareholders and rent collectors.

Community Council Secretaries/CCSs and District Council Secretaries/DCSs as well as the Town Clerk, the Mayor and other senior staff in the LGUs know and understand the proper decentralization process; this includes even most of the elected councillors but are employed directly and used as civil servants legally answerable to the political minister in the central government/MLG. They are not answerable to the local councils/communities and can only undertake such tasks as to be taken by their directing central government/MLG's minister *(Field Survey/Interviews, July 2009 to July, 2010)*.

The central government is doing nothing to provide training in professional skills, performance appraisal, clear responsive channels/avenues of raising grievances about poor service delivery in LGUs (Appendix C). Mr. Pheello Rapase, a district councillor from Maseepho community, in Qacha, also stated that, "…most of the employees in the councils still lack training in community development management and fund raising (Interviews, 25th of August, 2009)."

Concerning other ideals of good governance in Lesotho's LG, key informants (100%) have reported that almost all of the entire membership of councillors is of the ruling LCD political party. The Executive Committee of the ruling party nominates, appoints and approves other community nominees to be on the list that may be voted into LGUs. This has reduced the freedom of LGUs from an often tendency towards the development of patron-client relationships between central government level politicians and local level politicians whereby locally elected councillors and staff are often sanctioned by the party hierarchy at national level, particularly the MLG's minister, upon whom they depend not only for patronage resources but also for their appointment to party electoral lists and

Table 8.11A: Measuring Decentralization Within Principles and Values of Good Governance: Decentralization and Leadership

Patron-client relationships	Responses	Frequency	Percentage
How free is your LGU from an often tendency toward the development of patron-client relationships between central government level politicians and local level politicians. Whereby locally elected officials are often sanctioned by the party hierarchy at national level, upon whom they depend not only for patronage resources but also their appointment to party electoral lists and hence political office? (Such a clientelist system results in formidable obstacles to the political participation of non-party constituencies of local communities and promotes deconcentration rather than devolution.)	Almost all of the entire membership of councillors is of the ruling LCD political party. The Executive Committee of the ruling party nominates, appoints and approves other community nominees to be on the list that may be voted into councils. This has reduced the freedom of LGUs from an often tendency towards the development of patron-client relationships between central government level politicians and local level politicians. Whereby locally elected councillors and staff are often sanctioned by the party hierarchy at national level, upon whom they depend not only for patronage resources but also for their appointment to party electoral lists and hence political office. This clientelist system has resulted in formidable obstacles to the inclusive political participation of non-party constituencies of local communities and has promoted deconcentration if not re-centralization rather than devolution.	73 out of 73 respondents	100
Furthermore, how do the communities elect the political leadership at the local level? (1) the first-past-the-post-model;_____ (2) the proportional representation model-- (3) non-party participation_____.	The communities elect the political leadership at the local level mainly through the first-past-the-post- model. This has happened in all the LGUs except to a limited extent where some proportional representation model was used limitedly with around three seats against ten in Mokhotlong district council simply because the opposition of the 'All Basotho Convention' political party was stronger.	73 out of 73 respondents	100

Source:Field Survey/Interviews, July, 2009 to July, 2010.

hence political office. This clientelist system has resulted in formidable obstacles to the inclusive political participation of non-party constituencies of local communities and has promoted deconcentration if not re-centralization rather than devolution.

All the respondents further stated that the communities elect the political leadership at the local level mainly through the first-past-the-post electoral model. This has happened in all the LGUs except to a limited extent where some proportional representation model was used limitedly with around three seats against ten in Mokhotlong district council

simply because the opposition of the 'All Basotho Convention'/ABC political party was stronger *(Field Survey/Interviews, July 2009 to July, 2010)*.

Consequences of this (as table 8.11B below shows) are that instead of LG promoting good governance principles such as participation, accountability, transparency, rule of law, strategic vision, consensus orientation, efficiency and effectiveness in poverty alleviation, responsiveness, equity, inclusiveness and corruption minimization; (1) Lesotho's LGUs are dominated by the majority membership loyal to the ruling LCD political party. LGUs are politically captured by the ruling political elite. They only serve as low consultative political committees because legally and in practice the minister directs every programme's activities. There is no recommendation, policy or anything that can be done without the minister's official approval, gazetting and publishing. (2) Decentralization has resulted into deconcentration, recentralization and political elite-capture by the central government, unaccounted use of resources, disempowered local communities, dominant ruling party politics and control of LGUs and irrelevant and/or ineffective development projects on poverty alleviation. (3) There is only a downward trend of directives. LGUs' structures lack clear details about control and use of resources. There is a top-down administration and political activism. (4) State control is entirely in the hands of the ministers and not its LGUs. (5) Poverty alleviation strategies are not implemented as interests pursued are mainly political-power-oriented. (6) There is but consultative absolute control of LGUs by the ministers promoted by the exclusive first-past-the-post electoral model and dominant ruling political party. (7) There is no effectiveness and efficiency in poverty alleviation. (8) There is an escalating political regrouping mechanisms to perpetuate political domination without community driven poverty alleviating projects/programmes. (9) There is intensifying inequality and poverty. (10) There is severe exclusiveness to the needs of the poor and their participation. (11) Corruption is reportedly to be the main threat at the stage of putting this state at its brink of collapsing. This is confirmed by non-accountability and non-auditing statutorily done as the minister wishes, arbitrary political directives in contracts allocation and personnel recruitment and control and non-delivery.

Table 8.11B: How Lesotho's LGUs Promote Values of Good Governance

Inputs/activities	Outcomes	Frequency	Percent
Participation: Political parties nominate candidates to stand for local councils' elections. Elected councillors mainly represent their political parties. They hold public gatherings for local communities' participation in the making of decisions, development priorities and receiving feedback. Councillors hold mainly monthly meetings, working committee monthly meetings and some emergency meetings to plan on how to involve communities in service delivery activities, give and receive feedback from the LGUs' personnel.	LGUs are dominated by the majority membership loyal to the ruling LCD political party. LGUs are politically captured by the ruling political elite. They only serve as low consultative political committees because legally and in practice the minister directs every programme's activities. There is no recommendation, policy or anything that can be done without the minister's official approval gazetted and published.	73 out of 73 respondents	100
Accountability: LGUs and their personnel, including tender boards are directly controlled and accountable to the political minister. LGUs lack clear reporting mechanisms to local communities except to the minister through various reports. The personnel, just as a procedure, reports to the councillors lacking structured mechanisms like media programmes and public meetings to account to the communities effectively. Essentially, reports are passed to the minister to have progress on the directives he/she made. Financial accounting and auditing systems and practices are abandoned and not done since 2006.	Decentralization has resulted into deconcentration, re-centralization and political elite-capture by the central government, unaccounted use of resources, disempowered local communities, dominant ruling party politics and control of LGUs and irrelevant and/or ineffective development projects on poverty alleviation.	73 out of 73 respondents	100
Transparency: Local communities are not in the clear picture of use and control of resources, development plans and their implementation; Their knowledge of what is budgeted for is treated just as a draft budget for approval, modification, control and (partial) rejection by the minister. Administration and political structures are directly controlled by the minister without any consultation with the LGUs. There is only upward reporting and downward directing.	There is only downward trend of directives. LGUs' structures lack clear details about control and use of resources. There is a top-down administration and political activism.	73 out of 73 respondents	100
Rule of law: Activities,	State control is entirely in the hands of	73 out of 73	100

programmes, standards, procedures, processes and maintenance of law and order adhere to the political supervision of the minister and not to the LGUs.	the ministers and not its local communities.	respondents	
Strategic Vision: The 2020 vision, Poverty reduction strategy programme, Millennium development goals and all other locally oriented development goals strategies without empowerment of LGUs only provide Lesotho with unimplemented good visionary papers on poverty alleviation. Major developments ever implemented often bear ministers' benefiting entirely or sharing. -LGUs lack the legal, financial, capital and technical capacity to conceive and implement poverty alleviating strategic visions.	Poverty alleviation strategies are not implemented.	52 out of 73 respondents 21 of 73	71 29
Consensus orientation: Political structures like LGUs are only currently being manipulated, maneuvered and heavy-handedly controlled by ministers. There is no element of bottom-up approach.	There is but consultative absolute control of LGUs by the ministers promoted by first-past-the-post electoral model and dominant ruling political party.	73 out of 73 respondents	100
Effectiveness and Efficiency: Ministers independently approve most of the contracts for service delivery. The impunity of these unmonitored contractors offering irregular sub-standard service delivery causes irreparable damage of unrecoverable and unaccounted resources.	There is no effectiveness and efficiency in poverty alleviation.	73 out of 73 respondents	100
Responsiveness: The passive local communities lack power and institutions to effect responsiveness from LGUs.	There is an escalating political regrouping mechanisms to perpetuate domination without community driven poverty alleviating projects/programmes.	73 out of 73 respondents	100
Equity: There are no equity oriented programmes.	There is intensifying inequality and poverty.	73 out of 73 respondents	100
Inclusiveness: Only political nominees participate in LGUs mainly as consultative structures.	There is severe exclusiveness to the needs of the poor and their participation.	73 out of 73 respondents	100
Corruption minimization: There are no proper accounting procedures to the communities as well as other systems and practices to curb corruption. Development-donors in MCC have reportedly pulled out for unaccounted resources, mismanagement and misappropriation of funds.	Corruption is reportedly to be the main threat at the stage of putting this state at its brink of collapsing. This is confirmed by non-accountability, arbitrary political directives in contracts allocation and personnel recruitment and non-delivery.	73 out of 73 respondents	100

Source:Field Survey/Interviews, July, 2009 to July, 2010.

The signs of lack of corruption-minimization by Lesotho's LG are further confirmed by the tale 8.12 below affirming that forms of corruption existent in Lesotho's LG have in various ways included the misuse of money or favours for private gain, inappropriate exchanges of money or other goods and services for undue influence or power; violations of public interest or norms of behaviour for special advantages or self-serving purposes, tax evasion, inequitable distribution of public resources as public services become disproportionately accessible to those who pay bribes, denying those services or similar quality of services to those who do not pay bribes. Bribes have also enabled service providers to ignore established standards of provision of goods and services as contracts have not been awarded to the highest quality provider at the bid price but to the firm that offered the highest bribe/shares; it has also been difficult to force bribing providers of services to provide better services or rectify problems associated with services already rendered. There has reportedly been corruption undermining the rule of law and scaring away potential investors/suppliers as it arbitrarily increases transaction costs and this has been anti-developmental as it reduces the opportunities available to people, particularly the poor increasing their insecurity. Corruption in the form of nepotism, bribery or patronage, stifling meritocracy, resulting in an increasingly inefficient and brutal bureaucracy are observable and reported (Table 8.12 below).

Table 8.12: Effectiveness of Lesotho LGUs in Tackling Forms of Corruption

Forms of corruption	Responses	Frequency	Percentage
(1) The misuse of money or favours for private gain	Nobody knows how tenders are offered in the MCC, including the responsible senior staff, everybody just sees things happening. There is no accounting of funds diverted, vired and used. There is also no internal and external auditing on quality performance and financial systems even in other LGUs.	73 out of 73 respondents	100
(2) Inappropriate exchanges of money or other goods and services for undue influence or power;	Funds diversion and virements are done without any justification or authorization in the MCC. This is misleading and deceiving to the Cabinet that approved financial allocations in line with the minister's approved budget. Other LGUs do not yet have much funds to be controlled though all are controlled by the minister.	73 out of 73 respondents	100
(3) Violations of public interest or norms of	Many senior politicians in the central government directly tell tender boards by phone	73 out of 73	100

behaviour for special advantages or self-serving purposes	or word of mouth which service suppliers are to be given contracts, if not heeded to they do not approve the procedurally appointed service providers and recommend which ones are to be given contracts. Such suppliers are often inexperienced, incompetent and lack excellent workmanship but instructions to pay them are done in the absence of monitoring, inspecting and evaluating their work oftentimes not done to perfection and completion.	respondents	
(4)Tax evasion as the transaction is not reported by either party, thus denying the treasury or tax revenue authority income	Lesotho Revenue Authority is an independent legal entity for tax collection and not LGUs yet. Known main taxes include General Sales Tax/GST, Pay as You Earn/PAYE, some import taxes on goods from outside Southern African Customs Union (Lesotho, Namibia, South Africa and Swaziland) consisting of member states that proportionally share custom duties on trade across their borders. However, MCC collects little from market fees evaded by many street vendors, public toilets use fees with severe under reporting from employees, highly evaded property rates and building permits because many malls are approved by ministers and other physical development controllers like LSPP. There is no law enforcement on levies by MCC or specific taxes stipulated for LGUs in general.	73 out of 73 respondents	100
(5)Inequitable distribution of public resources as public services become disproportionately accessible to those who pay bribes, denying those services or similar quality of services to those who do not pay bribes	Many services are not yet decentralized so the problem of inequitable distribution of public resources where public services become disproportionately accessible to those paying bribes, denying those services or similar quality of services to those who do not pay bribes is not yet significant. Nonetheless, MCC is reportedly blamed for the irregular observance of safety and other construction standards in the issuing of building permits resulting in many city business buildings left unfinished, abandoned and dangerous while others are approved but erected where they block the smooth flow of traffic or on or too close to main sewage lines or dumping areas.	73 out of 73 respondents	100
(6)Bribes enabling service providers to ignore established	Tender boards play by the ruling of political ministers. It is an often observed pattern that contracts are not awarded to the highest quality provider at the bid price but to the	73 out of 73	100

standards of provision of goods and services offered in two ways: (a) contracts for example are not awarded to the highest quality Provider at the bid price but to the firm that offers the highest bribe;	firm appointed by the minister in charge. At least this can be confirmed with many contracts in roads and city parks building being of sub-standard and irreparable quality. Normally, these contractors lack enough equipment and resources/machinery and may not be recalled for rectifications as are also not inspected or monitored.	respondents	
(b) it is often difficult for those who have received bribes to ask providers of services to provide better services or rectify problems associated with services already rendered.	Arbitrary decisions by the political ministers on the allocation of contracts prevent highest and competent service quality providers in sustainable developmental service provision. The seeking of the 'under the table transaction-costs' (bribes/'kick-backs') results in biased and unfair incompetent contracts and quality compromise.	73 out of 73 respondents	100
(7)corruption undermining the rule of law and scaring away potential investors as it arbitrarily increases transaction costs	Most of the developmental projects currently taking place are not community driven or directly planned, approved and controlled by the LGUs. They are under the ministers' eyes and not poverty-reduction oriented but are said to be strategically meant for political popular support winning, with meager short-lived or no direct benefits to the poor.	73 out of 73 respondents	100
(8)corruption being anti-developmental as it reduces the opportunities available to people, particularly the poor increasing their insecurity	The offering of contracts independent of tender boards' standards by political and bureaucratic seniors is reportedly following lines of nepotism, bribery or patronage, stifling meritocracy, resulting in an increasingly inefficient and brutal political bureaucracy.	73 out of 73 respondents	100
(9) corruption in the form of nepotism, bribery or patronage, stifling meritocracy, the result of which is an increasingly inefficient and brutal bureaucracy	Suppliers/service providers and officers openly report that without bribery, 'connections' or 'affiliations' no tender can be offered or 'won'.	73 out of 73 respondents	100

Source:Field Survey/Interviews, July, 2009 to July, 2010.

This situation conforms to respondents' opinion (100%) that Lesotho's LG in terms of promoting equity or human development and creating enabling environment as one form of measurement in decentralization is not performing. Lesotho's LGUs are reportedly not making any efforts to enhance productivity, equity, sustainable development and local

communities' empowerment except for street vendors' licensing by MCC, providing a window opportunity for meager income generation in the informal sector (Interviews, July 2009 to July, 2010).

"Please openly and boldly put it in your research report that, **donors must put this condition: no diversion of funds between and/or within a department**. I have seen more than enough of it whereby funds in the MCC just get vired, misallocated and misdirected but without concrete evidence of the work funds were diverted for. What is the use of planting plants in the parks and not use their money for watering them but use it elsewhere where there is no evidence that it was used there. There is a circular from the Town Clerk disallowing all staff members to communicate to anyone, researcher or any media but this is not helping our work. The cabinet just approves and passes the budget money and take it in the name of watering parks that never get watered. Nine people have not been replaced and the management keeps on saying there is no money for the created budgeted for positions that became vacant when some resigned…contracts are given to unknown unmonitored contractors in such an unscrupulous manner by the big ones without consulting us the experts or heads of sections. I do not understand what is the use of these tender boards! Everything is completely controlled by the government (An Indian Expatriate and Director of Parks at the Maseru City Council/MCC for 3 years, Mr. Hiren Najiar, Interviews on the 2nd of December, 2009)."

"MCC lacks legal protection, we can't control anything or impose property rates fairly on all businesses, big malls are just mushrooming around, anywhere in the city, without proper procedures of approval, safety standards and monitoring of developers, contracts are just given behind our back and you will find it is by your most senior political boss owning shares there, you just have to be silent and protect your job in the ministry. Even if you are the chief engineer or the treasurer (Senior Professional Worker in the MCC for 2 years, Interviews on the 2nd of December, 2009)."

"Look, don't think the documented financial accounting procedures are adhered to here, you just get instructions, often by phone from the ministry on how to allocate money, into which accounts and votes you must shift it and so on you can be instructed likewise from the ministry to welcome a newly employed personnel, completely unprocedural instructions to you as a professional technical person and what can you do? Look for a new job or cross the bridge (international border)! (One other most senior professional worker at MCC, interviews on the 2nd of December, 2009)."

8.6 Has Lesotho's Decentralization Succeeded? Dimensions of Success and Challenges

Key informants' assessment on whether LG has indeed succeeded only cements the thesis that prevailing institutional constraints are adversely holding it at bay in terms of development delivery as they (100%) (Appendix D) stated that the MLG and other central ministries still possess and exercise entire legal power of access and control over available resources. This stalls any geographical advantage that Lesotho's LGUs may have, including being located in an area with an adequate economic base like sources of mining and irrigation.

Furthermore, the 1968 chieftainship Act and other various Acts still give the same powers and functions for LGUs established in 1997 Act to the chiefs and various central government ministries, the MLG itself and other government-parastatals. Well-defined responsibilities in a satisfactory legal framework are still lacking in Lesotho's decentralization/deconcentration *(Field Survey/Interviews, July 2009 to July, 2010)*.

Besides being legally constrained LGUs lack the capacity to mobilize sufficient resources. They lack skills, resources, financial-political-administrative-communication-infrastructural-institutional systems and adequate data for effective development planning and delivery. The MLG is not involving LGUs in a bottom-up manner in policies and decision-making, selecting and implementing development projects locally relevant, spending and management of centrally granted resources. The current deconcentration gives no room for supportive central government activities. Those are not done, neither in the form of training nor in any form of political-administrative-resources devolution *(Field Survey/Interviews, July 2009 to July, 2010)*.

There are no appropriate management practices for human and other various resources. Human and other resources and financial management systems and standards are not in place. The top-down management practices by the will and whim of senior political enclave with over concentrated micro-management protective legal powers have displaced such a possibility. The relationship between the central government and LGUs constitutes a master-servant relationship. LGUs are directly controlled by the political minister in the MLG *(Field Survey/Interviews, July 2009 to July, 2010)*.

There are no specified/expected quantity and quality of services and other outputs to be delivered. The setting of development goals and implementation is centrally controlled and there is no form of quality assurance (Ibid).

LGUs in Lesotho function in isolation of the civic society, other development agencies and disadvantaged local societal groupings and associations. There is no legal networking

for the development of productive internal and external relations. There are no clear strategic plans for such (Interviews, July 2009 to July, 2010).

The relationship between the LGUs and the community including NGOs is not effective. Councillors lack enough information and knowledge about the activities of the central government in their areas. The limited once a month council meeting with occasional verbal casual reporting of LGUs' activities by the personnel disempowers the councillors. Written reports are usually in English, a language barrier for effective participation, feedback and good delivering working relations between the personnel and poorly literate councillors and community members. Councillors' scheduled community (progress) reporting is not an integral system for monitoring and evaluation of LGUs. LGUs may not be subjected to any performance standards as there are none. They operate independent of the possible pressure for delivery and presence of the civic society. Communities are to a greater extent characterized by voter-apathy and political spectators who have lost hope in local government (Ibid).

LGUs traumatically know and accept it as a Sesotho cultural entrenched proverb and traditional excuse that *(Mmuso-hao-tate)* 'the central government is never expedient'. This culture has transformed LGUs into advisory and consultative bodies engulfed by dominant political party majority councils' missionary membership pursuing the national-manifesto-party-agenda and not local development. No councillor or LGU-official can claim there is satisfactory responsiveness to constituents. Sluggishness and non-delivery are worsened by politically strategic public-eye catching initiatives for polls' winning and not necessarily for local poverty alleviation. LGUs generally lack adequate information about their funding, spending and how they are managed or to be managed *(Field Survey/Interviews, July 2009 to July, 2010)*.

The central government responsible for granting the LGUs yearly also struggles with budget deficits. This predicament is confirmed by the 2009/09 budget with a decline in funding capital expenditure but remarkably loans and grants (borrowed from various international donors with less control and performance accounting standards) funding the

same capital expenditure to LGUs, especially MCC rose by 388%. Non-accounting and financial-procedures-management lacking/neglecting LGUs/MCC have actually become a development-non-delivery liability siphoning tax income through organized 'officialized' unchecked corruption (unknown unmonitored centrally imposed development contracts) cemented by protective central government's 'collective responsibility'. The ministry of finance and planning, for instance, may not implement its mandate of auditing government monies in the MLG for years now. Councillors absolutely know naught about LGUs' finances. The Auditor General may only audit sections as approved and instructed by the ministers in the ministries. The national treasury is also controlled in the same fashion. Consequently no financial accounting is done or reports for open access. Main supervisors to financial institutions with their unquestioning loyalty to preserve their 'jobs' are answerable to political bosses ultimately, not to the ethos of professionalism, state and real democracy. The compilation, storage and retrieval of financial information is insulated by circulars instructing the concerned politically recruited personnel not to release or produce any information. Councillors and personnel expressed their strong belief that there are no financial management systems for revenue collection, budgeting, auditing, debt management and expenditure. Surprisingly, financial regulations for government sections including the MCC are in place but rather unfortunately abandoned and never enforced/made known to the personnel (Ibid).

LGUs lack local revenue sources, that is direct local taxes; they earn limited user charges from public toilets. Their revenue and MLG's grants are not proportional with inflation, rapid urbanization and population growth. There is no reasonable growth rate for LGUs' local expenditures, both recurrent and capital local expenditure to support a range of significant social and infrastructural services, not even enough to maintain the offered few (Ibid).

There is no post now, low or senior is free, from political scrutiny or manoeuvre. Almost every section in LGUs has more than an acceptable labour turnover due to demotivating government remuneration and poor working conditions. There is reportedly 60%-70% of vacancies unfilled resulting from high labour turn-over and ever unfilled positions due to

unattractive benefits and politicized recruitment method. The shocking situation is that given tasks and workload keep on increasing (Interviews, July 2009 to July, 2010).

Observing key areas of performance for LGUs, barriers perpetuating this situation as reported by respondents (100%) (table 8.13 below and appendix E) include the fact that (1) LGUs still lack the right to mobilize or borrow and manage their funds, so they lack the capacity to cause any form of developmental or administrative transformation beyond the practice of voting. The state may control money but people also need to initiatively address their own local problems. LGUs lack fiscal autonomy. Local moral hazard on monies should be monitored by the central government, this is what respondents expect the central government to do at least. (2) There is no clear legislative framework and a specific programme purported to initiate and enhance the capacity of the LGUs in terms of the human and fiscal resources management. Consequently, there are no established or implemented core local government systems or standards like performance management systems and quality delivery standards. There is lack of financial, human and capital resources as well. Councillors lack legal power to call public gatherings for effective communities' participation, chiefs with such power have at times refused to cooperate and effect grassroots participation. (3) There is no adequate LG's management capacity and capability. Engineering/civil works/technical, administrative, clerical, semi-skilled and unskilled manpower is severely undersupplied in the LGUs. There is no proper planning, coordination and networking. There is no synergy of devolved activities. (4) There is a problem of increasing inequalities and disparities as other wards already have better infrastructure and better performing councils. (5) Councillors lack the standardized practices, mechanisms and adequate information to supply as feedback to their communities. The party-politics create informal influences condoning non-accountability to the communities and promote MLG's capture and direct control of the LGUs. (6) Monitoring and evaluation are not done as there are no set standards and systems. Proper financial and programmes management, adequate engineering and plans for better organizational development are not in place. There is no vision and mission or effective strategic planning towards sustainable growth and development *(Field Survey/Interviews, July 2009 to July, 2010)*.

(7) Developmental-service delivery is mainly hampered by the budget constraints and lack of legislated clear sources of revenue including but not limited to local taxation, levies and user charges only. Lack of adequate financial, capital and human resources as well as the problem of several Acts allocating same powers and functions to other central ministries and organs impede LGUs from effectively delivering the services of control of natural resources (grasslands, sand, stones, e.t.c.) and environmental protection (pollution, soil erosion e.t.c.), public health (food inspection, refuse collection and disposal e.t.c.), physical planning, sites allocation, minor roads and bridle-paths, water supply in villages, local marketing provision and regulation, foreign investment attraction, streets and public places improvements, burial grounds control, parks and gardens improvements and maintenance and good control of building permits. The functions of preventing and controlling fire, provision of education, recreation and cultural facilities and roads and traffic services, water resources and fencing are still legally owned and severely contested for by other central government' agencies. (8) Delivered development-services are deteriorating and have no maintenance plans. (9) Political party majority representation sways off required local community representation for local economic development/LED. Decentralization in Lesotho is mainly a top-down process well intended to increase the political grip of one dominant ruling party system from the grassroots to the top-most through the centrally, captured, dictated and owned LGUs. This approach has prioritized political goals of maintaining local popularity country-wide, one dominant party participation, building of sole representative party-structures and systems at the expense of neglecting LED. Local communities are not represented at all in the councils, instead the dominant party now ruling is over represented with councillors representing and pursuing party's agenda. (10) Vulnerable groups are still excluded, this neglects poverty. (11) LGUs still lack financial viability as they have no legally stipulated revenue base, practiced and maintained financial systems for accounting, controlling credits, debts or bills/advanced prepaid bills or apportioned supplies of electricity and water for redistributive rates to counter poverty levels and promote equitable access, use and development among various social-geographical groups with different income levels ('progressive/redistributive mechanisms and

taxation). (13) Technical competence, career opportunities and good motivation are still lacking.

Table 8.13: Key Performance Areas of Lesotho's Local Authorities and the Challenges

Key performance areas of Las	Main Constraints/Challenges	Frequency	Percent
1. Institutional capacity and municipal transformation -Have you established and implemented core local government systems e.g. performance management systems etc? -Is there adequate LG's management capacity and capability? -Which high vacancy levels does this LG have? -Accountability mechanisms problems? -Serious challenges in the areas of Financial-management, programme management, Engineering and organizational development	LGUs do not yet have the right to mobilize or borrow and manage their funds, so they lack the capacity to cause any form of developmental or administrative transformation beyond the practice of voting. The state may control money but people also need to address their own local problems. LGUs lack fiscal autonomy. Local moral hazard on monies should be monitored by the central government.	66 out of 73 respondents	88
	There is no clear legislative framework and a specific programme purported to initiate and enhance the capacity of the LGUs in terms of the human and fiscal resources management. Consequently there are no established or implemented core local government systems or standards like performance management systems and quality delivery standards. There is lack of financial, human and capital resources as well. Councillors lack legal power to call public gatherings for effective communities' participation, chiefs with such power have at times refused to cooperate and effect grassroots participation.	58 out of 73 respondents	79
	There is no adequate LG's management capacity and capability. Engineering/civil works/technical, administrative, clerical, semi-skilled and unskilled manpower is severely undersupplied in the LGUs. There is no proper planning, coordination and networking. There is no synergy of devolved activities.	73 out of 73 respondents	100
	-There is a problem of increasing inequalities and disparities as other wards already have better infrastructure and better performing councils.	50 out of 73 respondents	68

	Councillors lack the standardized practices, mechanisms and adequate information to supply as feedback to their communities. The party-politics create informal influences condoning non-accountability to the communities and promote MLG's capture and direct control of the LGUs.	73 out of 73 respondents	100
	Monitoring and evaluation are not done as there are no set standards and systems. Proper financial and programmes management, adequate engineering and plans for better organizational development are not in place. There is no vision and mission or effective strategic planning towards sustainable growth and development.	73 out of 73 respondents	100
2. Basic service delivery and infrastructure -Services delivered include? -Pace and quality of services delivered? -Backlogs in services deliveries?	Services delivery is mainly hampered by the budget constraints and lack of legislated clear sources of revenue including but not limited to local taxation, levies and user charges only. Lack of adequate financial, capital and human resources as well as the problem of several Acts allocating same powers and functions to other central ministries and organs impede LGUs from effectively delivering the services of control of natural resources (grasslands, sand, stones, e.t.c.) and environmental protection (pollution, soil erosion e.t.c.), public health (food inspection, refuse collection and disposal e.t.c.), physical planning, sites allocation, minor roads and bridle-paths, water supply in villages, local marketing provision and regulation, foreign investment attraction, streets and public places improvements, burial grounds control, parks and gardens improvements and maintenance and good control of building permits. The functions of preventing and controlling fire, provision of education, recreation and cultural facilities and roads and traffic services, water resources and fencing are still legally owned and severely contested for by other central government' agencies. -Delivered services are deteriorating and have no maintenance plans.	73 out of 73 respondents 62	100 85

3. Local economic development (LED) -Prevalent dimensions of poverty locally? Impacts of LG on such poverty so far? -LGs' LED strategies effectiveness/success so far? -Enough of LG's LED specialists	Political party majority representation sways off required local community representation for LED. Decentralization in Lesotho is mainly a top-down process well intended to increase the political grip of one dominant ruling party system from the grassroots to the top-most through the centrally, captured, dictated and owned LGUs. This approach has prioritized political goals of maintaining local popularity country-wide, one dominant party participation, building of sole representative party-structures and systems at the expense of neglecting LED. Local communities are not represented at all in the councils, instead the dominant party now ruling is over represented with councillors representing and pursuing party's agenda. -Vulnerable groups are still excluded, this neglects poverty.	73 out of 73 respondents 64	100 88
4. Financial viability and management -Billing systems available/used by LG? -How adequate /efficient are billing systems? To whom is this LG indebted? How does LG manage debt? How does the LG get credited? Which credit control systems does the LG have? -How effective and efficient is the LG's financial management capacity & systems? -LG's revenue base include? -How adequate is the revenue base?	LGUs still lack financial viability as they have no legally stipulated revenue base, practiced and maintained financial systems for accounting, controlling credits, debts or bills/advanced prepaid bills or apportioned supplies of electricity and water for redistributive rates to counter poverty levels and promote equitable access, use and development among various social-geographical groups with different income levels ('progressive/redistributive mechanisms and taxation). -technical competence, career opportunities and good motivation are lacking in LGUs	73 out of 73 respondents 59	100 81
5. Good governance -Is there stability within and between political and administrative domains? -How effective is	Elements of good governance including effective participation by the grassroots, responsiveness by the LGUs and the central government, transparency and accountability and others are greatly compromised by one dominant party influence and system. Political actors are after	73 out of 73 respondents	100

communication between council and communities? -Are all the committees functioning effectively?	party's loyalty and continued favouritism of its leadership for being nominated on party's list of nominees for next political opportunities/jobs like standing for council elections and any other positions. Elections are done mainly along party affiliation lines and not real grassroot level representation. Councillors mainly communicate with their political constituencies as they usually give the limited feedback to their local party membership in the local occasional party constitutional activities. In this way there is no effective communication between councils and communities.		
	-There is no effective representation, LG structures are given many responsibilities without authority and resources to implement plans.	66	90
	Committees mainly comprise of loyalists to the ruling political party and serve as advisory bodies to the minister and personnel, not as executive implementers of councils' decisions. They are thus all not functioning properly and effectively.	73 out of 73 respondents	100

Source:Field Survey/Interviews, July, 2009 to July, 2010.

The weak capacity and interrelations between the central government and the LGUs, reportedly, add to the limitations against decentralization. Key informants (100%) (Appendix E) stated and re-emphasized that MLG has no capacity to implement effective decentralization process. LGUs do not account to their communities; instead they are answerable to the minister and cannot address local development except national political goals including expansion of power-recentralization. Proper devolution is being replaced by consolidation of centralization lacking self-sustaining measures locally. Developmental-service delivery and performance standards are missing, including financial and accounting procedures. Councillors lack powers even to call community meetings, chiefs with such powers often prevent local participation by refusing to call needed public gatherings. Capital, human and financial resources are limited (Interviews, July 2009 to July, 2010).

8.7 Summary

The process of decentralization in Lesotho has taken the route of deconcentration and/or recentralization. Positive results towards political-development attainment/service-delivery are not yet realized. LGUs have no autonomy and adequate ability to access national government and influence local government policy. The range of local government functions is still centralized and limited. Local political parties cannot make decisions independently of their national structures as the one dominant majority party occupying almost all the LGUs seats is centrally controlled. LGUs cannot raise their own revenue independent of higher tiers of government. These constraints and others limit the effectiveness and efficiency of LG as a developmental policy in Lesotho. Devolution has not yet taken place. Inclusive citizen-participation for local development delivery is not yet effected. Extreme inadequacy is seen in the legal structure in defining and establishing LGUs and permitting them to function as decentralized, national government's style of managing in line with decentralized management, quality of personnel posted to LGUs and the councillors (in terms of experience, education, effective representation), grants from the government and lack of local revenue base. There is inadequate central government support and LGUs do not yet fully participate in the decisions making, policy making and implementation and evaluation process according to the key informants' assessment.

CHAPTER NINE: STUDY'S ANALYTIC SUMMARY

9.0 General Introduction

The general aim of this research study was to contribute to knowledge and scholarship on the political-developmental policy of decentralization's prospects and challenges in the developing world, using Lesotho as a case study. All the last chapters have mainly been about the expository analysis of the socio-political-economic institutional constraints militating against the efficiency and effectiveness of the adoption of decentralization towards poverty alleviation or development delivery in Lesotho. The study has intertwined the degree to which decentralization has been prosperously embarked upon in Lesotho with success/outcomes indicators in service delivery. This included decentralization's contextual evolution whereby chapter two in a global context is an overview of decentralization. Chapter three dealt with the prospects and challenges of decentralization. Chapter four worked on the main methods of measuring adoption of decentralization and the capacity and limitations of such methods. Such methods have been adopted in this study particularly in chapter five through to chapter eight (part two and three of the study).

While chapter one has been introductory, two to four constituted the study's theoretical framework applied in the following chapters, as part one of the study. Part two consisted of chapter five giving the specific experience of decentralization in Lesotho and the concerned challenges. This also includes chapter six dealing with chieftainship particularly. Part three is composed of chapter seven dealing with the nature of Lesotho's decentralization and eight assessing the degree and the efficiency of the adoption of decentralization in Lesotho with regard to its success in poverty alleviation or development delivery. Part two and three are based on fieldwork that included conducting of face to face interviews and desk studies/documentary analysis by the researcher. Part two and three mainly applied the theoretical framework in part one, to actually measure the degree of the adoption of decentralization and how it was effectively

and efficiently implemented in Lesotho with regard to development delivery. This has also covered the prospects and challenges of this potential policy in democratization and development delivery throughout all the chapters. The study can conclude that while decentralization has the benefits of deepening local democracy and development delivery, this has been constrained among others by the lack of human resources and financial management, limited fund raising capacity, low education background/skills and competence/experience of the elected councillors and poor unsupportive relations between the central government and the councils, particularly in the developing world where both institutional and administrative state capacity are greatly lacking. This has rendered local service delivery ineffective and inefficient.

Guiding particular research objectives in the conducting and writing of this public and political-development administrative assessment research, the study included tracing the progression of Lesotho's policy of decentralization to local authorities/local government units (LGUs), since 1997 and examining the role and the extent to which it contributed to the main objectives of the Lesotho local government including; (1) the provision of a democratic and accountable government, (2) sustainable services and (3) the promotion of social and economic development by giving priority to basic community, (4) the promotion of the involvement of the community and organizations and individuals in local government issues, (5) the enhancement of participation in national and community programmes, (6) and the combination of the municipality and urban boards which are to be combined to the rural and urban areas, thus creating a mechanism to integrate them as parts of economies that used to be separate.These Lesotho's LG objectives serve as the prospects for this country's decentralization but the challenges summarized below in the efficiency and effectiveness of LG's adoption section have withheld these benefits and thus barred its local development delivery. The specific purpose was thus to examine Lesotho's evolution of decentralization, its nature, relations between democratic local authorities/LGUs and chieftaincy and the central government, its financing, electoral-political systems, its extent/measure/degree by process and outcomes indicators (as on findings-summary Table 9.1 below) vis-à-vis efficiency and effectiveness in its adoption for positive local rural-urban developmental impact/poverty alleviation.

This chapter aims at offering this study's analytic summary on the key findings and conclusions. It provides us with lessons for Lesotho, how decentralization needs to be rethought in Lesotho for efficient and effective poverty alleviation theoretically, and practical recommendations and conclusions. Firstly, lessons for Lesotho in decentralization are discussed involving offering an analytic summary of the extent to which LG has been efficiently and effectively adopted, then, secondly the way forward is summarized. This involves rethinking decentralization within Lesotho's context, theoretically and implementation wise. This constitutes some recommendations. Thirdly, conclusions on arguments and assumptions and research question of this study are made.

The study has argued that while decentralization may have had prospects for the efficient and effective delivery of rural-urban development goals elsewhere like in Europe, in Lesotho there are peculiar socio-cultural-political institutional constraints militating against the possible prospects of such decentralization. The study has also argued that decentralization is constrained by an absence of the prerequisites for successful reform efforts. That is there are a number of social, cultural and institutional constraints in Lesotho, but above all, the major barrier to successful DLG is the lack of political will. The reason for the slow pace of decentralization and/or its inefficiency in implementation in developing countries is primarily political. That is the lacking political will to fully implement such a policy due to foreseeable absent political benefits/goals to the bureaucrats in business and/or heavy political losses/costs. This is one of the main reasons for the incidental recentralization in Lesotho. Furthermore, the role of institutional and economic constraints, this study has analyzed mainly on Lesotho, cannot be underestimated or ignored in explaining why there is recentralization in Lesotho (see Ariyo et al, 1999: 201-213, Yarrow, 1999:157-168 and Ramamurti, 1999: 137-155).

9.1 Lessons for Lesotho in Decentralization

9.1.1 Lesotho's Decentralization Evolutionary Aspects: Power-Relations and Electoral-Political System

It can be learned that decentralization since its evolution during the pre-colonial, colonial and post-independence epoch, has been an issue before the actual establishment of local government/LG that recently became a political priority in 1997 by the ruling Lesotho Congress for Democracy/LCD. The 'khotla'/traditional court system before the colonial era has continued to entrench the traditional hierarchy of local and regional chiefs loyal to the king at the top of the customary governance system. We also learn that till late in 2005, when the first elections for democratic local authorities' were held, chiefs were still in charge of local land allocation and disputes settlement. Chiefs used to exercise administrative, judicial and legislative functions (Interviews, July 2009 to July, 2010).

British colonial rule (1868) undermined this traditional authority structure and launched a National Council which substituted the national 'pitso' (public gathering of the chiefs). This customary leadership continued to prevail parallel to the new colonial system until political independence gain in 1966 and through to this democratic era, thus core-existing with the elected local authorities and administrative staff. The pro-chieftaincy Basotho National Party/BNP, the Senate consisting mainly of chiefs together with individual chiefs have continuously opposed and resisted relinquishing power of control and access to resources and administration to the democratically established units fully to the point of efficient and effective decentralization. The British created the elected district councils in 1945. Chiefs were included as ex-officio members. The councils were merely consultative bodies with little influence. They also had limited fiscal autonomy and power for by-laws making (Interviews/Field Survey, July 2009 to July, 2010).

In 1968, after the political independence the councils were suspended for political reasons. They posed a threat to the local political dominance and influence of the then ruling BNP as their majority membership consisted of the then opposing BCP's main

political members. They were restored in the 1970s at village level only as advisory bodies to the chiefs. The 1980-85 integrated rural development project of Thaba-Tseka adopted through the decentralization programme being donor dependent collapsed when foreign donation was phased out but then left this region as the tenth new district. While the 1997 Act of decentralization efforts are constrained by political recentralization by the central government and resistant chieftaincy, as well as political, legal, institutional, human-resource and technical challenges indicated in chapter three, four and five (may also see Parnell and Pieterse, 2002:79-91) such a 1980-85 decentralization project was stifled mainly by resistance to a decentralized budget and resources by the ministries and their bureaucrats who did not like to relinquish power of control over their field staff. They continued to make unilateral decisions in the district undermining decentralization programme to counter what they called "Canadians" (the then donor/decentralization-sponsoring government) and their "Project" (Werlin, 1992, discussed in chapter 3 and James Ferguson, 2003:194-227).

The trend that has also been existent in Lesotho is that till today as affirmed by my field interviews and field findings in chapter six, seven and eight, (traditional and political elites) traditional bureaucrats/chiefs and government bureaucrats/civil servants and/or political bureaucrats have together with the lack of state's institutional capacity militated against the efficient and effective efforts of decentralization in this country (see chapter 7 of this study and Ramamurti Ravi, 1999, George Yarrow, 1999 and Ademola Ariyo et al, 1999 for the same analogy). For example, while District Administrators/DAs are said to be given authority over all district (provincial) matters and staff to enhance decentralization, in practice, such staff continue to report to their ministries in the capital city, Maseru. These ministries are directly controlled by the political ministers, who also control the DA's functions directly. This is particularly reported and observable in financial, technical and professional matters. The political ministers still absolutely control the budgets, resources and the staff (Interviews/Field Survey, July 2009 to July, 2010).

This is where we see a shift/further centralization (deconcentration) of authority rather more from the local authorities to the central government and some tussle over power by the chiefs. This has always brought a dilemma on decentralization in Lesotho. The dilemma is in choosing effectively between complete restructuring including getting rid of chieftaincy and maintaining a balance by integrating the two systems of tradition and democracy for the sake of maintaining 'peace and stability'. The country has tried to adopt the latter but then with clear structural ambiguity (lack of clear lines of command, authority and power) and thus enabling disabling recentralization/political elite capture and some traditional/chieftaincy elite capture over 'vacillated decentralization'. The powers of the local authorities and the concerned staff are not well specified not to talk of un-transferred political, administrative and financial powers and functions, particularly in the assigning of levies, taxes and funds raising and use, that is resources mobilization and control. The silence of the decentralization policy of Lesotho on this, further worsen the already limited (financial and staff) capacity of the local authorities. The real policy making body with executive powers is the political minister. This has created political-clientelism instead of devolution of political, administrative and political power and functions to the local authorities (Interviews/Field Survey, July 2009 to July, 2010).

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The Urban Government Act was passed in 1983, this resulted in urban authorities existence. The military rule of 1986 (after the BNP undemocratic rule of 1970-1986) established development councils at village, ward and district levels. Chiefs became chairpersons of development councils in the areas of their jurisdiction. They had to facilitate the process whereby they all would share their powers but they did not cooperate. The military rule restored democratic rule in 1993 by facilitating general elections. The 1993 constitution introduced local political self-administration and provided for the establishment of LGUs by the parliament. The Ministry of Local Government/MLG was also established in 1994. The LG legislation was made effective in 1997 through the LG Act amended in 2004 that was followed by 2005 LGUs' elections countrywide. The first-past-the-post electoral model adopted in LGUs with reserved (30%) seats for women has perpetuated political exclusion of the poor and powerless and the civil society. It has promoted a one-dominant political party state with political

monopoly, favouritism and unquestioning loyalty to the ruling party by the LGUs, un-opposable and un-challengeable practices and malpractices in administrative, political and financial acts of the ruling party (Interviews/Field Survey, July 2009 to July, 2010).

9.1.2 The Efficiency and Effectiveness, Extent and Nature of LG in Lesotho

When integrating the field findings (as also in Table 9.1 below) of this research study to an overall assessment regarding the efficiency and effectiveness of LG/decentralization's adoption and its contribution in development delivery in Lesotho we can adopt in summary a focus on the decentralization's efficiency indicators firstly embracing management of the decentralization process at the central government, secondly its efficiency indicators in policy planning and implementation capacity in LGUs and thirdly the efficiency indicators in its fiscal decentralization and administrative efficiency. This also reflects on the main prerequisites of decentralization adoption and degree in Lesotho being real political, administrative and resources/financial devolution aspects.

Findings in the management of the decentralization process at the centre indicate very poor demonstration and practice of political commitment as the overall government support in terms of training, supportive visits and technical and staff support are reported not to be done by the central government (also Table 9.1 below). There is little to suggest that LG's objectives are prioritized in its execution and hence no development delivery currently. Non-synchronization of these objectives includes the country's poverty reduction strategy's objectives as well as its national development priorities that were only declared for attracting foreign development aid. There has been an insignificant budget for such objectives, primarily expecting foreign aid. The same is happening with decentralization as the government has openly stated in its reports that may be foreign donation will come in to help LG deliver developmentally. Thus we find that, in effect, and despite its admirable objectives, the decentralization programme in Lesotho is not essentially a development plan but, rather, mainly another kind of structure for marketing the country for foreign driven development, dependency syndrome in the face of such dwindling underdeveloping foreign tied aid through impoverishing ever increasing

national debt servicing with undeveloping policies as aid (pre)conditions (e.g. SALPs) for continued access to such debts causing national cyclic poverty, foreign control with funds mismanagement (Interviews/Field Survey, July 2009 to July, 2010)..

Under the central management stream for decentralization we also learn that there has not yet been the provision of a clear regulatory framework (also Table 9.1 below) due to the existing weak regulatory environment for the smooth, effective and efficient introduction of LG. This is worsened by a lack of coordination with other ministries. Such ministries are still withholding the functions declared as decentralized, making this policy to remain a recentralization and deconcentration policy observably unfit/irrelevant for local development delivery. We also see no autonomy for LGUs (Table 9.1 below), particularly concerning the mechanisms for financial and technical monitoring of LGUs. The Ministry of Local Government/MLG has necessarily centralized legal powers, only the minister has power to pass LG laws/by-laws. The regulatory and legal procedures either for such law making and/or monitoring in finances and procedures are still unclear and unavailable. The MLG is legally left as the main top-down leading ministry in decentralization, reconstituting LGUs merely as consultative bodies suit to 'toe the line' of the ruling LCD majority party political dominance to which they form its externally controlled local membership. This has fully prioritized political party interests of power maintenance and influence from the elections for representation in LGUs and the whole running of LG and not local needs for development delivery as MLG continues to remain an only powerful driving force in decentralization with unaffected limited loyal political-party leadership capacities of party-elected determined and recruited leadership (Interviews/Field Survey, July 2009 to July, 2010).

Efficiency in the policy planning and implementation capacity of LGUs is hindered by lack of availability of competent staff and councillors. LGUs do not manage their staff instead the large staff transferred to LGUs is still centrally managed by the MLG (deconcentration as on Table 9.1 below). While DCSs are qualified there is the problem of large and low profiled CCSs as local overloaded administrators. There are no structures for management systems for horizontal and vertical coordination (Table 9.1

below) as such clear flows of information are lacking and local communities usually lack information for collective and individual participation consequently promoting social exclusion. The efficiency is also constrained by the lack of technical equipment for decentralization policy implementation at the CCs and insufficient at DCs. Many places still lack the most basic infrastructure for effecting decentralization for development delivery (Interviews/Field Survey, July 2009 to July, 2010).

Fiscal decentralization and administrative efficiency in Lesotho's LG is hampered by the lack of provision of resources for LGUs. There is still no clear intergovernmental transfer system. The minister apportions the grants with unchallengeable legal decision making power. It is reported that the implemented allocations are based on staff numbers and population density in the CCs. This type of resources management by the minister is the exact resemblance of still other normal centralized ministries and functions (Table 9.1 below). Clear plan for devolution of resources is not in place. LGUs at the district level could generate their own revenue for development delivery through various user charges but there is no political will to effect or tap this potential. Key informants feel that the ruling party is hesitant for the sake of maintaining political popularity and avoiding eminent accountability. The possibility of revenue generation in rural areas is not significant. This adds to the problem of lack of general financial capacity. The success of decentralization in development delivery heavily depends on the devolution of resources, that is capital, personnel and financial resources to the LGUs. Opportunities for the MCC and DCs to generate funding for their urban development budget include possible charges on car parking areas, public toilets, tollgate fees, property taxes, licensing fees, levies, various user charges and public utilities. Key informants also feel that the lack of political will to specify and effect such taxes and levies is again due to a need to avoid public pressure on the demand for creation of more jobs and increased remuneration to offset low income levels per person. While there is such a potential for revenue, LGUs in Lesotho can hardly raise any funding because they lack an effective billing system. They have not yet embarked upon retailing needed most profitable public utilities like water and electricity. Cost efficiency is also having hindrances from the process of LGUs' boundary demarcation that was without consideration of administrative efficiency which

in turn consequently has high administrative overhead cost preventing development delivery so far *(Field Survey/Interviews, July 2009 to July, 2010)*.

Table 9.1: Framework Analysis for Local Governance and the Development (Log-Frame Analysis)

Inputs	Outputs	Outcomes	Goals
What inputs are there to effect Legal statutory reforms to strengthen local governance: administration, political and resources dimensions? Administration? Councillors in LGUs pass recommendations to the LGUs that draft the policy recommendation to be a drafted bill through the minister to submit for amendment by the parliament. The minister may reject/approve and gazette. Political reforms? Councillors hold public gatherings and submit people's suggestions in the council that requests for parliament review or amendments through the minister. Resources (human + financial) There are no clear mechanisms to increase the capacity of the LGUs' personnel and resources mobilization and use. Which local governance focused projects and programmes sponsored by central governments, donors & NGOs? LGUs have no such projects and have not yet networked with the NGO's, they just deliver some services. Who is responsible for and how is the coordination among donors, governments and NGOs in local governance projects and Programmes? There is no such coordination or networking with donors and NGOs	To what extent has decentralization brought legitimate lawful LGUs and democratic participation? LGUs' have been enacted by a defective exclusive legal process maintaining the first-past-the-post electoral model lacking inclusive proportional representation. To what extent has decentralization brought about strengthened local finances, revenue sources and their management? More centralization has been effected because the minister actually controls everything, there are no financial systems/clear financial legislation, no accounting procedures, no financial manual, no sustainable revenue sources like supplying of apportioned water, electricity and the like to be offered by MCC through the efficient prepaid billing systems, no measuring yardstick in terms of service delivery and agreements' &performance stds. To what extend has decentralization effected transparent, effective and accountable local administration? There is no political will to relinquish political, administrative and financial and human resources' control by the political rulers. The lower spheres of governance just legally exist as consultative forums not as autonomous functionary spheres with any power. To what extent has decentralization resulted into effective partnerships among LGUs, governments, NGOs and donors? MCC and other LGUs completely lack any partnerships with any other institutions or civil society. Lack of such effective partnerships normally creates LGUs free from any pressure thus no delivery if not poor one, all being here the case.	How has decentralization contributed towards basic education & what is the % of children enrolled in schools due to it? Ministry of Education and Training has taken entire responsibility of education through a free and compulsory education. LGUs do not provide education. How has decentralization contributed to the access of potable water & what is the % of LGU Population with water? WASA and Rural Water Supply departments are central parastatals responsible for potable water supply. CCs limitedly installed piped water to 5% of rural households. How has decentralization contributed to the survival of 5 year olds & is the percent of such children who survive to five year? MCC has through PPP two clinics on this programme and at least more than 50 of such children are given health services per week. What is the percent of increase in number of businesses licensed in previous year in LGU? & percent of change in number of violent incidents from previous year in LGU? Business licenses are mainly for street vendors at 15% increase per year, it is difficult to control them as many are illegal due to the fast growing informal sector.	What has been the impact of decentralization on (a)education None (b)environment Creation of parks & environmental projects owned by NES (c)health Clinics with various health services (d)good governance Legal structures are nominally there contrarily functioning to the values of good governance (e)gender equity No such programmes though elected women constitute 73% of councillors (f)poverty reduction Rotated community contracting and intensive labour are used in refuse collection and road building by MCC. (g)local peace and tranquility There are no conflicts so far.

Source:Field Survey/Interviews, July, 2009 to July, 2010.

These challenges also reportedly included a poorly and politically expediently designed decentralization policy not carefully thought out to be a long-term, intricate and iterative course of action for political reforms for local development delivery. There are no corresponding public sector reforms to increase the LGUs' capacity. In practice, and despite the original intentions, what we find is a deconcentration of decision making as opposed to decentralization. This is a critical point, demonstrating the lack of political will to execute decentralization policy fully. There is no plan or any indicator that Lesotho's LG is either wholesome and comprehensive or incremental and strategically selective. Its official stance is that it is made with

the expectation that foreign aid may be available for financing it. The complexity of the dilemma is compounded in that, currently, proper financial and management practices are reportedly not upheld across including condoning acts of absolutely arbitrarily distributed tenders, malpractices, funds mismanagement reports and lack of auditing. All required by any potential donor. No donor may fund where traces of corruption are so clearly visible and treated with impunity. Corruption may be found to be often compatible with the current political-elite capture of the process of decentralization affirmed by absolute control by the political ministers of MLG. This has so far stifled LG's efficiency indicators including LGUs' institutional autonomy, local accountability and effective quality citizen-participation at both an individual level and civil society and thus transparent information flows and empowered citizens and non-exclusive democratic elections not condoning current political-clientelism-patronage *(Field Survey/Interviews, July, 2009 to July, 2010).*

9.2 The Way Forward for Decentralization in Lesotho

Our analysis of LG in Lesotho affirms the need for rethinking it theoretically and pragmatically within the local context for it to attain relevant development delivery. Let us at the foremost consent that while decentralization by definition requires effective political will to devolve politically, administratively and resource-wise particularly financially, it remains strictly essential to empower/capacitate both the national government and the LGUs of Lesotho. For any state institutions to operate effectively genuine legitimacy/authority/national-democracy, legal statutory and public sector reforms need to be in place to strengthen both the national government and the LGUs. The state has to also come to terms with the reality that it may not do everything but has to create an enabling environment for the development and actual participation of the civic society and the private sector as well as strategic partnering (with effective coordinative structures and practices among ministries, donors, civil society and LGUs' programmes) with these sectors (private-public-partnerships) especially in development programmes targeting (LGUs' focused projects and programmes for self-sufficiency) the poor. The state may have to do only what it is capable of doing most effectively and efficiently which is empowering and monitoring for local-self-administration not heavy-handed centralized ruling/control which has for centuries failed the poor. Empowerment needs to include restructuring the civil service from patronage, seniority and mediocrity

to professionalism, merit and performance based appraisal in poverty oriented programmes. It also needs to encompass bottom-up citizen-participation for enhanced local accountability and other principles of good governance for corruption minimization at all government spheres and solving of the current political-capture of LGUs from the dominance of the majority ruling party. Let us publicly agree that other than serving as ruling party-extensions/out-posts and consultative bodies, LGUs in Lesotho still lack real citizen-participation at individual and collective levels. This limitation also hampers possibilities of local feasible taxation essential for resource poor countries like Lesotho. Citizen-participation can through consensus enable listing and introduction of (progressive taxes, property rates and user charges for equity) taxable activities and user charges.

Empowerment needs to focus on statutory reforms, boosting the capacity of LGUs to attract, recruit, retain and manage the scarce professional and managerially skilled personnel. That is develop careers for personnel, provide further training opportunities, specialized support welfare. Devolving or transferring human resources without having done this ignores the fact that LGUs are also competing in the labour market. It is not ideal to have LGUs without institutional autonomy and control over their staff. Bureaucracy needs to account to its clients (customer-oriented for relevant service delivery) and not toe the line of the ruling political elite. The skilled local personnel can help in effective local revenue mobilization, management and proper accounting standards internally and externally.

Chiefs in Lesotho are part of the bureaucracy as a traditional one requiring continued training in governance and development to be able to appreciate and adapt to new emerging developments and systems for their effective participation. Their role is proved as immense in facilitating community development through community mobilization, disputes settlement, maintaining social security and local leadership provision beyond the capacity of the limitedly available ‘professional’ bureaucracy. Chiefs specifically need to join hands with LGUs, which the national government also needs to do even in power sharing, devolution and redistribution from these two for effective self-administration for

local sustainable development delivery. Decentralization with reforms often requires power restructuring which has potential conflicts/competition but inclusion and involvement of the institutions that have to lose some power to be gained by new others is unavoidable. The approach of strategic power sharing is often a more workable one but cautiously without increasing the red tape (win-win approach).

It is important for LG in Lesotho to review itself and adopt establishing effective preconditions necessary to avoid its already indicative failures in development delivery. There is need to revisit the reorganization of the locals into really the smallest boundaries possible corresponding with the already existent administrative (customary and political/official) territories of jurisdiction for efficiency and effectiveness of LG, other than to be crossing over or encroaching causing confusion and administration of local affairs. Such areas also need to correspond to the local problem situations important to the lives of the locals. Real learning in LG needs to be facilitated and provided by the central government continuously to the elected, nominated and recruited LGUs' personnel and the locals for them to acquire collective and individual awareness, skills, competence and experience in tackling local developmental problems. Learning enhances the capacities and opportunities taking individually and collectively, it promotes understanding and creative participation.

This is also one form of empowerment needed to effect pro-active *decision making and action taking capacity* in addressing local developmental needs. In this manner, institutions can be held accountable (downward accountability instead of only upward accountability) to the locals with knowledge and abilities to act/implement their policies and manage their affairs. Continued learning with the capacity of decision making and implementation can enable locals to reform and redesign the LGUs to suit addressing their local developmental needs instead of pursuing the political interests of the majority ruling political party which are irrelevant to their local needs. This can promote initiation of locally owned community-driven development programmes, local autonomy (upward accountability through monitoring) and authority and thus reduction of dependency

syndrome locally and nationally. When locals are such empowered then predation by the powerful, corrupt and capturing elitism will be prevented.

Empowered citizens would be able to counter the overwhelming superior actions of the central government resulting in 'national' priorities ignoring local priorities. They could also have the cognitive ability to properly integrate local plans with the national goals thus maintaining good links with the other line ministries and sectors for effective coordination and implementation. They would be able to invite and appreciate continuous systematic and well coordinated support system from the national government currently reportedly not offered. They would be able to overcome challenges of resources constraints and sustainability challenges as they would be in control of their own programmes and resources. This type of empowerment can prevent poor targeting of the, for a long time, neglected and marginalized poor communities in the rural and the urban sectors. It is this type of empowerment that can overcome challenges of resources mismanagement, corruption and lack of monitoring, supervision and evaluation procedures on local development programmes and promote understanding and adoption of local programmes' performance-driven-resource allocation to effect development delivery and overcome the chronic problem of non-delivery in LGUs.

Central to the success of decentralization in Lesotho is the ability of LGUs to raise local revenue, attract and retain competent personnel. At the moment the limited capacity to do so is also worsened by the surmountable obstacles of low income per capita from unequal income distribution, funds mismanagement and reported corruption. Political obstacles to local revenue raising include fear of loss of political popularity and support for the ruling political party, public pressure for more accountability and citizen participation as well as increased demand for jobs. The concept paper of the decentralization policy in Lesotho heavily hopes for international donor support with a clear lack of political will and financial commitment on the part of the central government of Lesotho. Currently, LGU's indicators/degree of capacity in resources/revenue mobilization can be summarized as follows;

- The MCC has about R50 Million as a yearly grant from the MLG and raises less than a percent of that per year from the property rates, business and building permits, public toilet fees, clinics, market stalls/fees and waste disposal fees. The entire system of the LG basically depends on the controlled grant from the MLG. Such a grant is only 10.8% of the country's total revenue.

- Payments are not regular; there is so much evasion and avoidance as there is no effective billing systems and law enforcement to make MCC and DCs become effective in revenue collection. Grants from MLG never increase substantially to respond sufficiently to the local developmental needs.

- The MLG has been reluctant to introduce any taxes through MCC, CCs or DCs, in fear of loss of popular political support, thus no taxation is done yet.

- All of the funding is from the MLG and is closely controlled through the minister's instructions on senior personnel who also usually divert funds among MCC's departments at will and at whim without any financial accounting or justification to anyone, including the cabinet that approved funding as there is not even any internal auditing. Disbursements directly get approved by the minister.

- There is no staff performance appraisal. Clientelism and political loyalty to the ruling LCD political party and MLG's minister matter most in almost all aspects of personnel management

- There is no form of any support, assistance or training from the MLG to the MCC or LGUs in general. Supportive training sessions are quite unknown or reported not to exist *(Field Survey/Interviews, July, 2009 to July, 2010).*

Findings in the last three chapters (5, 6 and 8) also confirm that the legal nature of decentralization in Lesotho maintains a 'centripetal unitary'[15] state. This still raises the need for devolved political-administrative powers and resources to the local authorities, other than a cosmetic process of decentralization whose significant objective is to

[15.] The constitution of Lesotho together with its decentralization Act (1997) and amendments (2004) basically create a one central state, albeit weak, with all other tiers of governance neither autonomous nor independent but as mere appendages of the executive. This is the nature of the decentralization of Lesotho and how the central government relates with the LG in Lesotho.

'window-dress' this state for international fashionality and limited unsustainable foreign donations. Section 106 of the Lesotho 1993 constitution explicitly over empowers limited representative democracy/parliamentarians other than local citizen participation whereby policy designing, execution, monitoring and evaluation are done by the LGUs. The rhetoric or lip-service is so obvious as it states that "Parliament shall establish such local authorities as it deems necessary to enable urban and rural communities to determine their affairs and to develop themselves. *Such authorities shall perform such functions as may be conferred by an Act of Parliament."* The last part of this legal section contrarily stifles enabling local communities from determining their own affairs because it deprives them of autonomy or independence to formulate own policies, execute, monitor and examine them. Repeals/amendments and functions may only originate from the parliamentarians. According to this constitution and LG's 1997 Act, by-laws/regulations can only be applied by LGUs provided the political minister has approved and gazetted them. The specific powers of the LGUs in Lesotho are not necessarily explicitly adequately entrenched in the constitution. There is no clear separation of powers. This is compounded by the disheartening reluctance of the central government to decentralize services and specify readily affordable levies, user-charges and taxes and the inability to decentralize fully the process of budgeting and its control.

If decentralization is to deepen democracy and improve service delivery or alleviate poverty in Lesotho then a good framework/preconditions among others including the following must be met:

- Constitutional and legal framework of Lesotho must establish, entrench and define the exact powers of LGUs and their autonomy with regard to the central government to avoid current 'recentralization' and/or deconcentration.
- LGUs need to be enabled legally and resource-wise through devolution to have the required financial, political, administrative and the technical, capital and human resource capacity. The central government needs to create such supportive essential infrastructure and capacity. This is also a matter of political will and commitment.
- Supportive networks to the LGUs need to exist and impart relevant skills through continuous training to the human resources in the LGUs for proper exercise of

powers, efficient and effective resources management and service delivery. This includes tapping from and working with the civil society.

- Clear mechanisms for local citizen participation and provision of empowering feedback to the locals are necessary. Such measures need to encompass accountability mechanisms for both the LGUs and the central government. This mainly entails 'good governance' enabling environment discussed analytically in chapter 2 and 4 of this study.
- The first-past-the-post electoral model is not as inclusive as the mixed member proportional representation. A shift from the former to the latter is necessary.

In our view, the current constraints of decentralization in Lesotho basically encompass a bad framework adopted for this policy. There is need for a good framework if there is to be realized benefits. So, if decentralization is to be successful in Lesotho with regard to strengthened democracy and effective development delivery, the specific challenges that the central government needs to prioritize addressing include among others the following:

- Lacking financial and human resources capacity require rigorous sustainable fund raising programmes, competitive remuneration packages and benefits with career development for staff retainment. This has to integrate institutionalized life-long formal on job training.
- The central government need to refrain from recentralization by indeed really decentralizing the seven functions legally declared as decentralized which it has not practically decentralized or denied their offering.
- Lacking autonomy for LGUs in decision and policy making requires urgent remedial empowering legislative framework. The current dictation by the central government needs to be legally curbed through devolution of powers.
- Revenue collection by the LGUs need not be suppressed, prevented and/or controlled by the central government. LGUs ought to collect own revenue and fund their own programmes in a sustainable manner. LGUs also need to have own bank accounts while subjected to monitoring, financial accounting standards and procedures and yearly internal and external auditing.

- The conflictual allocation of roles between the councillors and the chiefs need to be legally ironed out with the involvement of all the concerned parties. This could help improve the co-existence and smooth functioning of the democratic and traditional institutions. Chiefs have always wanted more power and the decentralization policy to be fashioned in a manner that benefits them most. They have done this through individual resistance to councils and through the institutional ways (senate, political forums and the pro-chieftainship political party of Basotho National Party/BNP). The current conflictual legacy between the two can be solved and their complementarity can be beneficial in maintaining law and order and service delivery. This can also overcome the continued conflictual effects of chieftaincy/lekhotla system with the current challenges of the (i) lacking clear demarcation of functions between the chiefs and the LGUs, (ii) continued illegal allocation of land by chiefs without involvement and consultation with the LGUs, (iii) chiefs' lack of understanding of the functions of the LGUs, (iv) chiefs' resistance and non-compliance with LGUs' resolutions, (v) poor communication between representative chiefs in the LGUs and their counterparts outside the LGUs, (vi) conflicts between chiefs and LGUs over the control and access to natural resources like woodlots, trees/community forests, quarries, burial sites and range management, (vii) administratively confusing area boundaries of community councils that do not consider chiefs' areas of jurisdiction and convenient access to services by the local communities (viii) and strife between the chiefs and the LGUs over who should fine the trespassing animals in range management.
- The legal ironing out suggested above needs to also have regulations on the relations and functions between the central government and LGUs, members of the parliament/MPs owning constituencies usually with dominating political influence and control over the local councillors affiliated or not affiliated to their ruling political party. Few independent councillors find the dictation of the MPs unbearable, with quick demands for public reporting and enquiries. The MPs at times and the area chiefs are reported by key informants as often self-imposers and pressurizing demanders seeking councillors to act as their subordinates and/or followers, wanting them to take instructions from them as area chiefs or MPs who also claim jurisdiction

in the demarcated LGUs' areas. The poor and conflictual relations between the central government, LGUs/councillors, chiefs and MPs severely affect information flow and coordinative communication and thus efficient development delivery by decentralization.

- The Ministry of Local Government/MLG has to overcome its lacking technical, administrative and training (also targeting low educational levels of council or councillors), guiding and monitoring and evaluating leadership and infrastructural (office space and furniture, housing and other working facilities/equipment) support to LGUs in among others in planning local developments, financial management and fund raising capacity. This includes revitalizing the department of rural development and as well as locating it strategically and functionally in the organizational structure of the MLG for local development delivery. Currently, this department is not structurally involved in the MLG, legislatively and organizationally. How then can the LG deliver without this arrangement, remains an impossible task and question to answer. There are no clear legal and mandatory relations between this department and the MLG to effect decentralization. This affirms the point that functions said to be decentralized are not yet really decentralized, that is from the other ministries.

Decentralization in Lesotho has been donor driven and as such lacked citizen participation and involvement of the vulnerable groups and civil society in the decision making processes. This has rendered LG as non-responsive to local needs. This component is important for good governance and relevant quality service delivery. Local citizens need not be limited to voting in elections only, as is now the case. Practical constitutional mechanisms and structures involving legally scheduled feedback provision and accountability to the local citizens need to be instituted. That has to include promoting voluntary actions by citizens and providing them with clear legal meaningful opportunities, arrangements and processes for them to participate as citizens. Furthermore, such participation ought to facilitate communication and discussions, planning, funding and execution of local developmental goals. It also has to influence in a bottom up manner policy making so as to assist in its implementation for the benefit and survival of all in the local area. It needs to embrace institutionalized formal and informal

roles as well as supportive roles by the local people. This can increase government capacity in local services delivery particularly if the legislative framework specifies the duties, responsibilities and roles local citizenry is expected of. Citizens need to be mobilized and recruited into partaking in LG decision making, implementation, monitoring and evaluation processes. Institutionalized participatory structures for the local citizens are not yet in place and need to be urgently created. There is no legalized interaction and accountability between CCs and the local citizens except the assumed one. The 1997 Decentralization Act so far turns citizens into passive actors as their participation is not legally specified and mandatory. Current citizens' electoral participation ought to extend to citizens' action, involvement and obligatory participation. In essence, there is a need for the central government of Lesotho to develop the necessary conditions for the establishment of a functional and viable system of LG. Fiscal, political, administrative and resources devolution are paramount to such conditions.

9.3 General Conclusions of the Research Study

The degree to which decentralization has been adopted efficiently and effectively in Lesotho has already been discussed through various indicators of assessment of such efficiency as well as the extent to which it contributed in development delivery. However, the extent to which it has assisted with development delivery is questionable. As we see, this has not happened. Clearly, there are many reasons for this, some of which are unrelated to local government. However the evidence suggests that local government has not made any substantial headway in addressing or promoting local development. The poverty line of Lesotho has forever remained as 55% with the same national unemployment rate and poverty gap which is the depth of such poverty below this line. Even at an individual level, key informants as direct participants and beneficiaries in LG can still be categorized as poor in terms of their income levels still below the consumer price index of R2, 500 recently worked out by the monthly newsletter of the national NGO working on issues of human rights and political education campaigns called 'Resource and Transformation Centre' (Peace and Justice Newsletter, 2009). The numbers of rooms they occupy in relation to their family sizes indicate some level of poverty as characterized by congestion from more than two persons in a room. Their low level of assets accumulation and ownership is also very low though most of them have

already spent more than four years participating in LG. Data confirmed that LG has not yet positively contributed to the formation of human, financial, social, physical and natural capital. Effective local autonomy and authority, sufficient resources for localities, effective local institutions of collective action and open and accountable local political process for effective and efficient LG delivering development are reportedly not yet realized. Table 9.1 also affirms the same showing that the impact of decentralization on education has so far been none, on environment, there has been some limited creation of parks and environmental projects owned by NES, in health only two MCC clinics with limited health services are available to the city's population and in good governance there are legal structures that are nominally there contrarily functioning to the values of good governance (recentralization), in gender equity there are not yet such developmental programmes though elected women constitute 73% of councillors (due to high male labour migrancy), most specifically in poverty reduction rotated community contracting and intensive labour are used in refuse collection and road building by MCC but these are once off short-term occasional opportunities with no impact on income levels and consumption patterns of the poor.

Besides having argued and shown throughout this study in all the chapters that decentralization has numerous socio-cultural institutional constraints hampering its positive effect on development delivery, particularly in Lesotho, the study also argued and assumed that there is possible social-economic-political exclusion of the poor in the LG of Lesotho thus hindering its developmental delivery or poverty reduction locally. This has been analytically exposed by the study through the aspects of the exclusive first-past-the-post electoral model and non-participation of the civil society in LGUs and the exclusive dominance of the ruling political-party in all spheres of the LGUs, as well as power centralization only upon the MLG's minister, unstructured and inaccessible information flows for participation and unclear statutory reforms among others. These aspects and issues have among others also affirmed the argument that Lesotho's LG has, unfortunately instead of devolution which is real decentralization, adopted re-centralization cemented through thoroughly entrenched deconcentration, a vacillation

policy approach which has for decades been blamed for failure in development delivery in many writings and by the World Bank and African Development Bank.

These arguments, assumptions that decentralization generally has both prospects and challenges and the research question of how efficiently was decentralization adopted and the extent to which it impacted on poverty or produced development delivery in Lesotho have systematically been addressed in all the chapters whereby chapter two generally dealt with the background on decentralization globally and locally, chapter three with the pros and cons of decentralization, chapter four with the theoretical requirements and measurement of decentralization, five with the experience of Lesotho in decentralization, six on chieftaincy's relevance and its challenges in LG, seven on the nature of the decentralization policy in Lesotho and the challenges, eight on the assessment and the other dimensions of decentralization adoption in terms of more indicators of efficiency and effectiveness in Lesotho and more constraints/failures and lastly nine with the study's analytic summary and conclusions. We can also note that in chapter two the conceptualized key terms of this study provided a general overview of decentralization globally, in the developing world and Africa. Such conceptualization went a long way in the following chapters on Lesotho as it enabled the researcher to conclude and make the reader understand that LG in Lesotho is not necessarily a separate/autonomous sphere of government that could efficiently deliver development effectively, locally, confirming the study's thesis that it has socio-cultural-economic-political-institutional impediments needing an effective political will and attention by the central governments in the developing world. It has also set a necessary explanatory preliminary background to chapter three in this study that dealt sufficiently with the pros and cons of decentralization and its necessary preconditions for its success and the methods for measuring adoption of decentralization as well as challenges involved in such methods in chapter four. Lack of regional variation on the 3 selected study areas in Lesotho confirm lack of political will and commitment to have LG with fiscal-political-administrative devolution, lack of autonomy and effective variable citizen participation/inclusion. This study can evoke further research questions like what are the perceptions of the citizens of this LG policy, contextual gender and felt poverty implications.

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Appendix A: The Impact of Decentralization on Local National Development Priorities

National Development Priorities	Inputs/Activities	Outcomes/outputs	Frequency	Percent
(1 Combating HIV/AIDS	-MCC has established two clinics through PPP arrangement to distribute ARVs, treat and counsel HIV/AIDS patients. The clinics have also held public health campaigns about HIV and AIDS awareness and against the stigma from these diseases and other diseases so that urban communities are competent and preventative in these diseases. They also facilitated and trained groups; mainly of around ten women in the communities, called HIV and AIDS 'support groups' in how to counsel, treat, nurse, care and support the (victims) people living with HIV and/or AIDS and on how to help, counsel and encourage the (affected) families with such patients. Support groups help and ensure that the patients are taking their medication properly, take proper diet, well looked after, nursed and treated, clean the patients and their home environment, do some laundry for the patients and mobilize some alms for the victims and the affected dependent ones, especially the vulnerable (orphaned/to be orphaned) children and the old aged ones. The support groups are also used in other LGUs.	-Pro-longed life-span of HIV/AIDS patients, de-stigmatization of the plague and communities' awareness and competency in HIV and AIDS diseases.	50 out of 73 respondents	68
(2 Eradicating Extreme Poverty	-MCC uses intensive labour programmes for casual employment to the locals in road building and refuse collection. DCs and CCs occasionally provide such casual jobs requiring physical labour in minor roads building as well. - Achieving Universal Primary education is the responsibility of the Ministry of Education and Training (MOET) not local government.	-MCC attained clean streets and healthy environment. LGUs created some short-term employment opportunity for the unemployed local labour.	23 out of 73 respondents	32
(3 Achieving Universal Primary education	-LGUs still lack such specific programmes that can promote gender equality and empower women.	NA	NA	100
(4 Promoting Gender Equality and empower women	-MCC clinics have pre and post natal health services for the expectant mothers, as well as vaccination and health treatment services specific for the under year five children.	NA	NA	100
(5 Reducing Child Mortality	- MCC's clinics in Maseru city provide curative services, ante-natal and post-natal and family planning services, TB treatment and	-MCC contributes towards reduced	73 out of 73 respondents	100

	HIV and AIDS counseling and treatment including ARVs supply to AIDS patients.	child mortality		
(6 Improving Maternal Health (7 Ensuring Environment Sustainability	-This responsibility still practically rests with the National Environmental Secretariat though MCC prepares some environmental programmes for implementation by this concerned department. CCs just control grazing to prevent overgrazing and soil erosion.	-Improved maternal health by MCC's two clinics. -There has been project proposals and reports on environmental issues by MCC for the implementation by NES. Vegetation cover and soil conservation are maintained.	73 out of 73 respondents	100
(8 Develop a Global Partnership for Development	-LGUs have not yet developed any partnerships for development.		73 out of 73 respondents	100
And on specific LG's development objectives?	-Administrative, political and human and financial resources devolution are not yet effected by LG, thus there is constrained nominally participatory democracy and non-accountability.	NA	NA	100
(9 Providing a democratic and accountable government	-LGUs have not yet introduced development projects fully owned and driven by the local communities for such sustainable services.	-No effective democracy and good accountability.	73 out of 73 respondents	
(10 Providing sustainable services	-No such programmes yet by LGUs.	-NA	NA	
(11Promoting social and economic development by prioritizing basic community	-Only councillors are getting involved.	NA	NA	
(12 Promoting involvement of the community, organizations and individuals in LG issues	-No clear initiative is taken yet.	-Limited consultative participation by citizenry and therefore poor service delivery.	73 out of 73 respondents	

(13 Enhancing participation in national and community programmes (14 Combining municipality with urban boards and rural areas	-Chiefs are also representatives of the urban and rural communities in the municipalities to maintain a link and smooth flow of information between the urban/district councils, rural/community councils and the municipality.	NA -shared information helping in decision making by the councillors.	NA 73 out of 73 respondents	

Source:Field Survey/Interviews, July, 2009 to July, 2010.

Appendix B: Role and Constraints of Chieftaincy in Lesotho's Decentralization: Measurement of the Role of Chieftaincy in Lesotho

Chiefs' Role in Lesotho's DGD	Extent/Measure of Involvement in DGD (Primary or secondary function)	Role statutory or only traditional A=Both B=Statutory only C=traditional only	Challenges to DGD in order of priority per role	Suggested solutions per challenge against DGD
Traditional and customary affairs	Primary function	A (statutory and traditional)	-Chiefs resist relinquishing the power of control even against new laws redistributing rights of resources' allocation for fear of loss of power and private rewards they used to gain. This creates confusion, conflicts and competition over resources' use and control. -Chiefs view councillors as political instruments of division in communities seeking to commoditize resources that are customarily communally owned and controlled for unfair money making from the poor and therefore canvass and mobilize some community members against decentralization activities, thus destabilizing councillors' consultative gatherings. -Chiefs perceive councillors as rival leaders of contesting packs for their traditional power over licensing/permits of access/use, ownership and control of resources like land, grasslands and thatching grass, sand, quarrying of building stones, communal forests, graveyards and others, including certification of livestock and property ownership and permits on their sales and authority on issuing of various permits.	-The MLG needs to educate chieftaincy about decentralization and its benefits as well as such newly introduced decentralization laws. -The constitution needs to be reviewed and allow for a proper electoral model for councillors, this could be a more inclusive proportional representation. -Chiefs should also remain as integral parts of councils continuing their function of maintaining peace and order while they plan and work together with the elected councillors. -The legislative framework needs to be clear on upward and downward financial and political and administrative accountability and procedures, clearly stipulate the types of levies, fees, penalties or fines and taxes to be charged with the pre-set local communities' determining legal powers of (financial) use in line with their developmental goals.
Mobilizing and linking the local community	This is a primary function for chiefs.	A (statutory and traditional)	In cases where the chief is not in support of decentralization and/or some council members, such mobilization is not done deliberately to sabotage the	Power needs to be vested upon institutions consisting of collective groups of people like LGUs including chieftaincy.

			council's programmes.	
Represented in local government	**A primary function**	**A (statutory and traditional)**	**Information dissemination among the chiefs is limited and very slowly. This keeps other communities unaware and not conscientized of the other activities resulting in vandalizing of some activities like parks.**	**There is a need for an every week radio programme and newspaper to broadcast information on decentralization programmes so that chiefs may protect developments**
Incorporated into local government civil service	**Secondary function**	**C (Traditional only)**	**Low education of most of the chiefs hinders their effective participation in decision making processes as some literacy level is essential for digesting various reports at times even written in English.**	**Lesotho Institute of Public Administration and Management (LIPAM) responsible for training government personnel urgently needs to start treating chieftaincy as an integral part of the civil service requiring induction and various training programmes in administration. All newly elected councillors also need such training and enlightenment because most of them also have low education.**
Perform judicial functions	**Primary Function**	**A (statutory and traditional)**	**Chieftaincy lack sufficient knowledge of law, Acts and regulations. This hinders local government units in the delivery of justice resulting in overloaded centralized judiciary system.**	**The judiciary and LIPAM need to increase the capacity of chieftaincy in legal matters. The constitution also needs to be reviewed to give them more judicial powers to offset backlog of cases at the central judiciary system. Enforcement of their legal judgments would need to be ensured.**
Political structures they form -Senate -College of chiefs -Other specify	**Primary function for them to form the senate, college of chiefs, ex-officio membership to the councils.**	**A (statutory and traditional)**	**Chieftaincy has often acted as a political opposition through its political structures blocking political decentralization bills meant to empower local communities in the management of their development affairs for a reason that they view decentralization as a way of destroying chieftaincy to give too much power to the politicians who are their subjects or commoners.**	**MLG has to adopt proper 'change-management' practices including full involvement of chieftaincy in policy conceptions and making. The crisis of lack of clear separation of legal powers and division of labour/roles between democratic structures and the monarch system needs to be legislatively addressed.**
Other main roles-specify: -Provision of social protection and safety particularly for the vulnerable and the local community at large. -Keeping of	**Primary functions**	**A (statutory and traditional)**	**Chiefs have often been blamed for corruption in their dealings like abducting fields supposed to be inherited by widows or orphans, apportioning resources already allocated for bribes, usurping developmental services like public hand pumps for personal gain, favouritism, nepotism and biases. This ultimately stifled needed community driven development and continues to do so.**	**Councils of the elected locals need to absorb and work together with chieftaincy as total exclusion of chieftaincy will only result in conflicts and resistance to change. -New demarcations formulation need to consult and involve communities with their chiefs to offset made errors causing conflicts over administration of areas and people's affairs.**

law and order, resolve conflicts in the community -keeping records of births and deaths to facilitate legal certification of such. -Provide authentic information concerning legalization and issuing of documentation affirming citizenship -facilitate developmental services delivery -keep census of owned livestock -Issue official documentation affirming socio-economic-customary transactions among community/ families' members and ownership and sale of assets, resources and livestock -Issue community entry permits and letters of migration as well as allowing of (public) functions (burials, ceremonies, feasts, groupings/ gatherings,			**-Some old legal boundaries of areas under the chiefs are criss-crossed by new LG wards confusing local administration.**	

weddings e.t.c.)				

Source:Field Survey/Interviews, July, 2009 to July, 2010.

Appendix C: Measurement of DGD Effectiveness within Good Governance for Solving LG Challenges

Values-Principles of real good governance	Responses	Frequency	Percentage
Opinion concerning local governments' ability to provide services that are in part dependent upon their ability to mobilize taxes locally?	The by-laws do not stipulate specific taxes LGUs can use to fund the supply of services locally. There is legally no ability or clear premises to mobilize taxes.	70 out of 73 respondents	96
	-There are no jobs, so taxation is impossible and LG can't mobilize any taxes.	3	4
Which taxes are LGUs able to mobilize and are assigned to mobilize?	There are no taxes LGUs are able to mobilize and are specifically assigned to mobilize.	73 out of 73 respondents	100
What is your opinion about the size of the local tax base? How buoyant those taxes are in terms of whether they increase over time in line with population increase, inflation, real income growth and the extent to which local taxes impinge on the poor?.	NA	NA	NA
Secondly, is most part of the revenue base coming from the central government, if so explain how it is transferred and the challenges thereof?	Most part of the revenue base comes from the central government constituting more than 98% as a grant transferred and approved by the cabinet in line with the budget approved by the minister.	73 out of 73 respondents	100
Thirdly, how do LGUs overcome or prevent capture by local elites? Local governments may be vulnerable to local elites who then receive a disproportionate share of public spending on public goods. The challenge then becomes the extent to which decentralization processes enable the poor to access publicly provided goods.	Decentralization in Lesotho is captured by the ruling political elites from its conception or design, its biased adopted electoral model advantageous to the dominant ruling LCD political party loyal majority membership, in practice and statutorily. This type of centralization expansion poorly considers needs of the poor.	73 out of 73 respondents	100
Fourthly, the effective and efficient delivery of public goods and services, at the local level, depends on the co-ordination of delivering agencies. How do LGUs avoid coordination failure, namely redundancy (Redundancy results when two or more organizations or agencies perform the same task in which case resources are wasted)?	Coordination failure is unavoidable in Lesotho because LGUs operate without networking with other development agencies in their localities.	73 out of 73 respondents	100
Lacunae? (results when no organization performs a necessary task, in which case service delivery gaps occur.)	Service delivery gaps are severe in Lesotho because there is usual annual	73 out of 73	

Incoherence? (results when policies, programmes, projects or agencies with the same clients have different goals and requirements in which case this may trigger conflicts between agencies and organizations over resources and clientele. The synchronization of policy across ministries and departments, at the local level, is therefore a major challenge).	under funding. There are also no joint projects, outsourcing or adequate donations to address LGUs functions. Chieftaincy is still struggling and resisting to relinquish traditional political power over resources and local community leadership to the elected councillors. Furthermore, LSPP, ministry of forestry and land reclamation, parastatals like WASA, LEC and Lesotho Revenue Authority (taxes collecting authority) as agencies over the same client with LGUs have different goals and requirements. These agencies still control land allocation, use of forests and grasslands, water and sewage, electricity supply and imposition and collection of taxes for the central government, respectively. This has resulted into a major constraining legislative incoherence on decentralization and needs urgent synchronization.	respondents 73 out of 73 respondents	100 100
Fifthly, which specific service delivery functions that are decentralized led to a loss of economies of scale (the direct implication of which is the loss of efficiency)?	Functions are still centralized in the hands of ministries and parastatals under such ministries. The main trend of decentralization has been a process whereby much of power in the hands of chiefs is modified and redistributed to the elected locals. Main developmental functions are still in the hands of the central government. The decentralization process also included massive privatization process of many developmental service delivering institutions like Coop Lesotho that was responsible for the supply, sale and storage of subsidized inputs countrywide through the government storage facilities. Food security for the poor has worsened because Coop Lesotho has lost economies of scale and countrywide distribution efficiency especially in the remotest parts of the country. LGUs could have been given a statutory role here to own and control properties from Coop Lesotho so as to improve local food security; instead all is lost through privatization for the benefit of senior politicians as the main individual shareholders and rent collectors.	73 out of 73 respondents	100
Sixthly, to what extent are the individuals knowledgeable about the running of local government available/employed/	Community Council Secretaries and		

deployed to LGUs and undertake such tasks as to be taken by local government? Seventhly, what is the central government doing to enable citizens to get better quality goods and services? That is what is the central government doing to offer;: (1) training in professional skills; (2) improvement of facilities – buildings and equipment; (3)opportunities for promotion or at least some form of recognition of work well done, as well as punitive measures for work poorly done; (4) providing citizens with responsive avenues for raising complaints over goods and services poorly delivered.	District Council Secretaries as well as the Town Clerk, the Mayor and other senior staff in the LGUs know and understand the proper decentralization process; this includes even most of the elected councillors, but are employed directly and used as civil servants legally answerable to the political minister in the central government. They are not answerable to the local councils/communities and can only undertake such tasks as to be taken by their directing central government. The central government is doing nothing to provide training in professional skills, performance appraisal, clear responsive channels/avenues of raising grievances about poor service delivery in LGUs.	73 out of 73 respondents 73 out of 73 respondents	100 100

Source:Field Survey/Interviews, July, 2009 to July, 2010.

Appendix D: The Extent Lesotho's LGUs Succeeded in Having Qualities or Indicators/Dimensions of Success

Indicators of success	Responses	Frequency	Percent
•being located in the area with an adequate economic base,	The MLG and other central ministries still possess and exercise entire legal power of access and control over available resources. This stalls any geographical advantage that Lesotho LGUs may have, including that one of being located in the area with an adequate economic base like sources of mining and irrigation.	67 out of 73 respondents	92
•well-defined responsibilities in a satisfactory legal framework,	The 1968 chieftainship Act and other various Acts still give the same powers and functions for LGUs established in 1997 ACT to the chiefs and various central government ministries, the MLG itself and other government-parastatals. Well-defined responsibilities in a satisfactory legal framework are still lacking in Lesotho's decentralization/deconcentration.	6 out of 73 respondents	8
•capacity to mobilize sufficient resources,	Besides being legally constrained LGUs lack the capacity to mobilize sufficient resources. They lack skills, resources, financial-political-administrative-communication-infrastructural-institutional systems and adequate data for effective planning and delivery. The MLG is not involving LGUs in a bottom-up manner in policies and decision-making, selecting and implementing development projects locally relevant, spending and management of centrally granted resources.	73 out of 73 respondents	100
•supportive central government activities,	Deconcentration gives no room for supportive central government activities. Those are not done, neither in the form of training nor in any form of political-administrative-resources devolution.	73 out of 73 respondents	100
•appropriate management practices,	There are no appropriate management practices for human and other various resources. Human and other resources and financial management systems and standards are not in place. The top-down management practices by the will and whim of senior political enclave with over concentrated micro-management protective legal powers have displaced such a possibility.	73 out of 73 respondents	100
•development of productive internal and external relations,	LGUs in Lesotho function in isolation of the civic society, other development agencies and disadvantaged local societal groupings and associations. There is no legal networking for the development of productive internal and external relations. There are no clear strategic plans for such.	73 out of 73 respondents	100
•satisfactory responsiveness to constituents,	LGUs traumatically know and accept it as a Sesotho cultural entrenched proverb and traditional excuse that *(Mmuso-hao-tate)* 'the central government is never expedient'. This culture has transformed LGUs into advisory and consultative bodies engulfed by dominant political party majority councils' missionary membership pursuing the national-manifesto-party-agenda and not local development. No council or councillor or LGU-official can claim there is satisfactory responsiveness to constituents. Sluggishness and non-delivery are worsened by politically strategic public-eye catching initiatives for polls' winning and not necessarily for local poverty alleviation. LGUs generally lack adequate information about their funding, spending and how they are managed or to be managed.	73 out of 73 respondents	100
•specified/expected quantity and quality of services and other outputs delivered,	There are no specified/expected quantity and quality of services and other outputs to be delivered. The setting of development goals and implementation is centrally controlled and there is no form of quality assurance in delivery.	73 out of 73 respondents	100
•good fiscal (success) performance characterized by (a) the budget balance			

sheet with more surpluses than deficits within 5 years, (b) major local revenue sources, that is direct local taxes, user charges or intergovernmental transfers with growth relative to inflation and population, (c) local expenditures, both recurrent and capital local expenditure supporting a range of significant social and infrastructural services with reasonable growth rate, and the	The central government responsible for granting the LGUs yearly struggles with budget deficits. This predicament is confirmed by the 2009/09 budget with a decline in funding capital expenditure but remarkably loans and grants (borrowed from various international donors with less control and performance accounting standards) funding the same capital expenditure to LGUs, especially MCC rose by 388%. Non-accounting and financial-procedures-management lacking/neglecting LGUs/MCC have actually become a development-non-delivery liability siphoning tax income through organized 'officialized' unchecked corruption (unknown unmonitored centrally imposed development contracts) cemented by protective central government's 'collective responsibility'. The ministry of finance and planning, for instance, may not implement its mandate of auditing government monies in the MLG for years now. Council or Councillors absolutely know naught about LGUs' finances. LGUs lack local revenue sources, that is direct local taxes; they earn limited user charges from public toilets. Their revenue and MLG's grants are not proportional with inflation, rapid urbanization and population growth.	73 out of 73 respondents 73 out of 73 respondents	100 100
•institutional parameters encompassing (i) the management of financial information, that is compilation, storage and retrieval of such financial information, (ii) the relationships between the central government and local governments, (iii) the financial management system with revenue collection, budgeting, auditing and debt management, (iv) the staffing situation with	There is no reasonable growth rate for LGUs' local expenditures, both recurrent and capital local expenditure to support a range of significant social and infrastructural services, not even enough to maintain the offered few. The Auditor General may only audit sections as approved and instructed by the ministers in the ministries. The national treasury is also controlled in the same fashion. Consequently no financial accounting is done or reports for open access. Main supervisors to financial institutions with their unquestioning loyalty to preserve their 'jobs' are answerable to political bosses ultimately, not to the ethos of professionalism, state and real democracy. The compilation, storage and retrieval of financial information is insulated by circulars instructing the concerned politically recruited personnel not to release or produce such information.	73 out of 73 respondents 73 out of 73 respondents	100 100

quantity and quality of local government staff, training, turnover rates, salary conditions and manpower planning, and the (v) relationship between the local government and the community including non-governmental organizations	The relationship between the central government and LGUs constitutes a master-servant relationship. LGUs are directly controlled by the political minister in the MLG.	73 out of 73 respondents	100
	Council or Councillors and personnel express their strong belief that there are no financial management system for revenue collection, budgeting, auditing and debt management and expenditure but surprisingly articles and financial regulations for government sections including the MCC are in place but rather unfortunately abandoned and never enforced or made known to the personnel.	73 out of 73 respondents	100
	No post now, low or senior is free from political scrutiny or manoeuvre. Almost every section in LGUs has more than an acceptable labour turnover due to demotivating government remuneration and poor working conditions. There is possibly 60%-70% of vacancies unfilled resulting from high labour turn-over and ever unfilled positions due to unattractive benefits and politicized recruitment method. The shocking situation is that given tasks and workload keep on increasing.	73 out of 73 respondents	100
	The relationship between the LGUs and the community including NGOs is not effective. Councillors lack enough information and knowledge about the activities of the central government in their areas. The limited once a month council meeting with occasional verbal casual reporting of LGUs' activities by the personnel disempowers the councillors. Written reports are usually in English, a language barrier for effective participation, feedback and good delivering working relations between the personnel, poorly literate councillors and community members. Councillors' scheduled community (progress) reporting is not an integral system for monitoring and evaluation of LGUs. LGUs may not be subjected to any performance standards as there are none. They operate independent of the possible pressure for delivery and presence of the civic society. Communities are to a greater extent characterized by voter-apathy and political spectators who have lost hope in local government.	73 out of 73 respondents	100

Source:Field Survey/Interviews, July, 2009 to July, 2010.

Appendix E: Determining Relations for Successful Decentralization Between the Central and LGs

Indicators on strength of interrelations	Responses/Limitations?	Frequency	Percent
(a) Opinion on the strength of the system of the LG	The MLG has no capacity to implement effective decentralization process. LGUs do not account to their communities; instead they are answerable to the minister and cannot address local development except national political goals including expansion of power-recentralization. Proper devolution is being replaced by consolidation of centralization lacking self-sustaining measures locally. Service delivery and performance standards are missing, including financial and accounting procedures. Councillors lack powers even to call community meetings, chiefs with such powers often prevent local participation by refusing to call needed public gatherings. Capital, human and financial resources are limited.	62 out of 73 respondents	85
	-No authority and resources are really transferred to the LGUs. They hardly deliver towards local developmental needs.	8	15
(b) How is the LG participating in regional/district and national development? Any limitations? Activities?	LG coordinates CCs through a DC using monthly meetings, information provision and activities' monitoring. The by-laws of decentralization deprive the DC of effective coordination in that the political minister in the MLG is the only one entitled to controlling disbursements and approve or reject activities or a policy recommendation without any obligation to give an explanation. This allows the ruling party's national manifesto to become the decentralization's focus instead of necessary local development.	73 out of 73 respondents	100
(c) How fair is the division of financial resources between the LG, District and National government?	MLG provides around 10.9% of state's total year budget as a grant to DCs and LGUs. This is then distributed on the basis of the population density to the CCs. Overhead/recurrent costs have been very high leaving limited funds for operational activities/capital investment taking only around 1.3% of that. Almost the entire grant serves overhead costs. This has hindered LG in expected service delivery. Councillors usually between 9 and 13 in the CC receive each a monthly allowance of R1,000 and other allowances like traveling and hotel accommodation for CC's chairperson and another council representative for at least three nights per month for monthly DC's meetings.	73 out of 73 respondents	100
	The provided administrators also lack transport to coordinate and monitor activities effectively in the field. Unfortunately all the vehicles, worthy of and equipped for field operations are crowded in the hands of the higher government tiers while CCs lack supportive resources to be functional. This has put many CCs behind the delivery schedule and funds-non-utilization. The quality and timeliness of services is badly affected. Money and vehicles are distributed skewedly, not for local development. .	73 out of 73 respondents	100
(d) How fair is the division of human resources between the LG, district and national government?	The deconcentration process has been able to provide every CC with a CCS and the DCS as the main administrators in LGUs. DCs operate in parallel with the DAs. The former mainly focuses on LGUs while the latter serves as the town clerk or town administrator. This arrangement overly stretches the budget for the MLG. Furthermore, expertise in civil works and engineering is still centralized and this severely	73 out of 73 respondents	100

	hampers development delivery in LGUs because the MLG has not yet devolved most of the functions and essential technical expertise. Such already inadequate overloaded technical staff is requested for from the MLG/DA and may come after six or more months behind the scheduled local needed activity. This has been one of main reasons for non-delivery, backlog and obsolete plans. There is no shared central data base available for LGU's planning, decision and policy-making, implementation, monitoring and evaluation. Planning and resources control including delivery of main services are still centralized.		
(e) Any communication problems between the LG, District and National government, explain?	CCS and DCS may spend more than a year without a working internet/emailing facility, fax facility, and often a long time without operating telecommunication lines. CCS mainly lack telecommunication lines. This severely impacts upon their timely reporting, submission of draft plans and budgets and requests seeking urgent approval for disbursement, messages and enquiries for following up on activities and purchases, coordination, administration and delivery of development services in general.	73 out of 73 respondents	100
(f) How is citizen participation? Forms of participation? Groups/Sectors? -	There is a problem of low inclusiveness. Citizen participation is confined to limited party oriented elections. Individual candidates and opposition hardly constitute 5% of representation in CCs. This means that opposition is not represented in the DCs. The minister passed a decision that any opposition constituting 25% of the CCs seats can send an extra representative to the DC. Inclusion of opposition in decision making is impossible as they may only constitute 5%. The, vulnerable groups, community based organizations like farmers associations, trade unions and business groups are not included in the decision making structures though membership to such is also extremely low.	73 out of 73 respondents	100
	LGUs basically serve as advisory/consultative bodies contrary to their stipulated functions. Current citizen participation does no empower LGUs to design, implement and monitor community driven development projects. They are not actually contributing in policy formulation and monitoring and evaluation.	73 out of 73 respondents	100
(g) How adequate is social and political harmony in the LGs?	Social and political harmony in the LGUs is strengthened by factors of one common native Sesotho language, same ethnicity, almost one dominant party affiliation and relative commonality among the members in terms of socio-economic statuses.	73 out of 73 respondents	100
(h) How legally clear are relations between the LG, District and main government in functions and powers?	The MLG uses the DAs at district level to implement functions that are supposed to be devolved and be implemented by DCSs and CCs. This creates disharmony and policy reversal besides the fact that the LGUs though empowered by the new Act still have a tuck of war over resources control and use and other functions with the four concerned central ministries (Natural Resources and Energy, Environment and Conservation, Education and Training, Finance and Planning) also empowered by non-amended old Acts giving them powers and functions in environmental, natural and water, land allocation and trade issues respectively.	73 out of 73 respondents	100
(i) How does the LG effect changes on the legislation for action by the central government?		73 out of 73 respondents	100

(j) How easily are LG's innovations accepted by the District and the main government? (k) How can you describe relations between LGs and District and main government? (trust and honesty?)	Most of the changes effected are top-down as the minister alone has legal powers and the function to do so. The recommendations of policy change by the LGUs can be rejected or approved by the minister without any obligation to explain. The sole power of rejecting or approving recommended policy changes and low inclusion of other community sectors stifle the possibility of innovations. Only that which is acceptable o the majority ruling party and acceptable to its senior political elite may be adopted as an initiative or policy. Participation is restrained to the main dominant ruling party. The ruling party has by electoral system, by-laws and instituted political majority captured LGUs. The latter have become political extension agents directed by the ruling party senior structures. LGUs serve the instructions of the MLG, there is no need for mutual trust and honesty in deconcentration.	73 out of 73 respondents 73 out of 73 respondents	100 100

Source:Field Survey/Interviews, July, 2009 to July, 2010.

Appendix F: Measurement of Decentralization and Development Attainment in Lesotho

AIM: This PhD study's aim is to assess the degree of decentralization and its contribution towards development attainment in Lesotho. Indices which have been used for such measurement on this questionnaire include the degree of local government autonomy in the selection of local staff, the ability of local government to access national government and influence national local government policy, the range of local government functions, the degree to which local political parties can make decisions independently of their national structures and the degree to which local governments can raise their own sources of revenue independently of higher tiers of government. Determined decentralization process and outcomes indicators from this questionnaire will help define and analyze its extent, effectiveness, efficiency and developmental policy impact in Lesotho. Hence the public and developmental administrative assessment of the nature, type of relations between Local Government Units (LGUs) and customary chieftaincy and central government, financing/budget, political and electoral systems and institutional and human developmental effects of decentralization will be obtained for policy's constraints identification and improvements.

(TO THE RESPONDENT: REMEMBER THAT YOUR RESPONSES AND OPINION WILL BE TREATED WITH CONFIDENTIALITY AND BE AGGREGATED TOGETHER WITH OTHERS IN THE RESEARCH REPORT.)

Date of Interview_____ **Interviewer**_____ **Venue**_____
Respondent_____ **Area Chief's Name** _____
District's Name_____ **Council's Type/level** _____
Area's Name_____ **Questionnaire Number** _____ **Time**_____

1. **Respondent's Demographic Data**

Variables	**Fill Ins**	**Frequencies**		**Percentage**
Gender				
Age				
Number of owned habitable rooms				
Household size				
Livestock owned				
Number of Households with single mothers & 3 or more children				
Number of fields owned				
Marital status				
Highest Qualification				
Type of work/Main occupation				
Years of experience in Council				
Office held/office type occupying				
How was position obtained/elected?				
Respondent's Position				
Party affiliation				
Place of residence				
Place of council				
Range of income in thousands/month?				
Income sources				

2. Strategic Indicators of Decentralization and local governance

2.1 Political decentralization indicators

(a) How often are there fair and free (regular interval) local council elections?

(b) How regular and frequent are there meetings of the local council?

(c) How can you explain whether there is approval of plans and budgets by the local council?

(d) How can you explain whether local council selects its own chairperson?

2.2 Administrative decentralization indicators

(a) What could be the percentage of total government expenditure in LGU jurisdiction as controlled by the LGU?

(b) Could you explain how the LGU hires, manages, and evaluates government personnel working in the LGU area (percent hired, managed, evaluated?) and what records are available on that?

(c) To what extent does LGU personnel perceive donors and government to be supportive, coherent and coordinated in their work with the LGU?

2.3 Resource decentralization (Fiscal)

(a) What are the sources and amount of total revenue of the LGU?

(b) What is the trend of and how much is the per capita revenues of LGU?

(c) Percent of revenues LGU raises from local sources and specific taxes used (Explain)?

% raised from local sources?

Specific taxes used?

(d) What is the Percentage of revenues transferred to the LGU with only general guidelines and goals (Explain)?

(Personnel Issues)

(e) Does the LGU use standardized procedures in all aspects of personnel management (Explain)?

(f) What is the Percentage of LGU senior/managerial slots filled with qualified persons (Explain)?

(g)Number of person-days of **visits** by national personnel for **training** and other **assistance** to local personnel and **other support** of LGU (Explain)?

2.4 Transparency

(a) Are Local council meetings publicly posted and announced and open to the public (Explain)?

(b) Are audits performed, published and posted on a regular basis as required by law (Explain)?

2.5 Rule of law

(a) Does LGU personnel follow national and locally required procedures for meetings, personnel actions, planning, tenders, service standards, budgeting bylaws etc (Explain)?.

(b) Does LGU executive follow lawful instructions of local councils and other organs of the government (Explain)?

(c) Are Election requirements and procedures followed satisfactorily(Explain)?

(d) How do (and Can) Citizens bring grievances regarding the LGU to independent adjudicatory bodies (Explain)?

2.6 Accountability

(a) Do the elected LGU and sector management personnel attend open meetings to consult with the public on a regular and frequent basis (Explain)?

(b)Does LGU personnel provide regular reports to national government ministries regarding local conditions (Explain)? How regular are the reports?

(c)To what extent is there LGU's compliance with national plans and service standards (Explain)?

How is the compliance with? (i) provision of a democratic and accountable government,

(ii) sustainable services provision,

(iii) promotion of social and economic development by giving priority to basic community,

(iv) promotion of the involvement of the community and organizations and individuals in local government issues,

(v) enhancement of participation in national and community programmes,

(vi) and the combination of the municipality and urban boards to include rural areas

(d)What are the LGU's operations and activities?

(e)How are LGU's plans, budgets, revenues, expenditures and audits made and controlled?

(f)How satisfactory do national ministries respond to LGU reports with suggestions, recommendations, and/or assistance (Explain)?

2.7 Participation

(a) What is the Percentage of the electorate that votes in LGU elections (Explain)?
(b) Number of local organizations (NGO, private, sub- LGU) that attend open LGU forums?

2.8 Empowerment

(a) Number of NGOs active in LGU?
(b) Number of sub-LGU community and neighbourhood governance organizations active in LGU?
(c) Number of meetings between LGU senior or elected personnel and representatives of NGOs, sub-LGUs and women's/vulnerable groups?

2.9 Production of key services, public goods and regulatory functions

(a) Percent of capital budget spent in areas outside the LGU seat (only for rural LGUs) _____?
(b)Percent of LGU population with access to potable water?_____
(c)Level of local conflict (Explain)?
(d) Number of local business persons trained or otherwise assisted by the LGU?
(e) LGU's role in regulating access to and use of natural resources such as water, forests, grasslands, etc (Explain)?
Water?
Forests?
Grasslands?
Others (Specify)

2.10 Opportunities for women and vulnerable groups

(a) Percent of local elected offices held by women _____%, members of religious_____%, ethnic minorities_____%, or by non-home peoples' groups_____%?
(b)Number of women and members of vulnerable groups receiving occupational, organizational, or governance-related training _____ _____(Explain)?
(c) In rural areas, percent of children enrolled in elementary schools _____?
(d) In urban LGUs, the percent of all children enrolled in elementary school _____?
(e) In rural areas, the percent of the LGU budget spent on programmes focused on small or marginal farmers; _____?
(f) In urban LGUs the percent spent to assist small and medium enterprises_____?.

3. Local Government Indicators

Political/Institutional Dimension	**Resource Dimension**	**Developmental Dimension**
To what extent is there? (a)institutional autonomy of LG _____ _____ _____ (b)quality of participation in LG _____ _____ _____ (c)depth of democratic participation in elections _____ _____ _____	**To what extent is there?** (a)ability of local institutions to mobilize, allocate and manage funds _____ _____ _____ _____ (b)fairness and efficiency of LG institutions' procurement of goods and services from the private sector _____	**How far has your LGU achieved the following?** (a)provision of basic infrastructure and services which contribute to reduction in poverty _____ (b)facilitation and/or authorization of private economic initiatives _____ (c)facilitation of use of community resources such as land, water, forests e.t.c _____ (d)effective resolution of conflicts among local citizens **Sustainable development milestones:** To what extent has LGU assisted local people in the following: Assisted local women in the reduction of their the triple role, gender division of labour, time allocation from gendered tasks (gender-workload), less leisure, non-wage labour, subordination to the state and the market on their sold produce, strategic gender needs?_____ _____

(d)transparency of information flows between public bodies and civil society (e) accountability of public officials; staff and elected personnel?	(c) ability to attract and retain motivated personnel	Assisted local people to attain self-reliant development. within natural resource constraints? Assisted local people to attain self-sustaining production without environmental degradation? Assisted local people to attain health control, appropriate technologies, food self-reliance, clean water and shelter for all of their households? Assisted local people to attain community driven development and administration system flexible enough for self-correction?

4(i): Framework Analysis for Local Governance and the Development (Log-Frame Analysis)

Inputs ?	**Outputs ?**	**Outcomes ?**	**Goals**
Please explain what inputs are there to achieve increased administrative, political, human and financial decentralization in terms of? Programmes? Activities? Changed constitutional, statutory, facilitating?	**Considering the mentioned inputs to what extend have LGUs achieved Increased** (a)administrative decentralization (b)political decentralization (c) resources (human + financial) decentralization	**To what extend have LGUs achieved** (a)transparency (b)accountability, upward and downward (c)participation	**Which are the key goods & services whose production has been enhanced by LGUs?** **Please list any opportunities for the poor and marginalized enhanced by LGUs?**

and supervisory procedural frameworks for local government units (LGUs) ?		(d)rule of law (e)empowerment	

(<u>Not for (Rural) Local Councillors</u> but for all other higher Officials, DAs, MCC, DC members)

4(ii): Framework Analysis for Local Governance and the Development (Log-Frame Analysis)

Inputs	**Outputs**	**Outcomes**	**Goals**
What inputs are there to effect Legal statutory reforms to strengthen local governance: administration, political and resources dimensions?	To what extent has decentralization brought legitimate lawful LGUs and democratic participation ?	How has decentralization contributed towards basic education & what is the percent of children enrolled in schools due to it?	What has been the impact of decentralization on (a)education
Administration?	To what extent has decentralization brought about strengthened local finances, revenue sources and their management ?	How has decentralization contributed to the access of potable water & what is the % of LGU Population with water?	(b)environment
Political reforms?	To what extend has decentralization effected transparent, effective and accountable local administration?	How has decentralization contributed to the survival of 5 year olds & is the percent of such children who survive to five year ?	(c)health
Resources (human + financial)	To what extent has decentralization resulted into effective partnerships among LGUs, governments, NGOs and donors	What is the percent of increase in number of businesses licensed in previous year in LGU?_____ & percent of change in number of violent incidents from previous year in GU? _____	(d)good governance
Which local governance focused projects and programmes sponsored by central governments, donors and NGOs ?			(e)gender equity
Who is responsible for and how is the coordination among donors, governments and NGOs in local governance projects and Programmes?			(f)poverty reduction
			(g)local peace and tranquility

5. What has been the impact of decentralization on the following contextualized local national development priorities i.e. on

(1 Combating HIV/AIDS

List LGU's inputs/activities List LGU's outputs/outcomes

(2 Eradicating Extreme Poverty
List LGU's inputs/activities List LGU's outputs/outcomes

(3 Achieving Universal Primary education
List LGU's inputs/activities List LGU's outputs/outcomes

(4 Promoting Gender Equality and empower women
List LGU's inputs/activities List LGU's outputs/outcomes

(5 Reducing Child Mortality
List LGU's inputs/activities List LGU's outputs/outcomes

(6 Improving Maternal Health
List LGU's inputs/activities List LGU's outputs/outcomes

(7 Ensuring Environment Sustainability
List LGU's inputs/activities List LGU's outputs/outcomes

(8 Develop a Global Partnership for Development
List LGU's inputs/activities List LGU's outputs/outcomes

And on specific LG's development objectives?
(9 Providing a democratic and accountable government
List LGU's inputs/activities List LGU's outputs/outcomes

(10 Providing sustainable services
List LGU's inputs/activities List LGU's outputs/outcomes

(11 Promoting social and economic development by prioritizing basic community
List LGU's inputs/activities List LGU's outputs/outcomes

(12 Promoting involvement of the community, organizations and individuals in LG issues
List LGU's inputs/activities List LGU's outputs/outcomes

(13 Enhancing participation in national and community programmes
List LGU's inputs/activities List LGU's outputs/outcomes

(14 Combining municipality with urban boards and rural areas
List LGU's inputs/activities List LGU's outputs/outcomes

6. Role and constraints of chieftaincy in Lesotho's decentralization

Measurement of the role of chieftaincy in Lesotho

Chiefs' Role in Lesotho's DGD	**Extent/Measure of Involvement in DGD (Primary or secondary function)**	**Role statutory or only traditional A=Both B=Statutory only C=traditional only**	**Challenges to DGD in order of priority per role**	**Suggested solutions per challenge against DGD**
Traditional and customary affairs				
Mobilizing and linking the local community				
Represented in local government				
Incorporated into local government civil service				
Perform judicial functions				
Political structures they form -Senate -College of chiefs -Other specify				
Other main roles-specify				

7. What forms of Political participation do the grass root communities have in LGUs?

List LGU's inputs/activities List LGU's outputs/outcomes

8. How do LGUs activate capital formation in terms of the following?

(a) Human capital (the skills, knowledge and ability to work depending on adequate nutrition, health care, safe environmental conditions and education)?

List LGU's inputs/activities List LGU's outputs/outcomes

(b) Financial capital (income primarily from the sale of labour and sometimes the sale of other household assets)?

List LGU's inputs/activities List LGU's outputs/outcomes

(c) Social capital (networks of mutual support that exist within and between households, extended family and communities, to which people have access)?

List LGU's inputs/activities List LGU's outputs/outcomes

(d) Physical capital (assets that include housing, tools, and equipment that people own, rent or use, public infrastructure and amenities that people have access to)?

List LGU's inputs/activities List LGU's outputs/outcomes

(e) Natural capital (environmental resources such as land, common property resources and open access natural resources which people use to have access to in their livelihood strategies)

List LGU's inputs/activities List LGU's outputs/outcomes

9. (The measurement of decentralization/DGD through its other classical definition): To what extent are LGUs in Lesotho;

- constitutionally separate from central government and responsible for a significant range of services?

- having own treasury, separate budget and accounts, own taxes as significant part of produced revenue?

Treasury:

Budget and accounts:

Own taxes:

- having their own personnel with the powers to employ and discipline or fire own employees?

- able to elect local policy, predominantly consisting of local representatives?

- having central government only playing an indirect advisory, supervisory and inspectorate role

(At interview skip to question 11, to be filled using survey records)

10. Other indicators of the impact of decentralization from surveys/census including(Bureau of statistics):

(1) an income indicator-the number of household heads earning less than minimal amount of earning/subsistence per month or per year as a percentage of the household heads in each smallest area that census data can be aggregated at (e.g. at sub district or district enumeration)____?

(2) Education indicator- which is the number of adults 18 or older than 18 with less than standard 6/primary education as a percentage of adults in the smallest sub area of enumeration (sub-district level). That is the minimum educational level required for post-school training and a constraint on employment opportunities____?

(3) Unemployment indicator- representing the number of adults 18 or older who are unemployed but actively seeking work, as a percentage of all adults each enumerated sub-district/area. This excludes all non-work seekers, students and retired people_____?

(4) Welfare indicator-the number of household heads who are single mother with three or more children as a percentage of all household heads in each enumerated smallest sub-area as aggregated. This can be the primary criterion for eligibility for a state welfare grant- proxy for the quality of family life_____?.

(5) Overcrowding indicator-the number of households with over 1,5 per habitable room, as a percentage of all households in each smallest enumerated aggregated sub area. Overcrowding indicates increased risk of transmission of infectious diseases and reduced privacy within the home but excludes

bathrooms, toilets, kitchens and passageways. This includes habitable rooms like bedrooms, sitting rooms and other similar ones_____?.

11.Contextual measurement of DGD effectiveness adopting the principles and values of both true local governance and good governance in overcoming the challenges of decentralization;
Firstly, what is your opinion concerning local governments' ability to provide services that are in part dependent upon their ability to mobilize taxes locally?

Which taxes are LGUs able to mobilize and are assigned to mobilize?

What is your opinion about the size of the local tax base?
How buoyant those taxes are in terms of whether they increase over time in line with population increase, inflation, real income growth and the extent to which local taxes impinge on the poor?.

Secondly, is most part of the revenue base coming from the central government, if so explain how it is transferred and the challenges thereof?

Thirdly, how do LGUs overcome or prevent capture by local elites? Local governments may be vulnerable to local elites who then receive a disproportionate share of public spending on public goods. The challenge then becomes the extent to which decentralization processes enable the poor to access publicly provided goods.

Fourthly, the effective and efficient delivery of public goods and services, at the local level, depends on the co-ordination of delivering agencies. How do LGUs avoid coordination failure, namely redundancy (Redundancy results when two or more organizations or agencies perform the same task in which case resources are wasted)?

Lacunae? (results when no organization performs a necessary task, in which case service delivery gaps occur.)

Incoherence? (results when policies, programmes, projects or agencies with the same clients have different goals and requirements in which case this may trigger conflicts between agencies and organizations over resources and clientele. The synchronization of policy across ministries and departments, at the local level, is therefore a major challenge).

Fifthly, which specific service delivery functions that are decentralized led to a loss of economies of scale (the direct implication of which is the loss of efficiency)?

Sixthly, to what extent are the individuals knowledgeable about the running of local government available/employed/deployed to LGUs and undertake such tasks as to be taken by local government?

Seventhly, what is the central government doing to enable citizens to get better quality goods and services? That is what is the central government doing to offer;:
(1) training in professional skills;
(2) improvement of facilities – buildings and equipment;
(3)opportunities for promotion or at least some form of recognition of work well done, as well as punitive measures for work poorly done;
(4) providing citizens with responsive avenues for raising complaints over goods and services poorly delivered.

12. How effective are your LGUs in tackling corruption of following forms possible in them? E.g.(1) the misuse of money or favours for private gain

(2) Inappropriate exchanges of money or other goods and services for undue influence or power;

(3) Violations of public interest or norms of behaviour for special advantages or self-serving purposes

(4)Tax evasion as the transaction is not reported by either party, thus denying the treasury or tax revenue authority income

(5)Inequitable distribution of public resources as public services become disproportionately accessible to those who pay bribes, denying those services or similar quality of services to those who do not pay bribes

(6)Bribes enabling service providers to ignore established standards of provision of goods and services offered in two ways: (a) contracts for example are not awarded to the highest quality provider at the bid price but to the firm that offers the highest bribe;

(b) it is often difficult for those who have received bribes to ask providers of services to provide better services or rectify problems associated with services already rendered.

(7)corruption undermining the rule of law and scaring away potential investors as it arbitrarily increases transaction costs

(8)corruption being anti-developmental as it reduces the opportunities available to people, particularly the poor increasing their insecurity

(9) corruption in the form of nepotism, bribery or patronage, stifling meritocracy, the result of which is an increasingly inefficient and brutal bureaucracy

13. (Equity and creating enabling environment as measurement in decentralization) How does your LGU promote human development in terms of

Productivity

Equity

Sustainability

Empowerment

14. (Measuring Decentralization within ideals, principles and values of 'good governance': Decentralisation and Leadership): How free is your LGU from an often tendency toward the development of patron-client relationships between central government level politicians and local level politicians. Whereby locally elected officials are often sanctioned by the party hierarchy at national level, upon whom they depend not only for patronage resources but also their appointment to party electoral lists and hence political office? (Such a clientelist system results in formidable obstacles to the political participation of non-party constituencies of local communities and promotes deconcentration rather than devolution.)

Furthermore, how do the communities elect the political leadership at the local level?

(1) the first-past-the-post-

model;_____ (2) the proportional representation model _____

(3) non-party participation_____

Again, how do your LGUs promote these values of good governance?

Inputs/activities	Outcomes
Participation	
Accountability	
Transparency	
Rule of law	
Strategic Vision	
Consensus orientation	
Effectiveness and Efficiency	
Responsiveness	
Equity	

Inclusiveness	
Corruption minimization	

15. Please commend on the nature and degree of autonomy of your LGU on these

Indicators	Qualities of Degree of Autonomy
Personnel	
The Integrated System	
The Unified System	
Other personnel indices	
Access	
Functions	
Party politics	
Finance and autonomy	
Nature of revenue base	
Elasticity of sources of revenue/tax base	
Amount of financial discretion over expenditure	
Local expenditure as percentage of total central expenditure	

16. (Hierarchical relations as an indicator of decentralization) Please commend on the formal administrative mechanisms through which higher tier control over local authorities' powers is currently maintained?

(1) Approval of decisions, decisions can only come into effect after approval by the higher authority.	
(2) Directives/instructions; ordering local authorities to do or refrain from doing some act.	
(3) The power of suspension; this is where higher tier authority has the power to suspend the activities of the local authorities.	
(4) The power of annulment; decisions of the local authority can be overturned.	
(5) The power of reformation; decisions of the local authority can be modified.	
(6) The power of substitution; the higher authority can act in place of a lower one	
(7)Higher tier control including circulars laying down policy, inspectors, and the requirement of reports on progress in specific services.	
(8)Effective delivery system, (c) and (d))	
(9)Political decentralization with accountability to local citizens,	
(10)Administrative decentralization with autonomy,	
(11)Resource decentralization with human and fiscal dimensions	

17. Please commend on the (More of the Indicators in Measuring Degree of Decentralization/DGD): Features of your local authorities

To what extent are these Features there in your LGUs?	Commend on Lesotho's LGUs
Local authorities having a well-defined area of jurisdiction?	
Local authority having a legal mandate and obligation to serve all its inhabitants with basic services, in particular localized or contextualized Development objectives besides the normal legislative functions, that is poverty-reduction oriented and responsive enough to local needs?	
Local authorities operating in conformity within the legal framework of the national and middle-level framework. They may not pass laws in contradiction with those of the above levels. The important feature here is having autonomous power to pass some laws?	
Having legislative powers to pass by-laws or regulations for orderly development and well being of the urban or rural area?	
While are to promote provision of the social, political, physical, educational, cultural and economic development to the citizens; they are to provide safety in terms of road safety, traffic control, civil protection, fire brigade, ambulance services and so on?	
They are to employ own staff to do their daily business?	
They should determine, prioritize, and translate local development needs into financial plans?	
Ninthly, they need to promote local participation. They must be consultative in any decision they take and thus involve local people in decision-making?	
They need to regularly communicate and inform the locals of their policies, decisions and plans so as to have an informed local citizen?	
They must have regular free and fair elections to elect new councillors?	

18. To what extent have your LGUs succeeded in having these qualities or indicators/dimensions of success?

- being located in the area with an adequate economic base,
- well-defined responsibilities in a satisfactory legal framework,
- capacity to mobilize sufficient resources,
- supportive central government activities,

- appropriate management practices,

- development of productive internal and external relations,

- satisfactory responsiveness to constituents,

- specified/expected quantity and quality of services and other outputs delivered,

- good fiscal (success) performance characterized by
  (a) the budget balance sheet with more surpluses than deficits within 5 years,

  (b) major local revenue sources, that is direct local taxes, user charges or intergovernmental transfers with growth relative to inflation and population,

  (c) local expenditures, both recurrent and capital local expenditure supporting a range of significant social and infrastructural services with reasonable growth rate, and the

- institutional parameters encompassing

(i) the management of financial information, that is compilation, storage and retrieval of such financial information,

(ii) the relationships between the central government and local governments,

(iii) the financial management system with revenue collection, budgeting, auditing and debt management,

(iv) the staffing situation with quantity and quality of local government staff, training, turnover rates, salary conditions and manpower planning, and the

(v) relationship between the local government and the community including non-governmental organizations (NGOs).

19. (The role of party politics in gauging the extent of political decentralization is also very important. The existence of non-centralized party system could be the most important element of the true extent of political decentralization because effects of such decentralization are often negated by party centralization). To what extent may these distinctive features of party politics for gauging decentralization apply in your LGUs in Lesotho?

Features of party politics	**Degree of application?**
Candidates have to be selected by the party.	
A distinct policy programme is formulated for a local party group.	
A party election manifesto, to which all party candidates are expected to adhere, both during the election campaign and once elected, is produced.	
An attempt is made to implement the manifesto in the event of the party winning a majority of seats on the council.	
Councillors are organized into party groups for the purposes of allocating committee places and other positions of leadership and responsibility, to develop and co-ordinate party policy, to determine strategy and tactics and to ensure group discipline.	
Group leadership, comprising an individual leader and usually a committee of group executive officers, is elected by the members of the group.	
Pre-council and pre-committee party group meetings are convened to enable party group members to agree on policy and plan their debating and voting tactics.	

20. (For managing staff only/skip) Key Performance Areas of Lesotho's LA's and the challenges

Key performance areas	Main Constraints
1. Institutional capacity and municipal transformation	-Have you established and implemented core local government systems e.g. performance management systems etc? -Is there adequate LG's management capacity and capability? -Which high vacancy levels does this LG have? -Accountability mechanisms problems? -Serious challenges in the areas of Financial-management, programme management, Engineering and organizational development
2. Basic service delivery and infrastructure	-Services delivered include? -Pace and quality of services delivered? -Backlogs in services deliveries?
3. Local economic development (LED)	-Prevalent dimensions of poverty locally? Impacts of LG on such poverty so far? -LGs' LED strategies effectiveness/success so far? -Enough of LG's LED specialists
4. Financial viability and management	-Billing systems available/used by LG? -How adequate/efficient are billing systems? To whom is this LG indebted? How does LG manage debt? How does the LG get credited? Which credit control systems does the LG have? -How effective and efficient is the LG's financial

	management capacity and systems? -LG's revenue base include? -How adequate is the revenue base?
5. Good governance	-Is there stability within and between political and administrative domains? -How effective is communication between council and communities? -Are all the committees functioning effectively?

21. Determining relations for successful decentralization between the central and LGs

(a) Opinion on the strength of the system of the LG

(b) How is the LG participating in regional/district and national development? Any limitations?

Activities?

Limitations?

-

(c) How fair is the division of financial resources between the LG, District and National government?

(d) How fair is the division of human resources between the LG, district and national government?

(e) Any communication problems between the LG, District and National government, explain?

(f) How is citizen participation? Forms of participation?

Groups/Sectors?

(g) How adequate is social and political harmony in the LGs?

(h) How legally clear are relations between the LG, District and main government in functions and powers?

(i) How does the LG effect changes on the legislation for action by the central government?

(j) How easily are LG's innovations accepted by the District and the main government?

(k) How can you describe relations between LGs and District and main government? (trust and honesty?)

22. Measuring government **commitment/support** to decentralization:

Explain problems you know concerning the following?

(a) Adequacy of the legal structure in defining and establishing LG units and permitting them to function as decentralized?

(b) The national government's style of managing in line with decentralized management, explain?

(c) How adequate is the quality of personnel posted to LG units when compared to one in main government?

(d) Adequate grants from the government and local revenue base/taxes-expansion?

(e) Quality (experience, education, effective representation) of elected officials?

(f) Adequate political support and endorsement of decentralization by top bureaucracy, explain?

(g) How regular and how does local community participate in the following?

-decisions making

-policy making,

-policy implementation

-policy evaluation?

23. More indicators of decentralization developmental policy impact **(for staff only)**

What are the effects of LGUs introduction on the following in your locality?

-Effects on Prices?

-Effects on production (quantities on outputs and inputs)?

- Effects on local consumption patterns/demands?

-Effects on trade?

- Effects on local budgeting capacity (tax receipts and public expenditure)?

-Effects on (equity) income and services distribution?

- Effects on local social welfare?

Specific effects on urban development?

-on solid waste management;

-opening and rehabilitation of roads;

-development control;

-primary education

-and public health

THANK YOU SO MUCH. PLEASE, REMEMBER THAT YOUR RESPONSES AND OPINION WILL BE TREATED WITH CONFIDENTIALITY AND BE AGGREGATED TOGETHER WITH OTHERS IN THE RESEARCH REPORT.