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CONCEPT AND ACCEPTANCE OF LOCAL GOVERNMENT SYSTEM IN AFRICA

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CONCEPT AND ACCEPTANCE OF LOCAL GOVERNMENT SYSTEM IN AFRICA^{1/}Part A - Public enlightenment

At the last Conference on "Urgent Administrative Problems of African Governments", its Committee IV outlined the historical background of the local government systems in Africa, as they were in existence up to 1962.

In the end the Conference was clearly of the opinion that the existing systems of local government were alien to African and which were super-imposed by colonial powers, as a result what is now in Africa is an amalgam of indigenous and imported methods.

Having described the historical background of the system, the Conference considered the two basic questions; (a) whether "the experience of local government in Africa over the past 25 years had been such that efforts should continue to be made to intensify and extend it"; (b) whether "the experience of the developed countries was also valid for the new countries of Africa?"

The Conference quite rightly believed that the experience of developed countries was valid and that the basic principles of local government are of universal application, although practice is subject to many variations. However, the Conference added a special principle of local government in Africa: "The potential ability to promote national unity and economic development."

Arising out of the problems outlined above, the Conference then made a very important recommendation which is now the subject of this paper:

"It is then necessary for each country to restate the principles of local government in national terms, so that it may cease to be thought of as an import from abroad, but rather as a home-grown institution. It follows that the restatement must be in contemporary terms rather than in text-book terms drawn from foreign authors, for only in this way will it have any appeal for the political leaders without whose active interest nothing can be achieved."

It is now nine years since the recommendations of the first Conference were made. It will therefore be of interest to the present Conference to survey briefly of what reforms have been made at least, in some of the countries in Africa from 1962 to date.

Let us start with what I should call a "follow up" of the 1962 Conference, on this particular subject.

^{1/} This paper has been prepared by Mr. C.A. Kallaghe, Regional Adviser in Local Government, Public Administration Section, ECA.

In 1964, a Seminar on Central Services to Local Authorities organized by the Economic Commission for Africa, was held at Zaria Nigeria. The purpose of the Seminar was "to enable senior African officers concerned with the improvement of local government to exchange experiences and to gain knowledge of relevant experience outside the African region; and drawing upon this fund of experience and knowledge to prepare a document for regional use on ways by which African governments might increase the contributions and effectiveness of their local authorities towards social and economic development." 1/

At this first Seminar - after the 1962 Conference - of African Local Government Practitioners, the question of concept of local government in Africa was again seriously discussed. On this point the Seminar came out with the following conclusions, briefly:

- (i) "That local government systems in Africa ought now to cut loose from their countries of origin and adapt themselves as necessary to local circumstances. The inherited institutions should not be retained because they were British or French, nor should they be rejected just for that reason;
- (ii) That African governments should look beyond their existing institutions and methods to discover what for them is the real reason for having local government..... Each African Government should therefore set out clearly in contemporary terms its own basis of local government;
- (iii) That if local authorities are to become useful agencies for development they must immediately be brought into development work at all possible points..... That local authorities for their part must not lay too much stress on "local autonomy," but they should learn to appreciate the benefits they may derive from working in close collaboration with Central Government".

This Conference will no doubt observe the fact that both the 1962 Conference and the deliberations of the Zaria Seminar call for political pronouncement by African Governments of their own concepts of local government in their own countries. These were political decisions which were called for. Nevertheless, the Zaria Seminar has pointed out quite frankly how politics can have bad effect on the system and at the same time be made to co-exist with it. This is what the Zaria Seminar warned:

"Local authorities are political bodies. To the extent that they are elected it is idle to suppose that they can be insulated from politics and illogical to suppose that they should be. In the pre-independence phase in some African countries it was natural for political parties born of nationalism to oppose the local government institutions of the government

of that period. After the advent of independence they were often slow to re-orient themselves to the changed circumstances which required the support of the parties to build up efficient local government. Their inexperience of local government procedures sometimes results in unfortunate interference with the technical staff of local authorities. On the other hand, their assistance can be very effective in ensuring the direct participation of the people in local administration and in mobilizing political support of development activities initiated by the local authority. Although political partisanship can play a beneficial role in local government by activating and educating otherwise apathetic and backward communities, sometimes in Africa, unfortunately, political partisanship has been destructive of sound administration. Political differences which ought more properly to have been expressed at the national level have been brought down to local level and have interfered with decisions about such practical matters as for example, the siting of a school. Political partisanship may even make a local authority unworkable. In the single party State, the object of the party is to ensure that the local authority does not deviate from the party policy and to encourage the development of different forms of participation of the population in local affairs. In such a state a local authority may be free from the undignified squabbles of rival parties. On the other hand, and especially when the party is indistinguishable from the State, there is the obvious danger that the local authority from a political point of view may become no more than a party cell, and from an administrative point of view may become no more than an agent of the central government. In one form or another, politics has sometimes penetrated local government in Africa for purposes other than those which may be beneficial. Where the situation deteriorates beyond recovery a remedy may only be found in the dissolution of the council and its temporary replacement in whole or in part by some appropriate method."

The problem of re-defining local government system is not peculiar to Africa alone. At a Seminar on Central Services to Local Authorities held at New Delhi, India, in October and November 1963, the following statement was made in aspect of countries in Asia and the Far East:

"In order to plan for the development of local government, a clear conception is needed of the nature and functions of local government, its place in the governmental system and its objectives. Local government should provide the ordinary citizen with an opportunity to participate in the administration of local affairs and to serve his fellow citizens..... It is not, however, equally well understood that an effective local government is also a valuable instrument for national economic and social development." 1/

So far those are the views which came out of Conferences and Seminars organized by the United Nations. These views expressed by the various experts indicate that there is the need for each African government to review the concept of local government and the reasons for having the system in its country.

1/ E/CN.11/664/Rev.1, page 9.

Let us now see what some of the African governments themselves have tried to do about this problem. What attempts have been made by African governments in "restating the principles of local government in their national terms", as recommended in 1962 Conference, or what attempts if any have been made by the African governments to "set out clearly in contemporary terms their own basis of local government" as suggested at the Zaria Seminar in 1964?

In 1964, the President of the Republic of Tanganyika (before the Union with Zanzibar) appointed a Presidential Commission on the Establishment of a Democratic one-Party State. As a guide, the Commission was required in its deliberations to include consideration of eleven questions. One of the questions is relevant here:

"Should both the National Assembly (the Parliament) and the National Executive Committee of TANU (the ruling party) continue in existence? If so, what should be the relationship, and the division of power, between them? Is it necessary to have a District Committee of TANU and a District Council (local government authority)? If so, what would be their relationship etc.?"^{1/}

In its recommendations on the necessity of existence of both the Party District Executive Committee and the Local Government Authority and their relationship, the Commission came out with the following recommendation:

"..... We have formed the view that there is already considerable confusion in the districts, townships and municipalities between the role of TANU and that of the local authorities. The difference of functions which we pointed out as a factor of importance in distinguishing the role of the NEC (National Executive Committee) from that of the National Assembly is not reproduced in the field of local government. Local authorities have legislative functions in making by-laws, but these are of far less consequence than the business of administration with which questions of policy are always closely interwoven.

"We have therefore concluded that there is a strong case for incorporating the Executive Committee of TANU in each locality within the structure of the Local Authority..... ^{2/}

The above recommendation was not accepted by the Government. The Government, however, stressed the importance of the link between the Party organs and the local authorities. In its Government Paper on the Report the Government declared:

"But it is desirable to maintain a close link between TANU and local authorities. The government, therefore, proposes to empower the President

^{1/} Report of the Presidential Commission on Establishment of One-Party State. Government Printers, Dar-es-Salaam.

^{2/} Ibid

to nominate up to ten members in any one council. Some of these may be members of the District Executive Committee of TANU in the district concerned and some may be civil servants." 1/

As a result of the above policy statement, the composition of every local authority council in Tanzania mainland is now composed of elected members, and members nominated by the Presidents which includes party officials and civil servants who are field workers within the local authority areas, e.g., agricultural officers, education officers, district engineers, etc.

In order to link the work of the local authorities with economic development in Tanzania, every rural local authority has District Development and Planning Committee and every urban local authority has "Urban Planning Committee." The Government also decided to establish effective village development committees which will function in direct conjunction with and under the supervision of the District Development and Planning Committees. "This will ensure co-ordinated and synchronized development in the district." The Government Paper declared.

As a result of the emphasis on village development committees, Tanzania is no doubt moving to making the district level institutions as administrative co-ordinating units of the village development committees. On the policy of "Socialism and Rural Development", Tanzania will have village communities. These will be created by the peoples themselves and maintained by them, from their own sources. The system is based on self-reliant activities of the people. The Government role will be to help the people to make a success of their work and their decisions. The Ministry responsible for Local Government and Rural Development is charged with the responsibility of drawing up a model constitution for the village communities. But no one model should be imposed on any village. "Any model which is drawn up should just be a guide which draws the attention of the people to the decisions which have to be made by them; each village community must be able to make its own decisions" 2/

In 1966, the Government of the Republic of Kenya appointed a Commission of Inquiry:

"To inquire into and advise on the reforms necessary to make the local government system in Kenya a more effective instrument for the provision of local services and local development within the framework of national policy and the national programmes, and generally, the means of improving the capacity of local authorities to contribute towards the implementations of National Development Plan....." 3/

1/ Government Paper No. 1, 1966.

2/ Socialism and Rural Development, p. 31, by Julius K. Nyerere, the President, of the United Republic of Tanzania.

3/ Sessional Paper No. 12 of 1967, Republic of Kenya.

The Report of the Commission, however, made no observation on the basic pattern of administration of Local Government in Kenya.

The Government of Kenya, however, was not satisfied with the Commission's silence on this important point and it declared: "And consequently it is assumed that the Commission considers the present pattern to be the most suitable in the circumstances existing in Kenya today....."

The Kenya Government has now decided to introduce certain reforms on the structure of its local government suitable in the circumstances existing in Kenya today, with a desire to making the local government system in Kenya, "a more effective instrument for the provision of local services and local development". Every local authority at district level has District Development and District Development Advisory Committees.

It will be noted with interest that at least the Kenya Government has restated clearly its reasons for having local government system.

Another country which has so far made attempts to review the principles of its own local government system is Ghana. In 1967, the National Liberation Council appointed a Commission on the "Structure and Remuneration of the Public Services in Ghana". One of the Commission's terms of reference was:

"to determine the relations of the Police Service, the Prison Service, the Education Service and the Local Government Service to the machinery of government and to make recommendations thereon." ^{1/}

In their investigation into the Local Government Service, the Commission prepared specific questions. The following two questions and their answers by two specialist consultants to the Commission are of interest.

(Q) "Whether the present pattern of Local Government is best suited for Ghanaian conditions?"

(A) "No. The present pattern of Local Government in Ghana is in a state of almost complete collapse and radical changes are needed in the constitution, areas, functions, staffing and finances of the local bodies. Moreover, there is at present no effective or emerging machinery that would enable local bodies to play a part in comprehensive development planning."

(Q) "Whether there should be any change in the functions of Local Government Councils?"

(A) "Yes. We propose that they should discharge all governmental functions (with some exceptions) that fall to be performed at

^{1/} The Report of the Commission, G.P., Accra.

or about the level of the administrative district."

The Commission made observations on "excessive centralization of authority and resources in Accra with consequential weakness in management control of programmes, a diversion of Central Government resources (including staff) from the districts to the centre, and an almost complete ineffective Local Government System. Then Commission came out with the following recommendations:

"In consideration of all these aspects, we have come to the conclusion that, in order to improve efficiency and economy and to provide a machinery of government better designed to accomplish programmes for rapid social and economic development, there needs to be a radical decentralization of responsibility for the management of public affairs."

"Bearing in mind our concept of Government as a single operation wherever and by whom carried out, and directed by the need for decentralization of responsibility in the interest of efficiency and popular participation in the process of Government, we have come to the conclusion that the basic administrative and executive institution for the provision of those Government services which are carried out at local levels should (with a few exceptions) be a District Authority. 1/

The Commission made the distinction between the proposed district authority and the existing local authorities by pointing out, "that it is in most cases the existing base for those environmental services at present provided by the Central Government, and that it is not too remote from local communities to enable them to be effective....."

The Commission also made it clear on the functions of the new District Authorities among them:

"That the District Authority's functions should be sufficiently comprehensive to enable it to be effectively responsible and accountable for the comprehensive development of its area."

It will, therefore, be noted from this survey that on the question of concept and philosophy, a certain system of local administration is accepted in Africa as a means to economic and social development of its people. In that, the suitable local administrative institutions must be seen to be effective instruments for development. But since any institution to be effective instrument for development must involve active participation of the people concerned, such institution must also be seen to be democratic to enable effective participation of the people who are supposed to be developed. For people cannot be developed; they can only develop themselves and, they cannot be expected to develop themselves if they have no freedom. The people must have freedom to participate in the

1/ The Report of the Commission, G.P., Accra.

making of all decisions which affect their lives. It is, therefore, follows that to achieve effective implementation of any development plan, although the government must give the people the leadership, the decisions must come from the people themselves, and they themselves must carry out the programmes they decided upon.

With this concept in mind, the functions of African Local Administration units would appear especially to be co-ordinating authorities for local development programmes and as instruments of carrying out those programmes as decided by the people themselves at all administratively convenient local levels.

In these circumstances the concept of "Local Government" system in Africa cannot be based on the idea of "home rule" as in America, or the love of "local autonomy" or "local self-government" like in Britain. But we see the system under which administrative units are responsible for the provision of local services and co-ordinating authorities of local development programmes within the framework of national programmes.

In accepting the above principle we are immediately faced with the problem of terminology. The term "Local Government" bears suspicious connotation in the African context, if not the root of all the trouble. To have a "government" within a Government is not convincingly understandable.

"Local Government" is traditional Anglo-Saxon term which is used when one refers to the administration of state or that of the municipality. "Self-government" is considered an essential attribute of democracy, and the dictum that "self-government is better than good government" has an honoured place in the Anglo-Saxon teaching of democracy"

"To govern is considered the exclusive task of men and the organs placed at the centre of the State. Government is essentially a policy-making activity; it lays down the lines within which the administration is carried out. It is a task, therefore, which can be exercised only by the juridical persons in public law which are the repositories of sovereignty, or state power, namely the Federation or the Lander (State Government). All subordinate authorities are "administrations", not governments. There is no such a thing as 'local government' in Germany". ^{1/} Thus the concept of decentralization in Germany is based on that of "self-administration", the principle which would appear recommendable for adaptation in Africa rather than that of "home rule" or desire for "autonomy". However, the term "local administration" would be more suitable in Africa than even that of "self-administration". For this would be more understandable to Africa and which should fit with the principle of development administration.

^{1/} Public Administration in Germany - R.A. Chaput de Santonge.

Part B - Staff development

The problem of staff for local authorities, and the chief officers, in particular, was another problem examined by the 1962 Conference. The Conference drew the attention of African governments, to the fact that qualified chief officers are an essential part of local authorities. And in order to secure qualified chief officers who are expected to be able to give frank and sometime unwelcome advice to the council without fear of their position, they must be given a sufficiently secure tenure of their posts. Consequently the Conference recommended that studies be made of the experience and success of the system of local government service commission established in some English-speaking countries, and that comparison be made with the more centralized system in French-speaking countries.

To effect this recommendation, the local government section of the Public Administration Branch of the United Nations Secretariat prepared a Report on this subject. The Report has now been published under the title, "Local Government Personnel Systems." (E.68.II.H.2).

The Report contains information on the various types of local government personnel systems which has been assembled and analysed to assist governments in assuring and improving their systems of local government personnel administration. The Report analyses on a comparative basis the structural features of local government personnel systems.

The Report recommends the following as the principal feature that a personnel system must have to support development role of local government briefly:

- (a) Posts in local government must be comparable in attractiveness to posts in Central Government or in the private sector if they are to interest qualified persons.
- (b) Applications should be sought widely as necessary in the country to obtain qualified candidates.
- (c) Candidates should be selected on the basis of merit as determined to the extent practicable by competitive or qualifying examinations.
- (d) There should be career service that provides reasonable prospects for promotion on merit and seniority as well as protection against arbitrary dismissal or demotion.
- (e) It should be easy for officers to move from one jurisdiction to another and, under certain circumstances, it may be necessary for officers to be subject to transfer.
- (f) Officers should be afforded opportunities for in-service training to develop their capabilities for effective service.

- (g) As a matter of public duty, the local government officer should be loyal to the authority he serves.
- (h) The local government officer, at the same time, should be responsible to his council and be induced to give his best service to the local authority and the people.
- (i) Appropriate measure should be taken to ensure sound relations between local authorities and their employees.

There could be no quarrel in accepting the above features as necessary for a sound local government personnel administration. However, most of the features involves national policy at State level. To what extent does the government regard the local government service as essential as that of her civil service in the context of development administration? What is the system of grants-in-aid to local authorities to enable them to pay comparable salaries in local government service to those paid in the civil service?

Tribalism is also a major obstacle to the above feature, but which also depends on the government policy.

It would be of interest to learn from the delegates of the Conference how far the above factors have been effected in their systems of local administration since the last Conference was held.

By all means the above features of local government personnel system cannot be of success without a proper pattern of central control. Hence, the Study on Local Government Personnel Systems has comparatively analysed the different types of central control systems in existence, which some of them conflict with the above features. These are:

- (a) "A separate personnel system of each local authority," under which each local authority had power to appoint and dismiss its own personnel, and personnel is not transferable to any other jurisdiction by a Central body.
- (b) A "Unified local government personnel system" in which all or certain categories of personnel of local authorities form a single career service for the entire country which is distinct from the national civil service. Appointments, promotions, transfer and dismissal of personnel are administered by a Central agency, e.g., local government service commission or board.
- (c) The last one is an "integrated national and local personnel system" in which the personnel of national and that of local authorities form parts of the same service, transfers being possible not only between local authorities, but also between local authorities and national governments.

The above three systems of local government personnel administration do exist in Africa, however, with different applications. In that even those with unified system also differ in practice. The differences range from those with executive and independent local government commissions or Boards, to those with Advisory Commissions or Boards. For the latter category, the Ministry responsible for local government matters is responsible for the administration of the wide local government service, and the Boards are advisory to the minister.

As to what is the best system of local government personnel for Africa would really depend on the willingness of the National Governments in treating the local government service as having the same importance as that of the civil service.

The second point stressed by the 1962 Conference under the subject of staff development was training. The report of the committee IV charged the central governments with responsibility for the pre-entry and post-entry training of local government personnel.

It must be acknowledged here that of all the fields concerning the improving local government administration in Africa, training has been undertaken enthusiastically by most African governments. There are local government training institutes in most countries and proposals for expansions on sub-regional basis is contemplated in the East and Central African English-speaking countries. One would hope that such training would also be oriented to African conditions and requirements and not carbon copies of foreign syllabuses. Financial management and development administration should form major subjects than the desire to obtain foreign diplomas.

In this field, the African governments, should be urged to take the advantage of the well written guide on "Local Government Training", a comprehensive handbook prepared again, by the Public Administration Division of the United Nations. (E 68 II H.2). The handbook is an analysis which should be very useful to those officials in developing countries who have responsibility for designing and organizing programmes for training of local government personnel and councillors, for that matter.

Part C. - Finance

The third problem discussed by the 1962 Conference in the respect of local government administration was Finance. In the Committee IV's own view, "financial responsibility is at the heart of administrative responsibility."

Recognizing the Committee's statement as a matter of fact, ECA organized a special Seminar on "Local Government Finance," in 1966, and the participants included eight Ministers responsible for local government matters and top senior civil servants concerned with local government administration.

At this Seminar six papers on the following key items on local government finance were presented:

- (1) Urban and Rural local government revenue resources. Their scope, effectiveness and limitations: The need for harmonization with central government fiscal policy;
- (2) Property Policy - A new look at Basic Source of Local Government Revenue;
- (3) Possible new sources of revenue for local authorities;
- (4) Local authorities and Trading under-takings;
- (5) Capital Financing and Credit Facilities for Local Authorities;
- (6) The contribution of Local Government Finance to Development.

The ideas, suggestions and recommendations of the Seminar have been incorporated and are being published as the first handbook on Local Government Finance to be produced in Africa by such a cross section of Ministers, high-ranking officials and specialists, and its contents should be not only of interest but of use to politicians, policy makers, administrators, local government councillors and officials and any persons in Africa who wish to make local government an effective instrument for social and economic development.

Conclusion

The above survey of efforts made by the United Nations Institutions towards the improvement of local administration in Africa will, no doubt be appreciated by the present Conference. The credit to this field should go to the Economic Commission for Africa and its officials of the Public Administration Division, whose efforts during the period 1962 to 1967 have made it possible for the problems of local government in Africa to be fully tackled and uncovered, and as a result, most of the African Governments have initiated some changes towards the improvement of their local government systems, to suit their own conditions.

However, the present Conference, may now wish to consider after these efforts by the United Nations in general, and ECA in particular, what is the next step to be taken?

The suggested questions for discussion might be the following:

- (1) How are the Reports containing the advices, proposals, and recommendations made by various Seminars organized by UNECA being received and effectively adopted by African governments?
- (2) How can ECA render practical assistance to African Governments in adaptation of the recommendations made by its Seminars?