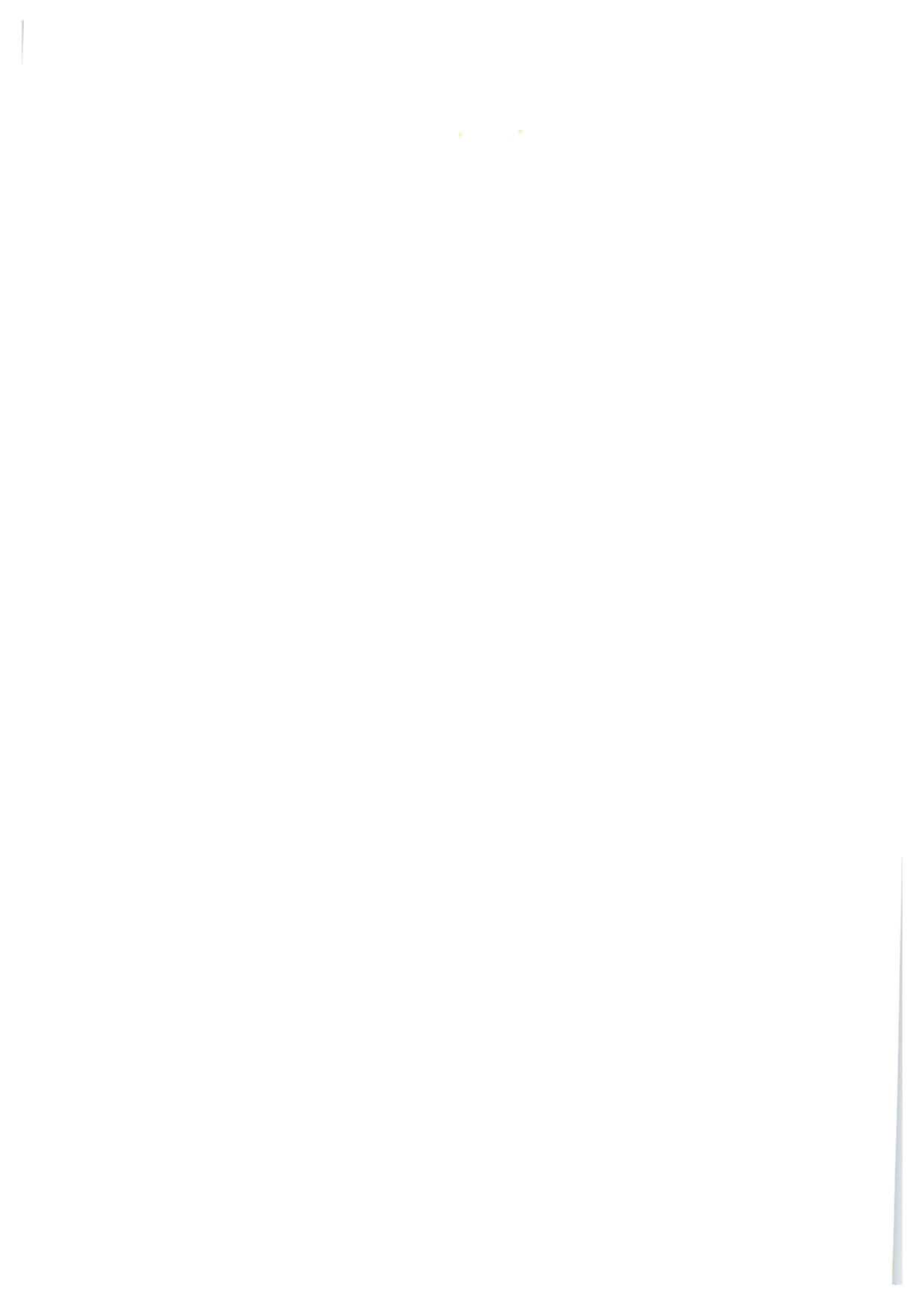


UNIVERSITY OF NATAL

**AN EVALUATION OF ADVANTAGES AND
DISADVANTAGES OF DECENTRALIZATION OF
PHYSICAL PLANNING IN LESOTHO**

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**An Evaluation Of Advantages And Disadvantages Of
Decentralization
Of Physical Planning In Lesotho**

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TABLE OF CONTENTS

DISCLAIMER..... v

ACKNOWLEDGEMENTS..... vi

CHAPTER 1: INTRODUCTION

1.0 Research Topic..... 1

1.1 Purpose of Dissertation..... 1

1.2 Research Problem..... 2

1.3 Aim of the Study..... 3

1.4 Research Question..... 3

1.4.1 Key Question..... 3

1.4.2 Sub Questions..... 4

1.5 Hypothesis..... 4

1.6 Research Method..... 4

1.6.1 Secondary Sources..... 5

1.6.2 Primary Sources..... 5

1.7 Case of Kwa-Zulu Natal..... 6

1.8 Limitation of the Study..... 6

1.9 Chapter Outline..... 7

CHAPTER 2: DECENTRALIZATION OF ADMINISTRATION

2.0 Introduction..... 9

2.1.0 Factors that led to Decentralization..... 10

2.1.1 The 1950s and 1960s: Centralized Administration..... 10

2.1.2 The 1970s and 1980s: Growth-with-equity..... 12

2.1.3 The 1990s: Recent thinking on Decentralization..... 12

2.2.0 Centralization and Decentralization..... 13

2.2.1 Defining Centralization..... 14

2.2.2 Defining Decentralization..... 14

2.2.3 Delegation.....	15
2.2.4 Devolution.....	16
2.2.5 Privatization.....	16
2.2.6 Deconcentration.....	17
2.3 Administrative and civil service reform.....	22
2.3.1 Is a separate subnational civil service necessary?.....	23
2.4 Efficiency and Effectiveness.....	24
2.4.1 Efficiency.....	24
2.4.2 Effectiveness.....	25
2.4.3 The importance of determining objectives.....	25
2.4.4 Measuring effectiveness.....	25
2.4.5 Difficulties with effectiveness.....	26
2.5 Decentralization in Kwa-Zulu Natal Province.....	27
2.5.1 Historical background of planning in Kwa-Zulu Natal.....	28
2.5.2 Structure and functions of the Directorate.....	29
2.5.3 Experience in Kwa-Zulu Natal.....	30
2.6 Conclusion.....	32

CHAPTER 3: TERRITORIAL ADMINISTRATION IN LESOTHO WITH PARTICULAR REFERENCE TO PLANNING

3.0 Introduction.....	34
3.1.0 Historical evolution of territorial administration in Africa.....	35
3.1.1 Indirect rule.....	35
3.1.2 Discretionary trends.....	36
3.1.3 Central penetration of the localities.....	36
3.1.4 Central decentralization.....	36
3.1.5 Back to the devolution track.....	37
3.1.6 The return of decentralization.....	37
3.2 Brief History of Lesotho.....	38
3.3.0 History of territorial administration in Lesotho.....	38
3.3.1 Pre-Colonial period.....	38

3.3.2 Colonial period.....	39
3.3.3 Independence.....	41
3.3.4 Transition to democracy.....	43
3.4 Planning of development.....	46
3.4.1 District Development Coordinating Committee.....	47
3.4.2 Composition of a District Planning Unit.....	48
3.4.3 Functions of the District Planning Unit.....	49
3.5 Weak legislation.....	50
3.6 The rationale for change.....	52
3.7 Conclusion.....	52

CHAPTER 4: AN EVALUATION OF THE DECENTRALIZATION OF PHYSICAL PLANNING

4.0 Introduction.....	55
4.1.0 Organizational structure of the Directorate of Lands.....	56
4.1.1 Structure of the Directorate.....	57
4.1.2 Structure of Lands Surveys and Physical Planning.....	57
4.1.3 Lands Division.....	57
4.1.4 Physical Planning Division.....	58
4.2.0 Planning Authorities in Lesotho.....	60
4.2.1 The Commissioner of Lands.....	60
4.2.2 Maseru City Council.....	60
4.3.0 Regional offices.....	61
4.3.1 Leribe regional office.....	61
4.3.2 Maseru regional office.....	61
4.4 Powers of decentralized staff.....	62
4.5 Decentralized functions.....	64
4.6 Effectiveness of regional offices.....	65
4.7 Advantages of decentralization in Lesotho.....	66
4.7.1 Client satisfaction.....	67
4.8 Disadvantages of decentralization in Lesotho.....	67

4.8.1 Problems in regional offices.....	68
4.8.2 Problems at work place.....	68
4.8.3 Problems outside work place.....	70
4.8.4 Problems at the Head office.....	71
4.8.5 Staff perception on deconcentration.....	73
4.8.6 Lack of implementation plan.....	74
4.9 Conclusion.....	74
 CHAPTER 5: CONCLUSIONS AND RECOMMENDATIONS	
5.0 Introduction.....	77
5.1 General conclusions.....	77
5.1.1 Problems of centralized planning system.....	77
5.1.2 The need for decentralization.....	78
5.1.3 Lines of organization presently.....	79
5.1.4 Powers of decentralized staff.....	79
5.1.5 The effect of decentralization to planning.....	80
5.1.6 The impact of decentralization on staff.....	81
5.2 Recommendations.....	81
5.2.1 Why decentralize physical planning functions.....	81
5.2.2 Problems within the Directorate.....	82
5.2.3 Problems outside the Directorate.....	83
References.....	86
Appendices.....	90
Map of Lesotho.....	98

DISCLAIMER

The results presented in this dissertation are based on my own research in the Department of Town and Regional Planning at the University of Natal, Durban campus. All assistance received from other individuals and organizations has been acknowledged and full reference is made to all published and unpublished sources used.

This dissertation has not been submitted previously for a degree at any institution.

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CHAPTER 1

INTRODUCTION

1.0 Research Topic

An evaluation of the advantages and disadvantages of decentralization of physical planning in Lesotho.

1.1 Purpose of Dissertation

Many Third World countries, particularly in Africa, have had decentralization of one form or another in the past 30 years. The idea was to experiment with new political and administrative arrangements for planning and managing development programmes after the realization that the previous arrangements were failing. The previous arrangements were basically planning from the centre, hence centralization. They embarked on the programmes of decentralization mainly to improve the social and economic status of the local people.

The idea of decentralization was put forward by development planners and administrators. Their main argument was that it was not easy to formulate and implement development strategies entirely from the centre. The idea of decentralization basically involves ways of eliciting greater participation in development-related programmes and projects.

The purpose of this dissertation is to evaluate the advantages and disadvantages of the type of decentralization that the Lesotho government has implemented. The type of decentralization that the Lesotho government has been involved with is

deconcentration – “shifting of workload from a central government ministry or headquarters to its own field staff located in offices outside of the national capital” (Cheema and Rondinelli 1983:18).

In almost all the countries that have had decentralization before, they have had it according to the guidelines and principles of the government in office at that particular time. Therefore different governments would look at development from their own point of view and hence different regimes have their own ways of tackling development problems.

The Government of Lesotho through the Ministry of Local Government has embarked on a programme of decentralization and the establishment of local government. It is hoped that decentralization of government ministries to districts will facilitate the establishment of local government authorities. The Lesotho government is keen to have local government elections and therefore local authorities. It has never had local government elections before and wants to address that urgently.

1.2 Research Problem

Decentralization of physical planning is part of a broader process of decentralization that is intended to serve many purposes, but does it?

Experience of decentralization in less developed countries has in most cases fallen far short of expectations and the declared objectives of policy-makers. It is argued that, decentralization or the handing over of some amount of administrative responsibility to lower levels within the government ministries, would reduce the

bureaucracy and red tape that is usually associated with highly centralized planning, especially in the Third World countries where the concentration of power, authority and resources are generally in the national capital. It was also hoped that decentralization would increase efficiency of delivery of public goods and services.

Lesotho government objectives for decentralization are similar to those mentioned above. But, to date, the benefits of decentralization, particularly of physical planning functions to districts, seem to be more costly to the government than was expected. Government is also spending too much on the decentralization process in terms of staff training and resources etc.

1.3 Aim of the Study

Decentralization of line ministries to districts is a new approach to service delivery in Lesotho. It is said to be bringing services effectively and efficiently to communities. It is said to be bringing services closer to communities, however, given the problems that the Directorate of Lands is facing, it is not likely that the decentralization process will operate effectively in the near future. The aim of this study is to find out whether the Directorate is benefiting in any way from the decentralization process.

1.4 Research Question

1.4.1 Key Question

Is decentralization of physical planning resulting in a more efficient and effective planning service?

1.4.2 Sub-Questions

- What are the perceived problems of a centralized physical planning system?
- What is government trying to achieve by decentralizing?
- What are the lines of control and organization now, how does this differ from in the past and how does this affect the effectiveness of the planning service?
- What physical planning services are provided by government and how do they differ from the past?
- What are local perceptions of physical planning services in the decentralized area?
- What is the effect of decentralization on access to planning services?
- What functions have been decentralized and how well are they provided?
- Is decentralization resulting in a better planning service for local people?
- What is the impact of decentralization on the calibre and commitment of staff?
- Does the Lesotho government have enough qualified manpower (human resources) to effect decentralization?
- Why do people keep on coming to central office even though decentralization is alleged to be occurring?

1.5 Hypothesis

Decentralization is not resulting in a more efficient and effective delivery of planning services.

1.6 Research Method

Data for the research was collected through two sources, which are:

- Secondary sources, and

- Primary sources.

1.6.1 Secondary Sources:

Secondary sources of information that was used in this exercise comprised of general literature on decentralization, the Lesotho Government documents on decentralization and the establishment of local government, World Bank reports and public management documents.

1.6.2 Primary sources:

Primary sources comprise interviews with key respondents in the Ministry of Local Government and the Directorate of Lands, Housing and Urban Development (DLHUD). Key respondents included:

- The Deputy Director in the German funded project on Decentralization, Mr. Cyprian Selebalo.
- Two senior officials in the section of Decentralization, Ministry of Local Government.
- Three sectional heads in the Directorate which are the Chief Planner, the Chief Surveyor and the Chief Lands Officer (see Appendix 1).
- Physical planning staff that have been decentralized, that is, the Senior Planner in Mphahle's Hoek together with his colleagues and the Senior Planner in Leribe together with her colleagues. 5 staff members were interviewed (see Appendix 2).
- Surveyors and Land officers that have been decentralized. 2 surveyors and 4 Land officers were interviewed.

- 8 Clients from the regional offices. Ordinary clients who came for application for lease or building permit were interviewed. No particular method of selection was used (see Appendix 3).

All in all, a total of 25 respondents was interviewed.

Due to the nature of the topic, the snowball method of data collection was used. The way the snowball technique was used was to interview the most senior official who in turn suggested other relevant respondents, the respondents also suggested other people to contact.

1.7 Case of Kwa-Zulu Natal

Since Kwa-Zulu Natal has had experience with decentralization of planning, the aspect of this dissertation is to learn from this experience. Only two respondents were interviewed in Kwa-Zulu Natal, and they were both involved at the time the Kwa-Zulu Natal decentralized and as a result they have a clear insight of what happened then.

1.8 Limitation of the Study

The study went quite well except that one key respondent was on holiday and as a result it was not possible to get hold of him. However, his immediate deputy was interviewed. The limitation is that it would have been more useful to interview him as he is a foreigner and not affiliated to any particular political party. His deputy is a Mosotho and the Lesotho government has a bad reputation of filling senior posts with individuals who are well-known supporters of the ruling party. This means that

anyone in the senior position is likely to be for the government and hence they are likely to be biased.

A limitation of the study on Kwa-Zulu Natal is that it was difficult to get a respondent in Pietermaritzburg due to the fact that the respondent whom I wanted to interview (the Director of Development Planning) was too busy. However, I still managed to get his deputy who had been in the department before the decentralization process, and who was well informed about the whole process. Another limitation was that, written documents were not readily available as they were very old and as a result staff was unable to locate them.

1.9 Chapter Outline

Chapter 2: Decentralized Administration – This chapter provides a conceptual framework for the study. It starts by stating factors that led to decentralization of authority for planning and administration to different spheres of government. It then discusses the concept of decentralization and its various forms. Deconcentration is discussed in more detail as it forms the main theme of this dissertation.

The concept of efficiency and effectiveness is also discussed as the one of the objectives of decentralization is to deliver with efficiency and effectively. Finally, the chapter will outline the experience of Kwa-Zulu Natal, which has experienced decentralization several years ago. This experience provides lessons for Lesotho case.

Chapter 3: Territorial administration in Lesotho with particular reference to planning – This chapter focuses on the history of territorial administration in Lesotho and how territorial administration has been changing over the years with different political regimes. It starts by first providing an outline of how the colonial administration in many African countries shaped the form of government in those countries during and after colonial rule. It further goes on to state how different political parties have used territorial administration to strengthen their political power. Finally, it argues that two pieces of legislation needs to be reviewed, as the current legislation does not allow the Commissioner of Lands to carry out his duties effectively.

Chapter 4: Advantages and disadvantages of the decentralization of physical planning – This chapter provides the major findings of the study. The first part of the chapter provides an outline of the organizational structure of the Directorate of Lands Housing and Urban Development (DLHUD) It goes on further to outline the advantages of decentralizing physical planning functions. The next part outlines the difficulties that the Directorate is facing with regard to the process of decentralization of physical planning functions both in the head office and in the regional offices.

Chapter 5: Conclusions and recommendations – This chapter is divided into two sections. The first section provides general conclusions which synthesizes all the discussions, comments and conclusions drawn from the previous chapters of the dissertation. The second section gives some recommendation towards how the department can carry out the process of decentralization in a more efficient and effective manner.

CHAPTER 2

DECENTRALIZATION OF ADMINISTRATION

2.0 Introduction

From the 1970s, a significant number of countries all over the world began experimenting not only with new approaches to economic and social development, but also with new political and administrative arrangements for implementing development programmes and projects. A particular focus was on decentralization. Decentralization has since been viewed as a progressive and appropriate strategy for the management of development.

Despite the growing trend towards decentralization worldwide, many developing countries that attempted to decentralize development administration have experienced problems. Indeed not all Third World governments have successfully implemented the notion of decentralization.

The objective of this chapter is to provide a comprehensive conceptual framework on the notion of decentralization. The chapter describes factors that led to decentralization of authority for planning and administration to different spheres of government and local agencies. It discusses the concept of decentralization and its various forms.

The form of decentralization relevant to this dissertation is deconcentration and as a result deconcentration will be dealt with in more detail. The concept of effectiveness and efficiency will also be discussed, as one of the objectives of decentralization is to

increase efficiency and effectiveness. Finally, the chapter draws from the experience of Kwa-Zulu Natal, which has experienced deconcentration, several years ago, and which will provide insights that assist in the analysis of Lesotho's experience.

2.1.0 Factors that led to Decentralization

The increasing interest in decentralizing authority for planning and administration to state, regional, district and local agencies, field units of central ministries, local governments, and special purpose organizations, as well as to non-governmental institutions and private associations, arose from three converging forces (Cheema and Rondinelli, 1983).

- First of all, it emerged from disillusionment with the results of highly centralized planning and control of development activities during the 1950s and 1960s.
- Secondly, it arose from the implicit requirements in the growth-with-equity policies of the 1970s.
- Finally, it came about from the growing realization among policy analysts during the early 1980s that as societies become more complex and government activities expand, it is increasingly difficult to plan and administer all development activities effectively and efficiently from the centre (ibid).

2.1.1 The 1950s and 1960s: Centralized Administration

From the early 1950s to late 1960s, many governments in the Third World countries became more centralized after achieving independence from colonial regimes. They first turned their attention to nation-building and thus invested heavily in programmes for economic development. Central control was seen as compatible with the major theories of economic development that emerged in the late 1940s. Economic

development theorists advocated capital intensive industrialization policies that were aimed at maximizing gains in gross national product during the 1950s and 1960s.

Central planning and administration were considered necessary to guide and control the economy and to integrate and unify nations that were emerging from long periods of colonial rule (Cheema and Rondinelli 1983). Furthermore, central control was implicit in the requirements of the international assistance agencies that were giving out large amounts of capital during the 1950s and 1960s.

According to Cheema and Rondinelli (1983:11) "international assistance agencies such as the World Bank prescribed central planning as a way of promoting 'modernization', and accelerating social and political change, generating employment, and mobilizing capital for further investment. The benefits of industrial investment concentrated in one or two major metropolitan centres, would 'trickle down' and spread throughout the economies of developing nations to alleviate poverty and generate income and savings."

However, by the end of the 1960s it was apparent that central planning had not achieved these goals. Economic growth remained sluggish, and even where growth rates were high, only a small fraction of the population usually benefited from increased national production. Income disparities between the rich and the poor widened even more in developing countries (ibid).

Many development planners and administrators began to question the effectiveness of strategies based primarily on increasing industrial output and challenging theories

calling for maximum economic growth irrespective of the patterns of income distribution. Much of the interest in decentralization surely came from the realization that central control and management of the economies of developing nations did not ensure rapid economic growth and that few countries could easily follow the prescriptions made by economic theorists and international assistance agencies for comprehensive and long-range planning.

2.1.2 The 1970s and 1980s: Growth-with-equity

The goal of development policies in most developing countries during the 1970s was to distribute the benefits of economic growth more equitably to increase the productivity and income of all segments of society, and to raise the living standards of the poor (Rondinelli et al 1984). Policy makers realized that it was difficult to formulate and implement these strategies entirely from the centre, as a result they sought new ways of eliciting greater participation in development planning and administration.

Furthermore, towards the end of the 1970s, most developing countries were faced with severe financial problems, decreasing levels of exports, rising prices for energy and imported goods, and diminishing foreign assistance. Due to all these factors, governments became interested in finding new ways of using limited resources more effectively. Decentralization appeared to be at least a partial solution to their growing problems.

2.1.3 The 1990s: Recent thinking on deconcentration

In the recent past, governments have faced new institutional demands created by the liberalization of government policies and privatization of public enterprises. Governments leaders at all levels have to rethink the way they deliver economic, municipal, social and education services. As the process of liberalization and privatization goes on, constituents are holding governments to higher levels of performance and financial accountability (<http://worldbank.org>).

Citizens are demanding more value from government services, and because of this, government institutions at all levels must provide more effective and cost-effective service within restrictive budgets. Furthermore, national governments worldwide are also in the process of deconcentrating authority to regional, state and local governments, which must now play an increasingly important role in economic development activities, which include among others planning, delivering and financing many public services previously supported by central governments. This process of decentralization of government functions will continue to be an important government reform tool for many years still to come (ibid).

2.2.0 Centralization and Decentralization

Both concepts of centralization and decentralization relate to a hierarchy of power and authority. Centralization refers to the retention of powers of functions by the national government while decentralization refers to the ceding or delegation of some power and or function to local institutions or authorities (Mapetla and Rembe 1989). However, in reality, the idea of decentralization turns out to be very complicated. In each country, it is a function of historical as well as social, economic and political factors.

2.2.1 Defining Centralization

In developing countries, unified, centralized, and regulatory government have generally been regarded as highly desirable. Centralization has tended to be both the norm and the ideal that pervades concepts of political, economic, and administrative organization in the Third World (Rondinelli et al 1984). In most countries that were formerly colonies, centralized political and administrative institutions were a direct legacy of the colonial rulers, and until recently, these systems were largely left untouched, or were further centralized.

According to Valk and Wekwete (1990), most African countries inherited centralized systems of government from their colonial powers, and in the first years of independence there was often a tendency to maintain – if not strengthen – central control and centralised systems of planning in order to encourage a sense of national unity and reinforce the new government and its policies.

2.2.2 Defining Decentralization

Decentralization as a concept is rather broad and its component parts are many. Decentralization in this context can be defined as the transfer of responsibility for planning, management and resource raising and allocation from the central government and its agencies to field units of central government ministries or agencies (Rondinelli et al 1984).

According to Smith (1985), decentralization may be distinguished from the dispersal of the headquarters' branches from the capital city as when part of a national

ministry is moved to a provincial city to provide employment there. Decentralization can take place in four different forms and they are deconcentration, delegation, devolution and privatization. Deconcentration is one which is most relevant to this study, and thus will be explained in more detail. The following sections provide an overview of these concepts.

2.2.3 Delegation

Delegation basically implies transferring managerial responsibility for specifically defined functions to organizations that are outside the regular bureaucratic structure and that are only indirectly controlled by the central government. It implies that a sovereign authority creates or transfers to an agent specified functions and duties, which the agent has broad discretion to carry out. However, in most developing countries, responsibilities have been delegated to public corporations, regional development agencies, special function authorities and a variety of parastatal organizations (Rondinelli et al 1984)

Cheema and Rondinelli (1983), state that the response of many governments and international lending institutions to the severe limitations on public administration in most developing countries has been to delegate more functions to public corporations, special authorities, and semi-autonomous project implementation units. The practice of designating separate project implementation units gained momentum after World War 2.

This came about from two factors. The first was from the realization that certain innovative or high-priority projects had to be isolated from the routine political and

bureaucratic conflicts that were pervasive in developing countries. The second was because of the insistence by international lending organizations, particularly the World Bank, that semi-autonomous implementation units be created to prevent revenues from income-earning ventures from being 'comingled' with general budget.

2.2.4 Devolution

Devolution is the creation or strengthening – financially or legally – of sub-national units of government of which their activities are not directly controlled by the central government. Under devolution, local units of government are autonomous and independent and their legal status makes them separate or distinct from the central government (Rondinelli et al 1984). More often, local governments have clear and legally recognized geographical boundaries within which they exercise an exclusive authority to perform explicitly granted or reserved functions.

Cheema and Rondinelli (1983) note that, even though the specifications for devolution may be valid from a theoretical or even a legal perspective, in most developing countries, actual requirements are less stringent. They argue that devolution is normally seen as a form of decentralization in which local government units are given primary responsibility for some functions over which the central government often retains some supervisory powers and in which it may play an important financial role.

2.2.5 Privatization

According to Rondinelli et al (1984), privatization means that governments have divested themselves of responsibility for functions and have either transferred them

to voluntary organization or allowed them to be performed by private enterprises. In some cases, governments have transferred responsibility to parallel organizations such as national industrial and trade associations, professional groups, religious groups, political parties or cooperatives.

In other cases, governments may decentralize by shifting the responsibility for producing goods and supplying services that were previously offered by parastatal or public corporations to privately owned or controlled enterprises. According to Cheema and Rondinelli (1983), governments may decentralize by shifting responsibility for producing goods or supplying services to private organizations. They argue that, in some countries, self-management arrangements have been created to allow workers in public enterprises or production cooperatives to plan and manage their own activities without strong central intervention and control.

2.2.6 Deconcentration

According to Rondinelli et al (1984), deconcentration is the handing over of some responsibility and administrative authority to lower levels within central government ministries and agencies. It is basically the shifting of the workload from centrally located officials to staff outside of the national capital.

When it is more than just reorganization, deconcentration gives some discretion to field agents to plan and implement programmes and projects, or to adjust central directives to local conditions, within guidelines set by central ministry or agency headquarters. In most developing countries, deconcentration has been the most frequently used form of decentralization since the 1970s.

Deconcentration is mainly concerned with decentralizing authority in the public service. It involves redistribution or delegation of authority and responsibility by administrative hierarchy. This kind of arrangement is designed basically to increase efficiency and responsibility of the administrative system to the local level by reducing delays, improving coordination and making decisions more relevant to local needs (Mapetla and Rembe 1989).

In many countries such as, Indonesia, Morocco, Pakistan, the Philippines, Sri Lanka, Thailand, and Tunisia, deconcentration has been encouraged through financial grants from the central government to provincial, district, or local administrative units. Other governments have deconcentrated operations by creating coordinating units at the subnational level or through incentives or contract arrangements (Rondinelli et al 1984).

Cheema and Rondinelli (1983), distinguish three types of administrative decentralization or deconcentration:

The first type, they argue, is the shifting of workload from a "central government ministry of agency headquarters to its own field staff located in offices outside of the national capital, without also transferring to them the authority to make decisions or to exercise discretion to carry them out" Cheema and Rondinelli (1983:18). They further argue that, the shifting of workload is necessary in highly centralized governments since staff would be working outside the capital and therefore closer to where people live.

However, Fesler cited in Rondinelli and Cheema (1983:18) argues that shifting workload may not really be decentralization at all. "To move workload out of the capital may be efficient and convenient for the public and may even promote a feeling that government is close to the people," he notes. "But it may not involve any decentralization of power, that is it may not provide the opportunity to exercise substantial local discretion in decision making."

Even though this observation is valid and probably true for most Western nations, in highly centralized governments in developing nations even the shifting of workload from central offices to staff outside the capital can have an enormous impact on development. It may be a short-term initial step that highly centralized governments must take towards more extensive deconcentration later.

The second type of deconcentration is through field administration. In this context, the field staff is allowed to do some planning, make routine decisions and implement central government directives with modifications to suit local conditions but within guidelines set by the central ministry. Despite all this, the field staff remains under the direction and control of the central ministry (Cheema and Rondinelli 1983). Under a system of field administration, despite the fact that government officers are working within local jurisdictions that may have semi-autonomous or delegated powers, field staff are employees of a central ministry and remain under its direction and control.

The third type of administrative decentralization is local administration. In this case, “all subordinate levels of government within a country are agents of the central authority usually the executive branch” (Cheema and Rondinelli 1983:19). Central government ministry, head districts, regions or provinces appoint the staff. Local functions are performed under the technical supervision and control of central ministries and the heads of ministerial representatives at local level.

It is useful to distinguish field administration and local administration. Local administration is a form of deconcentration in which all subordinate levels of government within a country are agents of the central authority, usually the executive branch. Regions, provinces, districts, municipalities, and other units of government are headed by leaders who are either appointed by or are responsible directly to a central government agency, normally the Ministry of Local Government or the Interior (ibid). Local functions are performed under the technical supervision and control of central ministries, and the heads of the local administrations serve at the pleasure of the nation’s chief executive.

Two types of local administration are found in most developing countries: integrated and un-integrated.

- Integrated local administration is a form of deconcentration in which field staff of central ministries work within a local jurisdiction under the supervision or direction of a chief executive of that jurisdiction, who is appointed by and responsible to the central government. In some parts of Africa for example, the provincial commissioner has the power to supervise and coordinate the work of various ministry staff working within the province. Even though the field staff may be

hired, paid, trained, promoted, and transferred by the central ministry, they act as technical staff of the Provincial Commissioner and hence are accountable to that person for the efficient performance of their duties.

- Unintegrated local administration is another form whereby an arrangement by which field staff of central ministries and administrative staff of local jurisdictions operate independently of each other. The two sets of officials are responsible to central authorities, however, they have little or no power over each other. Each technical officer is responsible to his or her own ministry in the national capital, and the administrative staff of the local jurisdiction are supervised by its chief executive, who has little or no control over central ministry personnel.

Even though deconcentration does not transfer authority to plan, decide or manage to individuals or organizations that are outside of the structure of the central government, officials of the United Nations Technical Assistance Programme argue that if administration is brought closer to people, citizens “will have a better understanding of what government proposes. Through this understanding they will be more likely to adopt the new ideas and practices, use the service offered, contribute their own effort and resources to the programme, give vitality to new institutions and make constructive adjustments in their lives” (United Nations Technical Report cited in Cheema and Rondinelli, 1983:20)

In countries like Indonesia, Morocco, Tunisia and elsewhere, deconcentration has been encouraged through financial grants from the central government to provincial, district or local administration units (Rondinelli et al 1984).

2.3 Administrative and civil service reform

Subnational civil servants form a significant proportion of government workers around the globe. Subnational employment is often over 50 percent of the total in federal countries, and with few exceptions, subnational employment is larger than the subnational share of public expenditure. These figures however, exclude health and education which may distort the picture (<http://www.1.oecd.org>).

Table 1 Subnational share of public expenditure and government administration

Country	Subnational share in public expenditure	Subnational share in government administration
Angola	24.9	14.6
Argentina	43.9	76.3
Australia	47.9	63.3
Belgium	11.8	57.0
Botswana	3.8	23.8
Canada	49.4	63.7
India	53.3	49.4
Italy	25.4	48.9
Kenya	3.5	18.2

Source: <http://www.1.oecd.org>.

Many of the government services that are key for poverty alleviation are delivered and managed by subnational administrations, and the worldwide trend is toward greater decentralization.

2.3.1 Is a separate subnational civil service necessary?

There are a number of reasons for a separate subnational civil service. In general these are an extension of the potential gains from decentralization:

- Better knowledge of local demands;
- Ability to respond to local cost variations;
- Increased scope for community participation; and
- Closer correspondence between costs and benefits.

These improvements are more likely to happen when the executive is accountable to the local electorate. Full accountability can only be achieved with a subnational civil service separate from the central civil service.

However, there are a number of good reasons why a certain degree of central control over subnational civil service should be maintained:

- The first one is that, in the management of the civil service there are clear economies of scale in tasks such as training, personnel management, and wage negotiations.
- The second reason is that, in many developing countries, there are scarcities of skills. Some remote areas may not be able to attract the right quality of civil servants without offering prohibitively expensive incentives. Therefore they should benefit from some degree of centralization, which would at the same time improve the chances of a more equitable delivery of services across the country.
- The third reason is that, the centre normally takes an interest in the size of the civil service for budgetary reasons since it may end up paying the bill for a bloated civil service.

- The final reason is that the civil service can be a powerful tool for nation building and unity, and some central influence on the decentralized civil service could therefore be desirable, particularly in countries where national unity is a major concern (<http://www.1.oecd.org>).

Many countries that were once colonized still have some key features of the system similar to those of the former colonizer, even though the colonizing country's system may have evolved considerably since that time.

2.4 Efficiency and Effectiveness

As has already been mentioned earlier in this chapter, the idea of turning to decentralization was due to failure of centralized type of planning in the 1970s. Decentralization was seen as a way of managing national economic development more effectively and efficiently.

2.4.1 Efficiency

According to Roux et al (1997), government activities on any level are not financed from an inexhaustible source of funds. It is therefore imperative that execution of work programmes is justified and completed in a given order of priority. Since it is often the case that there are more needs and expectations than there are resources available, it is of utmost importance that tasks are carried out in the most efficient manner.

Thus, efficiency is the effectiveness of activities in relation to the frugal use of funds, human resources and material. On the other hand, efficiency as defined by Macrae

and Wilde (1985:63) "...is the means of getting the greatest amount of desirable results per unit cost".

2.4.2 Effectiveness

Effectiveness refers to the realization of maximum efficiency, which may either be qualitatively or quantitatively, with the most frugal application of funds, human resources, material and apparatus (Roux et al 1997). Macrae and Wilde (1985) define effectiveness as the position on the effectiveness scale that each alternative has reached. An effective scale can be described as a scale that indicates the degree to which an objective has been achieved.

2.4.3 The importance of determining objectives

An analysis of a policy is usually carried out with the intention of achieving a certain goal or objective. However, it is very difficult to clearly state objectives that the policy maker aims to achieve as sometimes the objectives themselves may be multiple and conflicting. This is usually due to the fact that objectives are intangible and cannot be quantitatively measured (MacRae and Wilde, 1985).

Furthermore an objective may be intended to satisfy certain needs of the society but one may find that different individuals may not necessarily perceive that policy to be advantageous to all of them; some regard it as being disadvantageous.

2.4.4 Measuring effectiveness

Mafunisa (1995:67) has identified four ways in which effectiveness can be measured.

- Community conditions

These mainly include things such as measures of undesirable conditions that the community may want to reduce, or those that are desirable and therefore the community wants to maintain or increase.

- Service accomplishments

It is important to have effectiveness measures that focus on the accomplishment of the policies themselves. Service accomplishment measures can include both quality and quantity considerations.

- Client satisfaction and perceptions

Client satisfaction can provide a useful measure of effectiveness, more especially for those services which explicit measures of impact are difficult to define or collect. For example, keeping track of the number of complaints registered by citizens or carrying out surveys of service clients, which may give a much more representative picture of their satisfaction.

- Unintended adverse impacts of a communal service

A policy can yield required results, but at the same time have unintended negative effects. Therefore an effective measure of adverse impacts can be observed so that there may be corrective action taken before any problems can develop.

2.4.5 Difficulties with effectiveness

- Measurability of effectiveness. It is very difficult to determine ways that will effectively measure the value or effectiveness of policies and also taking into account their benefits.
- Calculation of costs. There is often little or no data that can be used to measure the benefits, particularly with programmes such as health, education and welfare.
- Lack of reflection of benefits. The market place does not usually reflect many of the benefits of government expenditure, for example, public health expenditures may simply lessen pain or extend the life of someone who may be too old to be productive in society.
- Distribution of costs and benefits. Even if benefits were easily measurable, there would still be a problem of those benefits and costs going to different people. A construction of a new freeway may mean reduction of fuel consumption, tire wear for the car owner, however, people living nearby will be adversely affected by noise and pollution (MaCrae and Wilde 1985).

2.5 Decentralization of planning in Kwa-Zulu Natal Province

When the process of decentralization was first introduced in the developing countries in the 1970s, it was after the realization that it worked for the developed countries. Developing countries were to follow the experiences of the developed countries. Kwa-Zulu Natal has had an experience decentralization of planning in the recent past. The essence of this section is to find out how well the process went on in the province so as to inform the analysis of Lesotho.

Kwa-Zulu Natal province is made up of the former Kwa-Zulu and Natal areas. The two were amalgamated after the first democratic elections of 1994. Prior to 1994,

there were basically two forms of planning in Kwa-Zulu Natal. In Natal they were using the 1949 Ordinance while in Kwa-Zulu they were using Kwa-Zulu Land Affairs legislation.

2.5.1 Historical background: The decentralization of planning in Kwa-Zulu Natal

Prior to the 1994 democratic elections in South Africa, administration was divided into two separate bodies. In what is now the Kwa-Zulu Natal province, there was the Natal province and the Kwa-Zulu homeland. Pietermaritzburg was the capital town in terms of administration in Natal and Ulundi was the major administrative centre of Kwa-Zulu.

During those times, there were two separate planning authorities, the one planning authority whose head quarters was in Pietermaritzburg was using the Natal Ordinances of 1949 and the other authority was administered from Ulundi. The planning authority in the Natal province decentralized offices to Durban in 1988.

In the past, the South African government was seen as a hierarchical framework of authority, culminating in the greatest power being vested at central government in Pretoria. The new democratic government introduced the concept of "spheres of government" which describes not a hierarchical ordering, but a collaborative framework. Each level of government (national, provincial, regional, local) has its own tasks and responsibilities, and is obliged to assist other spheres of government as appropriate (Zululand Regional Council 1998).

After the 1994 elections a dramatic change occurred in South Africa. The country was divided into 9 provinces which included Kwa-Zulu Natal. Development Planning was administered from Pietermaritzburg prior to 1988. Development Planning is now divided into three regions in Kwa-Zulu Natal. They are Pietermaritzburg, representing the inland area, Ulundi representing the northern region and Durban representing the coastal region. Directors who are answerable to the chief director based in Pietermaritzburg head the three offices. The chief director's office is responsible for policy and co-ordination while the three directorates are implementation offices.

2.5.2 Structure and functions of the Directorate

The Chief Directorate (Development Planning) is the authority responsible for planning in the Kwa-Zulu Natal province. It comprises a head office in Pietermaritzburg and three regional offices in Pietermaritzburg, Ulundi and Durban. The three regional offices are implementation offices which basically serve their respective municipalities.

When the other offices in Ulundi and Durban were introduced in 1988, all the town planning functions were decentralized except for policy. Policy was kept in Pietermaritzburg, at the head office. Even though the actual decentralization of planning authority took place in 1988, the office in Ulundi was already in operation. In Durban there was no office before as a result new structures had to be built.

The Chief Director in Pietermaritzburg is responsible to a Policy and Co-ordination Office, and the three Regional Implementation Offices. Each of the three regional offices has a Director. The Chief Directorate is made up of three sub-directorates.

They are Development Administration, Integrated Development Planning and Development Information Services.

The Development Administration Sub-Directorate is tasked with the administration of National and Provincial land legislation which is aimed at promoting and achieving the orderly development of land. Even though the Sub-Directorate has a major regulatory role, the main responsibility is to ensure that land development policies, as well as application processes and procedures, promote and facilitate development.

The Integrated Development Planning Sub-Directorate's key responsibility is to establish, promote, and maintain the legal and policy framework for integrated development planning. It is tasked with interpreting and applying national legislation and policy, as well as developing and implementing Provincial legislation and policy.

The Development Information Service's Sub-Directorate's key responsibility is to store, manage, analyse and disseminate development-related information for the entire department. Development information is basically spatial in nature, hence most of it is stored in either hard copy map format or in digital Computer Aided Draughting or Geographical Information Systems formats.

2.5.3 Experience in KZN

The decentralization process took place in 1988. That year was the worst in terms of decentralization process. Even though advantages of decentralization were

apparent, that is bringing government closer to communities, a lot of problems occurred with regard to decentralization in Kwa-Zulu Natal.

- In Durban a completely new structure had to be set up. There was not enough space in the office and a mere drawingroom was not there.
- A lot of people did not want to move. During the first year, staff that did not want to relocate to Durban were transported daily from Pietermaritzburg to Durban by a combi.
- A number of well-trained staff resigned due the possibility of being transferred. The then Director in Pietermaritzburg was also helping in Ulundi.
- Building up a strong core in Ulundi was problematic. It was argued that, if at least the office was in Richards Bay or Empangeni where there was infrastructure and services, it would have been better. For someone who was already established in Pietermaritzburg, relocating to Ulundi was not going to work. There were no decent schools or decent shopping centres in Ulundi.
- Ulundi has difficulty retaining well-trained staff. As soon as staff in Ulundi get enough exposure and experience they leave for greener pastures in Durban and elsewhere.
- In Durban a lot of well-trained staff get poached by the Durban Metropolitan Council which pays better.

However, things came back to normal after the troubled first year. The three implementing offices began to succeed properly. This was due to the strong commitment and support from the then Chief Director. Things proceeded quite well because there were properly laid down policies with which the decentralization was to take place. To date the three offices are said to be doing better than ever before.

Human resource factor

With regard to human resources there has been a shortage of qualified personnel. The office in Ulundi already existed before the decentralization process in 1988, however, the Durban office was created solely from Pietermaritzburg, which means staff that was once in Pietermaritzburg was decentralized to the office in Durban. This affected the office in Pietermaritzburg negatively, as well-trained staff was lost to create the office in Durban. At one point, the office lost staff from 28 to only 6.

2.6 Conclusion

From this chapter it can be concluded that, a number of forces have led to governments resorting to decentralization as a new approach to economic, and social development. Also new political and administrative arrangements for implementing development programmes and projects led to this new approach.

Smith (1985) argues that, decentralization is predominantly used as a necessary tool for social, economic and political development. Whatever its ideological foundations or level of intervention, the contemporary state must localize its governmental apparatus.

Smith (1985:185) further argues that, "the concept has however, been used extremely loosely permitting many different kinds of institutional arrangements to be presented in its name. Indeed, this variety underlines the political importance attached to decentralization in less-developed countries. Third World states find

much promise in decentralization. The performance of decentralized government all too often falls disappointingly short of these expectations”

From the chapter it can also be concluded that, decentralization is fairly a useful move however, in less-developed countries it has taken so many different forms that, it has been largely used by national governments to suit their own agendas. Cheema and Rondinelli (1983) state that, irrespective of its vast scope, decentralization has very rarely, lived up to its expectations. Regardless of its moderate success rate, government planners, donor institutions and observers of the development process continue to promote it.

One of the reasons behind this is the fact that decentralization often serves as an instrument for achieving political objectives. Thus even though programmes are usually justified on the basis of their potential for increasing administrative efficiency and effectiveness, they are frequently not assessed by their economic or administrative results, but rather by their political effects. Often, the rationale for decentralization is that it will increase political stability (ibid).

CHAPTER 3

TERRITORIAL ADMINISTRATION IN LESOTHO WITH PARTICULAR REFERENCE TO PLANNING

3.0 Introduction

Most developed countries have had some degree of local self-government from as far back as the 19th century. However, in Africa and Asia, local government institutions were fostered by the colonial powers in the post 1945 prelude to independence (Davey, undated)

Lesotho was a British protectorate until its independence in 1966 and because of that it has adopted the British system of government. The main reason behind this is that, being influenced by British system of government, it appeared to be following the legacy of the colonial ruler even after independence, which is that of centralized political and administrative institutions. Being one of the poorest countries in the World, it has always been funded and supported by donor agencies such as the World Bank and the United Nations Development Program and due to that, it has had to follow certain principles laid down by the donor agencies.

The chapter begins by outlining how colonial administration in many African countries shaped the form of government in those countries during and after colonial rule. It goes on further to describing Lesotho and then it outlines the history of territorial administration in Lesotho from the 18th century to date. The other objective of this chapter is to give an outline of how different political parties in Lesotho have shaped the history of territorial administration in the country. Finally, it states how

planning is to be organized in the districts as spelt out by the Local Government Act 1997. It will also show how two pieces of legislation need to be amended to effectively enable the Commissioner of Lands to plan development in the urban areas.

3.1.0 Historical evolution of territorial administration in Africa

The aim of this section is to give an outline of how colonial administration in many African countries shaped the form of government in the respective countries during and after colonial rule.

According to Reddy (1999), local government in Africa has passed through six distinct phases, each with different organizational features. Two of these phases were colonial and four were post-independence. These phases are summarized as follows:

3.1.1 Indirect rule

In the English speaking African countries, local administration was based on the indirect rule system with colonial authorities ruling through indigenous/traditional institutions where they existed and creating new ones where they did not. This was until the Second World War, and the main features and structures included the traditional chief and his council and elders, the native court system, a colonial local tax and a treasury. A colonial district commissioner whose portfolio included political, law-and-order and judicial functions supervised these instruments.

3.1.2 Discretionary trends

After the Second World War, developments ushered in a new phase of local administration in Africa. The British responded in the celebrated Lord Greech-Jones' dispatch of 1947, which sought to establish Local Governments in anglophone Africa that were local, efficient and democratic.

During the 1950s, colonial local administration ordinances were promulgated in both anglophone and francophone countries to democratise native authorities and to create modern local councils, however, in the case of the majority of countries, independence arrived before these devolutionary trends had become deeply rooted.

3.1.3 Central penetration of the localities

During the post-independence decade, the preoccupation was with central penetration of the localities. For economic and political reasons, the first generation of leaders preferred planning within central institutions and centralizing the control of resources instead of encouraging local autonomy. Deconcentrated field administrations aided by a chain of committees from the village to the regional level quickly replaced the autonomous Local Authorities that were created in the 1950s. The Local Committees were powerless and were not in control of resources.

3.1.4 Centralized decentralization

Another phase represents the era of "decentralization" starting in the early 1970s. This move was triggered by the failure of central planning, a decline in local participation and enthusiasm, poor performance by the growth model, the birth of basic-needs theory and the ideology of self-reliance.

This decentralization was nothing but a mixed bag of deconcentrated field development administration and committees of experts at the regional and district levels in which elected district or county councils were represented. Centrally employed and controlled civil servants dominated these committees. Even though planning started at the local level, the top-down model prevailed because resources were controlled centrally.

3.1.5 Back on the devolution track

Towards the end of the 1970s, and early 1980s, several African countries began to reconsider local government along classical lines. For instance, a number of local government Acts in Tanzania during 1982 and 1983 introduced largely autonomous district councils. However, the pattern of resource allocation did not change and continued to remain center oriented. Other countries are said to be reinstating the devolution track which was started in the 1950s and abandoned in the 1960s. New factors have come up since the 1980s to warrant a review of the position of local government in the 1990s and beyond.

3.1.6 The return of decentralization

It was still a belief particularly in the 1980s that the centralised party-state, with its emphasis on planning and development, was the way to the future. However, increasing crime, corruption and poverty, the collapse of the Soviet Union and the fact that China was no longer a dominant political force necessitated a shift in focus and a new set of priorities. A desirable option has been agreed upon as being "good government", the world's quest for pluralist democracy and a multiparty government

and decentralization in the management of public affairs (Mahwood 1993 in Reddy 1999).

3.2 Brief History of Lesotho

Lesotho is a small country with an area of 30 000 square kilometers and is entirely land locked by the Republic of South Africa. Lesotho has a distinctive geopolitical position. Its history is closely related to that of South Africa. Colonialism in the nineteenth century created a small territory under British protection, but separate from what became South Africa.

War with the neighbouring Orange Free State resulted in the loss of large tracts of land, but at the same time the territory was never conquered. Instead in common with Botswana and Swaziland, it became a British High Commission Territory ruled by a resident commissioner in the capital, Maseru, who reported to the high commissioner for the three territories, based in Pretoria (Wallis, 1999). The system within the territory was in some ways similar to the form of administration introduced by the British in other parts of Africa.

3.3.0 History of Territorial Administration in Lesotho

3.3.1 Pre-Colonial period

According to Carter et al (1998) by the 1830s, Lesotho had been consolidated into a state, by its founder (King Moshoeshoe 1). He adapted the pre-*lifaqane* (tribal wars) institutions of government to cement his political achievements. The king made use of a hierarchy of chiefs, all of whom had their courts and settled respective territorial

jurisdictions according to the laws and customs of the land. The chiefs were under obligation to attend Moshoeshoe's meetings and councils and to fight wars.

During this period, Lesotho had no experience of popularly elected democratic local authorities. All powers were vested with chiefs who were assisted by advisors. The tribal authorities (Chiefs) administered the tribal territory for the welfare and good governance of society. Through public meetings (pitsos), the tribes were consulted on decisions made and developmental issues affecting their communities (University of Birmingham, 1995)

3.3.2 Colonial period

From 1868 Lesotho became a British dependency. In 1903 a colonial institution called the Basotholand National Council was established. According to the Imperial Government the National Council was established to take the place of the Basotho Pitso (public gathering). Nonetheless, the National Council never replaced the pitso because the chieftancy's accountability and responsiveness was virtually non-existent in the National Council. The parallel rule of colonial administration and chiefs resulted in the degeneration of leadership amongst chiefs and local leaders (Carter et al 1998).

During this time, District Commissioners were introduced who took over most of the administrative powers of the chiefs. A National Treasury was established by the central government into which revenues, for example, fines imposed for stray animals were paid. This arrangement deprived traditional authorities of resources to undertake development activities of any significance. The District Commissioners

also reduced the number of traditional leaders through the system of “gazetting” chiefs, also taking into consideration the length of service of a chief and size of the population of their tribe (University of Birmingham, 1995).

In 1948, modern local government came into being when the Basutoland Council established District Councils. The people elected these District Councils and their functions included overseeing agricultural, commercial, educational and other developments at the local level (ibid).

In 1959 District Councils were given the power to make decisions with the issuing of the Local Government Proclamation No. 52. District Councils had local financial authority to make by-laws. However, there was a lack of financial management and control, with a major part of the district finances being spent on salaries and wages. Lack of financial accountability and transparency naturally led to allegations of corruption.

District Councils invested little in the provision of services and capital development within districts. Communication between central and local government and the district councils were deemed to pose an additional bureaucratic burden to the running of government. Mismanagement and poor organization overshadowed the potential benefits of decentralization, such as bringing services closer to the needy and empowering the poor (Carter et al 1998).

3.3.3 Independence

Lesotho got its independence in 1966. In 1969 the Local Government Repeal Act and the Local Administration Act were passed and an era of centralization was born. District Councils were abolished on the grounds that they were politically unacceptable (Carter et al 1998).

Mapetla and Rembe (1989) argue that, District Councils were abolished because they were largely dominated by the opposition party, the Basotuland Congress Party (BCP) and were seen as an alternative source of political loyalty and, therefore, a threat to the ruling Basotuland National Party (BNP). According to Wallis (1999) the BNP realized that the abolition of District Councils was a wise move to undermine the BCP in the next elections which were to be in 1970.

After the abolition of District Councils, responsibility for district administration was given to the Ministry of Interior, Chieftainship Affairs and Rural Development. The main theme of district administration was that, the main actors were civil servants who represented government in the districts and played a role in coordinating the various departments such as education, agriculture, health etc. This system was definitely not aimed at public participation. The creation of such bodies as village development committees provided only a limited form of consultation (Wallis 1999).

The BNP moved to consolidate its position after dissolving local government. Elections were held in 1970 and, when the BNP realised that the BCP was winning, the BNP formed an alliance with the paramilitary and thus intervened. The unusual

coup resulted in the BNP emerging as the government, however, this government was not by any means a democratic one (Khaketla 1971 cited in Wallis 1999).

This centralization phase continued for over twenty years. Nonetheless, concurrently an informal development was taking place with the emergence of village development committees (VDCs). These were initially established to exert some control over the village chiefs. This development was later formalised by Development Council Orders No. 18 of 1981 and No. 9 of 1986, providing for development committees at district, ward and village levels (Carter et al 1998).

Also in the early 1980s an important piece of legislation was introduced at the centre. This was the Urban Government Act 1983, which made provision for the establishment and regulation of urban local authorities.

The Urban Government Act, 1983 was prepared with the assistance of the UK government and the World Bank. The World Bank played a most influential role, linking the funding of urban development programmes to the establishment of local government. Aid agencies also played an important role in assisting with research and the decentralization of planning (Wallis 1999).

The aim of this piece of legislation was to give the minister the power to create local authorities in areas designated as urban. Central government officials answerable to the Ministry of the Interior previously managed these areas (ibid). Maseru for example was run by a 'town office' which was a department of Ministry of the Interior.

The main theme was to provide a local government structure for the capital city, Maseru, which was at that time the only major urban area in the country. There are two significant points with regard to the passage of this Act. One, it placed too much power in the hands of the minister. "It could not, by any means, be interpreted as a piece of legislation by which autonomy would be given to local authorities" (Wallis 1999:95). Two, despite the fact that, the Act was conservative in that sense, the minister serving the BNP regime did not use those powers, and as a result no local authority came into being until the military coup in 1986.

These Acts heralded the establishment of Maseru City Council in 1989, which has since had a chequered history, with donor assistance at its inception and formative years but afterwards had to rely solely on self generating revenue to fund its services (Carter et al 1998).

3.3.4 Transition to democracy

In 1993 National Elections were prepared by the Military Regime. The Basutho Congress Party won the elections and it was eager to move quickly on several fronts, one of which was the reestablishment of local government. The newly elected Democratic Government was sworn in under the provisions of the Constitution, which included the provision for the establishment of Local Government;

"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 Constitution, chapter VIII – section 106.)

Wallis (1999) argues that the motives behind the reestablishment of local government were in part political. "Memories of how the BNP had used the abolition of district councils to destroy one of the BCP's power bases were very strong" (Wallis 1999:97). Historical sentiments were combined with other arguments to create a political commitment to devolution that had not been present since independence. The main argument was that full democracy required the development of authentic local institutions through which communities could be represented and could exercise various forms of power.

Despite the urgency of the whole matter, the process did not go according to plan. Two factors created difficulty that has led to the present situation of Lesotho. The first one was the need to turn around a bureaucracy that was seen as illegitimate because of its associations with the past regimes that were of dictators and their policies. The result was the introduction of new blood while experienced public servants took retirement packages and/or left the country (Wallis 1999). The new generation of officials needed time to establish themselves and come to grips with their responsibilities. This created a serious capacity constraint.

The second factor is that, the political road was not smooth despite winning elections by an overwhelming majority in 1993. Two major crises occurred that militated against effective policy processes. The first crisis involved the army even though the BNP and the monarch are allegedly the key role players. This happened in 1994 and basically involved an attempt to remove the government which had been elected the previous year. The attempted coup did not succeed due to intervention by the neighbouring states of South Africa, Botswana and Zimbabwe (Wallis 1999).

The second crisis occurred in May 1997. It involved a split in the ruling party. The then Prime Minister, Dr. Ntsu Mokhehle formed a new party, the Lesotho Congress for Democracy which was reported to have the support of about two-thirds of the members of parliament (Wallis 1999).

The results of the National elections on May 23rd 1998 where the Lesotho Congress for Democracy (LCD) won by an overwhelming majority strengthened the resolve of government to implement proposals and legislation for decentralization and local government reform (Directorate of Lands 1998).

As part of the process of decentralization and establishment of local government all line ministries have been compelled to consider how they can best contribute to the decentralization of key functions to the district level. In 1994 the Ministry of Local Government (MLG) was created by dividing the functions of the Ministry of the Interior, Chieftainship and Rural Development between the Ministries of Home Affairs and Local Government.

The Departments of Rural Development, Land Surveys and Physical Planning, and the District Secretariat passed to the new Local Government Ministry which in addition to the staff of the transferred departments consisted of a Principal Secretary, Deputy and a Local Government Officer (Chief Inspector), (Carter et al 1998).

The Department of Rural Development, the Department of Land Surveys and Physical Planning and the Department of Housing form the Directorate of Lands, Housing and Urban Development. The Directorate of Lands, which is part of the

implementing Ministry of Local Government, has developed a regional approach to the decentralization process. Even though the majority of government ministries have decentralization plans that involve devolving responsibilities at the district level, the Directorate of Lands' approach recognizes the serious financial and human resource constraints that it is experiencing.

The regional approach involves the setting up of three regional offices, one in Maseru, Leribe and Mhale's Hoek which are to provide critical service to all ten districts in Lesotho. The rationale for this approach has emanated from recommendations for decentralization contained in the National Settlement Policy (1990), which identified four regions, Central, South, North and Mountain. The office in Maseru covers the central region, Leribe in the North and Mhale's Hoek in the South. All the three offices cater collectively for the Mountain region (ibid).

The decentralization of central government and the establishment of democratic local government are major inter-linked plans of the government of Lesotho's current reform of government programme.

3.4 Planning of Development

The constitution of Lesotho provides a framework for planning in the form of a National Planning Board (Section 105). This board has powers to supervise in planning related matters in the country, irrespective of which state organ is doing it. Thus planning by local government bodies will need to take place within that framework. Much planning for localities was in the past imposed from above, for

example the Maseru Master Plan was prepared about twenty five years ago, and was effectively a technocratic exercise (Carter et al 1998).

The Local Government Act, 1997 set out a broad framework for undertaking planning at the district level. The Act envisages the creation of interim institutions that will assist the Local Authorities to produce district and composite district plans. The District Planning Unit (DPU) will be a professional institution based in districts that will provide planning advice to District Development Co-ordination Committees who will approve these plans.

3.4.1 District Development Coordinating Committee (DDCC)

The District Development Coordinating Committee is the key institutional body at the district level and the critical link between the Local Authorities and line-ministries. It forms an important role in the Development Planning Framework. It is basically a coordinating institution. Its primary role is to harmonize development actions at the District level; give communities, ministries and agencies information as to all development activities so as to increase understanding, reduce repetition and facilitate integration.

By allowing only democratically elected members of the DDCC to comprise the Planning Authority (where it has been devolved from the Commissioner of Lands or the Planning Board) democracy will be preserved. This proposed change in Planning Authority status is revolutionary for Lesotho. It may meet resistance from those who are unfamiliar and unaccepting of financial decentralization. However, it follows well-established international models (Carter et al 1998).

Functions of District Development Coordinating Committee

- Urban and Regional Planning Authority

Some functions are to be transferred from Commissioner of Lands for example, approval of Local Authorities Development Plans and aspects of Development Control.

- Economic Planning Authority

Some functions are to be transferred from the National Planning Board for example, DDCC Development Funds

- Co-ordinate all Development Actions at the District level (including Local Authorities, line ministries, NGOs, community groups etc).

3.4.2 Composition of a District Planning Unit

The District Planning Unit is in effect the executive body of the Development Planning Framework. Ideally, it is hoped that Local Authorities should conduct their own plans with their own resources and personnel, but given the capacity levels this might be impractical. Therefore, the District Planning Unit will facilitate and operationalize the Local Authorities programmes where capacity lacks.

According to the Local Government Act 1997, "a District Planning Unit shall consist of Planning Officers and such other public officers of any Ministry, who are engaged in performing their functions or carrying out any work within the administrative district in respect of their Ministries. The number of Planning Officers and other public officers that would constitute a District Planning Unit shall be determined by the Minister" (Local Government Act 1997:13).

As time goes on, line-ministry personnel will be transferred to Local Authorities, and Councillors and CEOs will be trained and become experienced, Local Authorities will eventually get experience and need less District Planning Unit assistance. However, it is envisaged that the District Planning Unit will always be necessary given the capacity constraints.

3.4.3 Functions of the District Planning Unit

The functions of a District Planning Unit as stipulated in the Local Government Act, 1997 are as follows:

- To provide planning services for the Councils within its district,
- To consider draft development proposals submitted by Councils and formulate and prepare an annual district development plan incorporating all or any such proposals and submit such plans to the District Development Co-ordinating Committee,
- To finalize the District Development Plan having regard to the recommendations made by the District Development Co-ordinating Committee and submit such plan to the Ministry, and
- To ensure that the District Development Plan conforms reasonably to the overall National Development Plan formulated by the Ministry responsible for Economic Planning.

The proposed type of planning needs to be one which is based on the principles of empowerment and community participation.

3.5 Weak legislation

The current legislation that enables physical planning to take place is fairly weak and ineffective. The current land management legislation is woefully inadequate and does not enable the current planning authority, the Commissioner of Lands, to plan and control development effectively. Consequently, an increasing amount of development takes place without regard to the law, and plans are produced that cannot be implemented.

The legislation if not amended will hamper the process of decentralization in the sense that, it was prepared way before the government could even think of creating local authorities, as a result, the introduction of local authorities as planning authorities without the amendment of legislation will impact on the decentralization process.

Town and Country Planning Act, 1980

The Directorate has recently undertaken a review of the Town and Country Planning Act, 1980. A draft bill has a number of changes which include:

- Further delegation of responsibilities and authority to Maseru City Council;
- Provision for new local authorities to become planning authorities;
- Improvements in the nature and scope of enforcement procedures;
- Provision for a greater degree of flexibility in the administration of development control and facilitation of development;
- Greater scope and authority to develop plans;
- Greater degree of citizen participation;

- Ensuring the laws of natural justice (ensuring the public and developers have access to legal redress on all decisions).

The draft bill has not yet become law. Some of the delays include the fact that it still has to be reviewed since it did not adequately take into account the recent emergence of new environmental legislation and Environmental Impact Assessment (EIA) guidelines.

Land Act, 1979

The Directorate is currently seeking to commission a holistic and consultative review of the Land Act, 1979. The consultative process is likely to propose amendments to both policy and administrative procedures for the management of land. There are five reasons why the Land Act, 1979 has to be revisited and these relate to the control of development in gazetted urban areas.

1. The Land Act grants leases for the development of land. However, the convoluted procedures have contributed to the illegal and informal allocation of land for development.
2. The granting of leases provides for the attachment of conditions, where necessary, of a town and country planning nature to the use of land.
3. The Land Act weakened the traditional role of the chiefs in allocating land. Some chiefs have been reluctant to accept the weakening of their position and continue to allocate land outside of the formal land allocating system.

4. The current inability of the Directorate to manage the land allocation process has led to uncontrolled and illegal development of land, which affects the ability of current plans to be effectively implemented.
5. The Land Act provides for the designation of Selected Development Areas (SDAs) which allow for the compulsory acquisition and comprehensive development of land. However, the absence of clear acquisition and compensation procedures has led to further pressure on the informal subdivision of land, further eroding the ability of the Directorate to control development.

3.6 The rationale for change

The key recommendations for change within the Ministry of Local Government, particularly with regard to physical planning functions, should be understood within the wider context for political, economic and social changes underpinning current modernization strategies of the Government of Lesotho. Priority issues for government include:

- Development strategies to secure economic advantage in an increasingly competitive regional (post-apartheid South Africa) and global markets.
- Development of sustainable human settlements that address increasing levels of poverty, increasing rates of unemployment and increasing levels of urbanization.
- Reform the civil service and key public sector activities (DLHUD 1998).

3.7 Conclusion

It can be concluded that, Lesotho has had a troubled way to democracy. Firstly it was the institutional arrangements that were present during the colonial period. During the colonial era, two forms of administration took place. Traditional leaders

(Chiefs) were associated with the colonial power in a system of indirect rule. They were included within a system of centrally controlled administration.

However, it is apparent from the chapter that, most African countries that were once colonized, did go through almost the same path with regard to administration. After the attainment of independence, in Lesotho like in most countries, the government dismantled the local authorities that were created during colonial times. Even though there were several reasons behind all these, the political situation in Lesotho was critical.

According to Mapetla and Rembe (1989:8), ... "the desire to stay in power by national government officials was another cause for dismantling local governments. The central government officials felt that by allowing local government to continue it meant encouraging the building up of opposition. To them, existence of marginally autonomous local authorities meant that there were competing centres of political loyalty, which eroded the powers of the central government".

After independence, an era of centralization in Lesotho was born. District Councils that were introduced during the colonial rule were dismantled. According to Carter et al (1998), they were abolished on the grounds that they were politically unacceptable. The reason behind this was that the councils were largely dominated by the opposition party and therefore they were seen as an alternative source of political loyalty, and hence, a threat to the ruling Basutoland National Party.

The 1993 general election brought a new era of democratization. The Basutoland Congress Party won the elections and was eager to move quickly on several fronts one of which was the reestablishment of local government structures in the country. This move by the newly elected government was to reverse local administration that had emerged under the BNP government in the 1970s (Wallis 1999). The results of the National elections on May 23rd 1998 where the Lesotho Congress for Democracy (LCD) won by a stunning majority further strengthened the government's proposals and legislation for decentralization.

As one of the major role players in the decentralization process, the Directorate of Lands Surveys and Physical Planning has its own way of decentralizing. It recognizes the serious financial and human resource constraints that it is experiencing and hence has developed a regional approach to the whole notion. The regional approach involves the setting up of three offices in the four regions which have been identified by the National Settlement Policy (1990).

CHAPTER 4

AN EVALUATION OF THE DECENTRALIZATION OF PHYSICAL PLANNING

4.0 Introduction

The purpose of this section is to evaluate the advantages and disadvantages of decentralization of physical planning functions in Lesotho. Even though the process is still in its early stages, a number of irregularities are occurring that hinders the whole process. A significant proportion of employees is affected and this hinders effectiveness and efficiency.

Other ministries have already decentralized and this includes the ministries of Health, Agriculture, Education, Finance, Justice and Home Affairs. The advantages of decentralizing physical planning services are evident, however, the disadvantages are so serious they need immediate attention.

The Directorate, which is playing a major role of the implementing Ministry of Local Government, has developed a regional approach to the decentralization programme. The Directorate's approach involves the setting up of three regional offices in Maseru, Leribe which is 106km north of Maseru and Mohale's Hoek which is 133km south of Maseru. The Directorate has already embarked on a programme of the decentralization of Lands and Surveys functions and technical and administrative staff to district centres.

Physical Planning functions and staff are however, transferred to regional offices. The reason is that the Directorate has realized the seriousness of human resource

constraints that are present in the physical planning section. Most of the other ministries have decentralized planning by devolving responsibilities at the district level.

4.1.0 Organizational structure of the Directorate of Lands

The national decentralization programme is the most significant aspect of Government of Lesotho's civil service reform programme. These reforms have direct and significant bearing on all government ministries, even though the Ministry of Local government is facilitating the reforms.

The purpose of this section is to provide an overview of the organizational structure of the Directorate. It will then spell out how the Physical Planners will relate to District Planning Units (DPUs) and the District Development Coordinating Committees (DDCC) as envisaged in the Local Government Act, 1997.

The establishment of local government and decentralization can be seen as two distinct yet complementary processes. First of all, decentralization provides for the greater representation of central government in the regions, in order to better serve the public and provide for the development of the country.

Also, the establishment of local government will provide for the gradual transition of central government responsibilities for the facilitation of development to locally elected and accountable government. The government reform programme is designed to transform the kingdom of Lesotho into a modern and accountable democracy with a greater development potential (DLHUD 1998).

4.1.1 Structure of the Directorate

The Directorate of Lands Housing and Urban Development was formed when the Commissioner of Lands Surveys and Physical Planning was given the responsibility of two more departments, the department of Housing and the Department of Urban Development. The Directorate is made up of the following divisions:

- Department of Lands, Surveys and Physical Planning (LSPP)
 - Physical Planning division
 - Survey
 - Lands
- Department of Housing
- Department of Urban Development

4.1.2 Structure of Lands Surveys and Physical Planning (LSPP)

The department of LSPP is responsible for controlling and ordering of the built environment in Lesotho. It is also responsible for land allocations in areas demarcated as urban. It functions according to legislation and principles laid down by the planning authorities and these include processes such as issuing of planning permits and building standards.

4.1.3 Lands Division

The Lands Division is responsible for the processing and issuing of all leases (after approval by the relevant land allocation committee). It is also responsible for the acquisition and purchase of land where necessary for effective planning. The

Valuation section of the Lands Division ensures that all properties are valued and rated and compensation assessed when land is acquired (DLHUD 1998).

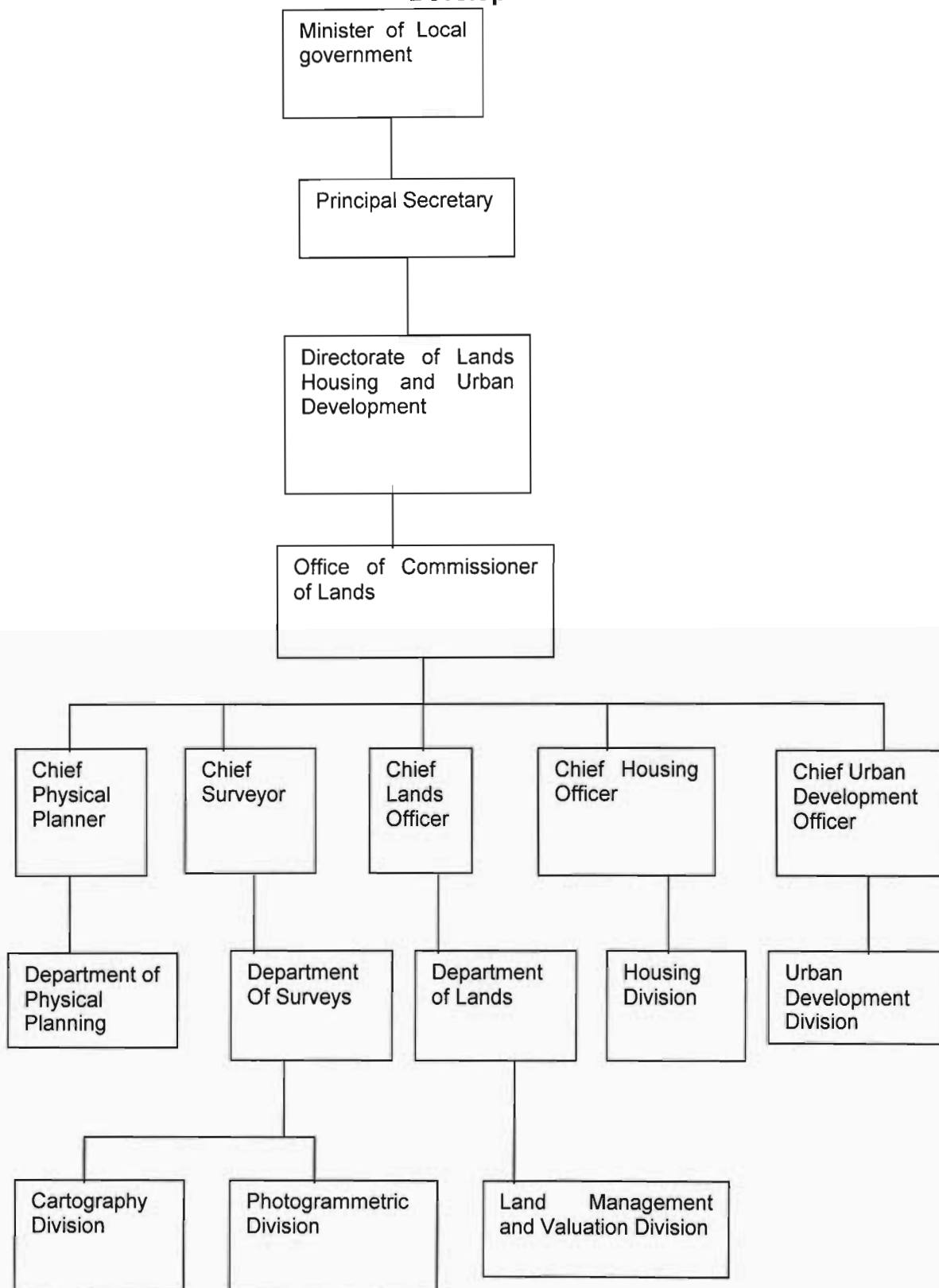
4.1.4 Physical Planning Division

The Physical Planning Division's primary responsibilities are as follows:

- The consideration of planning applications for development in all gazetted urban areas;
- Administration of enforcement procedures for the control of development;
- Preparation of national, district and local spatial development plans;
- Preparation of plot layouts and subdivision of existing plots;
- Advising Chief Lands Officer on subdivision and change of use (ibid).

A description of the other sections can be found in Appendix 4.

Functional Structure of the Directorate of Lands Housing and Urban Development



Source: Carter et al (1998)

4.2.0 Planning Authorities in Lesotho

There are two planning authorities in Lesotho. The most significant planning authority is the Commissioner of Lands and the other is the Maseru City Council.

4.2.1 The Commissioner of Lands

The Commissioner of Lands who heads the Directorate of Lands, Housing and Urban Development, is granted powers of planning authority by the Town and Country Planning Act, 1980. The Commissioner of Lands, through the Physical Planning division administers the provisions contained within the Act for the facilitation and control of development.

The Act applies only to designated areas that have been gazetted by the Minister of Local government. This means that it applies to only urban areas. The majority of the country is not subject to the provision of the Act and therefore there is no designated planning authority in those areas.

4.2.2 Maseru City Council

In 1983, the government of Lesotho passed the Urban Government Act 1983. The aim of the Act was to give the minister powers to create local authorities in areas designated as urban. The main aim was to facilitate the establishment of an urban council for Maseru, the Maseru City Council (Lebentlele 2000).

Maseru City Council is responsible for administering the provisions of the Act in the gazetted Maseru Planning Area. These powers are conferred upon Maseru City Council under provisions stipulated in the Urban Government Act 1983 and the Town

and Country Planning Act 1980. However, there are exceptions limiting Maseru City Council's responsibilities to carry out statutory planning provisions contained in the Act.

Where developments contravene the development plan or where enforcement procedures are enacted, responsibility passes to the Physical Planning Division of the Directorate of Lands. In these cases the planning authority reverts to the Commissioner of Lands (DLHUD 1998).

4.3.0 Regional offices

4.3.1 Leribe Regional Office

A regional office has been set up in the town of Hlotse, district centre of the district of Leribe. The site of the office is not suitable in the long term because it is too small and not well situated. However, it is hoped that new larger and better-situated offices will be occupied, within the current district offices of the District Secretary. There are three posts for professional planners; a Principal Physical Planner, a Physical Planner and a trainee Physical Planner. Devolution of key responsibilities to the Principal Physical Planner includes development control, and other regional physical planning tasks.

4.3.2 Mohale's Hoek Regional Office

Another regional office has been set up in Mohale's Hoek. The site of the office is also in the current district offices of the District Secretary. There are also three posts just like in the Leribe regional office.

The regional approach is done with the hope that, after a few years it will incrementally be spread to all districts. The number of clients serviced per day in a regional office does not reflect the need to have an office in each district. Maseru is the only town in Lesotho with population estimated at 200 000, while the other towns average around 5 000 each (Wallis 1999). If it does not work for the regional offices, decentralizing to the rest of the districts will be pointless and more costly to the government.

4.4 Powers of decentralized staff

The regional offices are supposed to be exactly the same as the Directorate in Maseru in terms of functions and services offered. The decision-making powers are however, still held in Maseru by the Commissioner of Lands as the Directorate is still in the process of formulating strategies for delegating some of these powers. This arrangement further hampers the decentralization process in that it demoralizes officers.

At the present moment, the regional offices operate as satellite offices in that, anything that needs planners to make decisions has to wait for approval from the Commissioner of Lands in Maseru. This in a way creates bureaucratic red tape which the decentralization process is aimed at redressing.

When comparing the situation with that in Kwa-Zulu Natal, there is a major discrepancy. In Kwa-Zulu Natal, each regional office is headed by a Director who is responsible to the Chief Director in the Headquarters. This is probably due to the fact that in Kwa-Zulu Natal, there are enough clients to be served in each regional office,

however, in Lesotho the number of clients (15 to 20 people on a busy day) served per day is not sufficient enough to have a Director heading a regional office. It would not only be costly for the Directorate but it would also mean that Director would be idle for most of the time.

Officers in the regional offices need to be allocated some powers so as to boost their morale. All Physical Planning Officers appointed to Regional Office are expected to do the following:

- Be professionally responsible to the Chief Physical Planner in Maseru at all times.
- Be professionally supervised in the carrying out of all duties by the Senior Physical Planner responsible for the designated districts, as appointed by the Chief Physical Planner.
- Be administratively responsible to the Chief Administrator and liaise with administrative staff on all matters pertaining to;
 - Transport provision, maintenance and drivers,
 - Stationary supply,
 - Office supplies and equipment,
 - Maintenance of electronic hardware and software, and
 - Public health of personnel and office safety.

The most senior Physical Planning Officer based in each regional office is expected to have day to day management responsibility for supervising and monitoring all subordinate physical planning staff also based in the regional office.

There is a clear indication that the process of decentralizing physical planning functions to regional offices was done quickly but without proper supervision. One of the professional planners when interviewed stated out that she actually volunteered to go to the Leribe regional office because her family had moved to Leribe. She was one of the first officers to be deployed to a regional office. When she was transferred, she had just graduated from one of the South African Universities (University of Witwatersrand). She did not have any managerial know how and yet is expected to carry out managerial as well as physical planning duties.

4.5 Decentralized functions

Besides the normal physical planning services that are offered by the Directorate, the physical planning staff that is decentralized is expected to know all the relevant legislation and related policy issues. The following are the some of the basic legislation and policies that the physical planning officers are expected to know:

- To have a wide understanding and knowledge of the Town and Country Planning Act 1980, the Land Act 1979, the Building Control Act, the Local Government Act 1997, Environment Act 1997 and all of its respective subsidiary regulations.
- To be conversant with the provisions of the current National Five Year Development Plan, the National Settlement Policy, Environmental Impact Assessment guidelines, National Poverty Reports and other government policy documents that may impact on sustainable human settlement development planning.
- To be specifically conversant with all statutory physical planning documentation such as development plans, development proposals and other government related activities in each district within the Regional Office's area of responsibility.

Almost all the services that are provided in Maseru are supposed to be provided for in the regional offices. Practically, it is not possible for the decentralized staff at regional offices to carry out all the services that are provided in Maseru for a number of reasons:

- There is not enough office space.
- No computers, where they exist they lack basic town planning software such as Microstation, Regis and Arcview.
- No basic physical planning resources like line maps and photocopying equipment.
- Sometimes there is no transport due to the fact that, they get transport from the District Secretary's office.

4.6 Effectiveness of Regional Offices

The regional approach to decentralization was done on the basis that, the Leribe office was to cater for the northern region and the Mhale's Hoek for the Southern region (see appendix 5). However, this has not been the case. The Leribe office serves communities in the near vicinity (from the urban boundary). The rest of the other communities still travel to Maseru for the following reasons.

- People have a belief that, the office in Maseru is more efficient than the regional offices in that, final decisions are made in there. For instance, when applying for a lease, even if all the necessary forms are filled in the regional offices, the final draft of the lease is signed by the Commissioner of Lands, in Maseru.

- A lot of people living outside of the Maseru district do not know about the decentralization of physical planning services since it was not given enough publicity.
- Town and Country Planning laws are not stringent, or rather are not being properly followed as a result a lot of developments are occurring in an unlawful manner.

The regional approach to decentralizing physical planning was done on the basis that there was insufficient human resources in peripheral areas and that, it would eventually spread to the rest of the other districts. However, given the seriousness of constraints in the regional offices, it is likely that, the same constraints that hamper decentralization in the regional offices will hamper decentralization within each district.

4.7 Advantages of Decentralization in Lesotho

There are a number of factors that have necessitated the government of Lesotho to carry out the process of decentralization. Even though it was initially initiated by donor agencies, the government of Lesotho has shown a great interest and has since been actively involved with the whole process. It has shown interest by the amount of money it has put into the whole process and by the provision of resources though not adequate for the smooth running of the whole process.

As has already been mentioned earlier, the decentralization particularly of physical planning functions will facilitate the establishment of local government in the country. Decentralization will provide a greater representation of central government in the

regions, in order to better serve the public and provide for the development of the country. Also, the establishment of local government will provide for the gradual transition of central government responsibilities for the facilitation of development to locally elected and accountable government.

One distinctive advantage of decentralization is the need for close contact between individual citizen and officialdom. The day to day management of many public functions requires members of the public to have direct access to state agencies and for state agencies to be able to reach individuals, families, firms, and private associations. Physical Planners based in the regions are supposed to go out to educate communities about the purpose and functions of the Directorate of Lands and its legal provisions.

4.7.1 Client satisfaction

It is generally believed that, communities where decentralization is taking place are more than satisfied. This is evidenced by the fact that, they do come for services to the regional offices even though they do not come in large numbers. However, most of the clients come for basic services such as application for a lease or selling of their fields to the office for development purposes. They can get any kind of service which is offered in Maseru even though it might take longer than it would have in Maseru. The Planners in regional offices can arrange with the office in Maseru for services which they cannot handle from the regional office.

4.8 Disadvantages of Decentralization in Lesotho

Most developing countries turned to decentralization in the 1970s due to the realization that central planning and administration was not bringing expected results. Decentralization was seen as a partial solution to the problems of centralization. However, it has not been proved that decentralization actually solves the problems noted earlier in chapter 2, or that it is necessarily more cost-effective than centralization.

Since the beginning of the process of decentralization, the Directorate has had a number of problems which need to be addressed for the smooth running of the process. The following are some of the problems.

4.8.1 Problems in regional offices

All the decentralized staff agreed on one thing, that the first year of decentralization was the worst both at work and at their homes. Even though the problems they encountered when off duty are general, and not specific to the physical planners, it is worth mentioning as this affects their performance at work.

4.8.2 Problems at work place

- **Terms of reference for planners**

There are no clear and guiding terms of reference in the department to give direction to the planners that have been decentralized. As a result planners find themselves doing other duties which they are not supposed to do. They are sometimes asked to help in rural development projects which is not part of their job specification. Professional and administrative lines of responsibility of physical planners are not clearly spelt out.

The terms of reference must provide physical planning staff in the regional offices with a description of the broad duties and responsibilities of physical planning functions in the furtherance of both the Directorate's and the Physical Planning Division's business planning objectives. It is hoped that in order for the regional office to be fully functional (that is, responsible for all planning functions in the districts), human resources must be developed, even though this usually takes time.

- **Job handing over**

When physical planners are decentralized, there is no proper handing over of duties from the Directorate to the regional offices. This created a lot of problems. All the files belonging to different people and organizations were kept in Maseru. These created problems in that, a client would come to Maseru only to be told that they will be helped in their respective regions. When they get to their regional office, they would be told that their files are still in Maseru.

This created distrust by clients about the credibility of the entire decentralization of offices from Maseru to the regions. Clients would complain about being moved from this office to that and they complained about the cost of travelling to Maseru and not getting what they want. Planners complain that it was an oversight on the part of the management to rush into decentralization without properly planning the whole transition. Even though these were just short-term problems, they left wrong perceptions to the credibility of the regional offices.

4.8.3 Problems outside work place

- **Lack of entertainment**

Being transferred to a different geographical set up always has its own problems. Getting suited to a different place altogether has its own problems which need to be addressed for effective performance of staff. The Lesotho districts other than Maseru offer very little in terms of shopping and entertainment. Most decentralized staff (not only staff from the Directorate, but staff from other ministries) have problems of over indulging in alcohol and as a result, they commit alcohol related offences.

Again over-indulging on alcohol affects their working environment in that an alcoholic is more likely to get sick and hence absent him or herself from work on a regular basis. This affects the credibility of officials particularly to the communities whom they are supposed to serve.

- **Lack of shopping facilities**

Inadequate shopping facilities renders another problem to decentralized staff. Lack of shopping centres in the districts of Lesotho makes life in the districts unpleasant particularly for those officials who lived in Maseru before. This affects their work adversely in that on Friday every two weeks, they travel to Maseru to do some shopping, and return on Mondays which means that every two weeks there are two working days which are lost for travelling.

It can be learnt from the experience of Kwa-Zulu Natal that, building a strong core where there is a lack of basic shopping and entertainment centres and good school, will result in well-trained staff leaving the place. Only young officials would want to live in such a place, and more often than not they would be staying there to gain experience, after gaining sufficient experience they will just leave for greener pastures.

This eventually creates an environment whereby offices outside of the national capital would be used as stepping-stones by inexperienced graduates to gain experience for greener pastures.

4.8.4 Problems at the Head office

- **Human resource capacity**

There is a general shortage of qualified personnel. The human resource capacity of the Directorate is extremely weak. The Physical Planning Division has been seriously depleted over the past few years. Experienced staff have left and many junior staff have been sent to regional and European Universities for training. Most of them do not return to the Physical Planning Division because they take up better opportunities both in Lesotho and South Africa.

Additional management posts are required, however, there is little chance that the Directorate can attract physical planners of the required calibre. Young graduates who are inexperienced fill up a lot of posts that are available within the Directorate. Experienced planners are few and any loss of any of them will result in serious consequences.

This adversely affects the process of decentralization in that, the physical planning staff that are being deployed to regional offices are supposed to be qualified to do the job. If young graduates who are inexperienced are being sent to the regional offices where there is not proper supervision, it shows that there is lack of commitment on the part of the implementing office. One of the advantages of decentralization is to reduce costs on the part of the government but, if government will continue to sponsor staff to go and study and then loose them after completion of their studies, then it is not cost effective.

It can be learned from the experience of Kwa-Zulu Natal that, in a remote area, where there are no basic services such as shopping centres and schooling facilities, people just do not want to stay.

- **The impact of decentralization on central office**

The Directorate of Lands is carrying out the decentralization process with financial and human resource constraints. Since there is already insufficient human resource capacity in the Directorate, relocating some of the staff members to regional offices leaves a gap in the central office which is a problem to the department. The number of qualified physical planners in the headquarters is not enough to carry out the functions of the Directorate properly. The implementing section of the Directorate is aware of this and yet is still keen that the decentralization of physical planning functions to regional offices will effectively work.

This is a problem in that, even though the benefits of decentralization are clearly spelt out, it really does not make sense to build a strong core in the regional offices at the expense of the central office.

4.8.5 Staff perception on deconcentration

Attempts by the Directorate to decentralize have been hampered by the unwillingness of staff to move from Maseru. This is a result of a lack of understanding on the part of staff as to the purpose of decentralization and what their role might be. There are a number of factors why staff does not want to move from Maseru:

- There is no criteria used for choosing staff to relocate, a lot of staff believe that the decentralization process is done on favoritism. They believe that it is the government strategy to get rid of unwanted officials by relocating them to remote areas.
- Job opportunities are advertized in Maseru, as a result people apply knowing that they will be stationed in Maseru. If posts were created in the relevant districts this would do away with having to move people away from their families.
- A lot of people believe that if decentralization is to be carried out properly, incentives should be provided. These can be in the form of hardship/mountain allowance, accommodation, training and others.
- Most people have lived in Maseru for long enough to have built houses. Most of them find it difficult to relocate to a new place whilst you have established a family elsewhere.

4.8.6 Lack of implementation plan

The absence of an implementation plan has caused staff to fear for their working conditions, ability to perform their duties and position with regard to training and career development. It is generally believed by officials that, those stationed in Maseru are more likely to get training and appraisals as compared to their counterpart stationed outside of Maseru.

It is only recently that the Directorate, together with the Department for International Development's (United Kingdom) assistance have started developing a time bound implementation plan. Furthermore the implementation of a physical planning division training plan which is already being formulated will equip decentralized physical planners with the requisite technical skills for carrying out their functions effectively from their respective districts.

4.9 Conclusion

It can be seen that from this chapter that, there are a lot of problems that are facing the Directorate of Lands. It can be concluded that, if proper decentralization is to be carried out the Directorate must first of all sort out problems that are within the Directorate before it can even start to decentralize.

The Directorate of Lands does not have enough human and financial resources to carry out its functions effectively. It requires on an efficient and effective organizational structure and management, sufficient human and financial resources as well as enabling legislation if it is to carry out its responsibilities effectively. The

number of qualified physical planners in the headquarters is not enough to carry out the functions of the Directorate properly.

Relocating some of the staff to regional offices leaves a gap in the headquarters which is a problem to the department. Again relocating young graduates who are inexperienced poses another problem to the department as experienced staff need to work closely with experienced staff so as to train them in their duties.

If there is no proper legislation guiding decentralization, it poses a problem because there are no guiding principles. Decentralization is actually happening in a vacuum. The Government needs to have a clear and sound policy with regard to decentralization particularly of physical planning functions.

The main idea of decentralizing physical planning functions to regional offices was to create offices closer to communities, but, given the powers that the decentralized staff have, there is no indication that the bureaucratic red tape is reduced since decentralized staff still have to confirm with the central office for decision making. This somehow increases the bureaucratic red tape as it might take longer than it would have, had it been carried out from the central office right from the start.

With regard to effectiveness of regional offices, it is still too early to make conclusions as to whether the regional offices will eventually be effective or not. However, given the current trend it is not likely that the regional offices will be effective in the near future unless major changes are fostered. It can therefore be concluded that, the Directorate has too many problems which it has to address

before the process of decentralization can effectively take place. The Directorate has to first of all to address the problems which it is facing both at the central office and in the regional office.

CHAPTER 5

CONCLUSIONS AND RECOMMENDATIONS

5.0 Introduction

The purpose of this chapter is basically to evaluate the major findings, and then draw conclusions and make recommendations. It first starts by evaluating the major findings in the form of conclusions and proceeds to the next section which is in the form of recommendations.

5.1 General conclusions

5.1.1 Problems of centralized planning system

It can be concluded from the dissertation that, from as far back as the 1950s, the international assistance agencies and national governments (particularly Third World countries) have tried different types of economic growth models, depending largely on the goals that both the international assistance agencies and the governments wanted to achieve. In the 1950s and 1960s, the main focus was on central planning and administration.

Most African countries which were once colonized got their independence around the 1950s and 1960s. The main focus around this time was to aim at nation building. This they did by investing heavily in programmes for economic development. Central planning was considered necessary to guide and control the economy and to integrate and unify nations that were emerging from long periods of colonial rule. However, towards the end of the 1950s, it was clear that planning and administering from the centre did not bring the goals that it was intended to achieve. Economic

growth remained slow, even where growth rates were high, only a fraction of the population benefited from increased national production. The gap in between the rich and the poor widened even more.

5.1.2 The need for decentralization

It was during the 1970s that many development planners began to question the effectiveness of strategies based solely on increasing industrial output. They challenged the economic growth theories of the 1940s and as a result they came up with theories of decentralization. Decentralization also became popular during the 1970s after the realization that the development policies of the 1970s were not effective. The development policies were aimed at distributing the benefits of economic growth more equitably, at increasing productivity and income of all segments of the society, and at raising the living standards of the poor (Cheema and Rondinelli 1983).

It can be concluded that, decentralization became popularly used from the 1970s. Many African states began experimenting with different types of decentralization. In almost all the types of decentralization that have been experimented with, problems have come up. Most of these problems it is alleged are due to failure of national governments to implement according to specifications put down by the funding agencies.

It can also be concluded that, policies have been changing over time and recently, there has been a shift by national governments to new institutional demands which are fostered by the liberalization of government policies and privatization of public

enterprises. There has been a shift from the way governments have been delivering economic, municipal, social and educational services. Nowadays, citizens want more value from government services, and because of this, government institutions at all levels must provide more effective and cost-effective services within restrictive budgets.

5.1.3 Lines of organization presently

The Local Government Act 1997 sets out a broad framework for undertaking planning at the district level. The Act envisages the creation of interim institutions that will assist the Local Authorities to produce district and composite district plans. A professional institution, the District Planning Unit (DPU) will be based in districts and will provide planning advice to the District Development Coordinating Committee.

The District Development Coordinating Committee will be the key institutional body at the district level and the critical link between the Local Authorities and line-ministries. Its primary role is to harmonize development actions at the district level, give communities, ministries and agencies information as to all development activities so as to increase understanding, reduce repetition and facilitate integration.

5.1.4 Powers of decentralized staff

The regional offices are supposed to be the same as the one in Maseru in term of functions and services rendered even though the offices in regional offices are relatively small. However, the regional offices do not have the decision-making powers. The decision-making powers are still held in Maseru by the Commissioner of

Lands as the Directorate is still in the process of formulating strategies for delegating some of these powers.

It can therefore be concluded that, in order for the Directorate to be fully decentralized, it needs to speed up the process of formulating strategies for delegating some of the powers to officers in the regional offices. At the present moment officers in the regional offices do not have authority to make decisions, they have to consult with the central office for decision making.

5.1.5 The effect of decentralization to planning

The constitution of Lesotho provides a framework for planning in the form of a National Planning Board (Section 105). Much planning for localities was in the past imposed from above, and presently, the government of Lesotho has embarked on a process of decentralization of planning authority to districts.

The Directorate of Lands, which is part of the implementing Ministry of Local Government, has developed a regional approach to the decentralization process. This it has done due to severe financial and human resource constraints that it is experiencing.

From the above it can be concluded that, the government has well formulated policies for the decentralization process. However, it will not be able to effectively implement the notion of decentralization unless it addresses some of the constraints which are prevalent in the Directorate.

5.1.6 The impact of decentralization on staff

The process of decentralization of physical planning has a bearing on the officials both at the headquarters and on regional offices. The process of decentralization has up to date been hampered by the unwillingness of staff to move from Maseru. This is due to lack of understanding on the part of staff as to the purpose of decentralization and what their role might be.

It can also be concluded that, the Directorate needs to educate its staff on the whole notion of decentralization before it can even think of decentralizing. Staff perception on decentralization is of vital importance if the Directorate is to achieve its objectives.

5.2 Recommendations

Due to the limitations that have been cited in this dissertation with regard to implementation of the policy of decentralization of physical planning services a number of recommendations will be made to enable the government of Lesotho to effectively implement the policy of decentralization.

5.2.1 Why decentralize physical planning functions?

The government of Lesotho through the Ministry of Local Government has embarked on a process of decentralizing physical planning functions to peripheral areas with the same intentions that other countries have – to reduce the bureaucratic red tape that is usually associated with highly centralized planning.

It is very important that the government proceed with decentralization as it is done with the hope that it will facilitate the process of establishment of local government

authorities. Lesotho has never had democratically elected local government authorities hence it would be an excellent idea to have them established. Planning nowadays requires community participation so as to make plans relevant to the local needs. Decentralizing physical planning functions to the regional offices and eventually to districts is the best idea if it is done to facilitate the establishment of local authorities, however, it should be implemented with clear and sound guiding principles to enable it to operate effectively and efficiently.

5.2.2 Problems within the Directorate

- ◆ The Directorate of Lands should first of all solve the problems that are within the office before it can start to engage in other programmes. The Directorate does not have enough staff particularly in the planning section and yet it is already engaged in another process of decentralizing staff. The Directorate does realize that, it has a shortage of qualified manpower, that why it has sent a number of staff to further their studies.

It is not cost-effective for the Directorate to sent officials to study outside the country for purposes of decentralization if the staff are not going to benefit the Directorate when they come back because most do not come back. It can be learnt from the experience of Kwa-Zulu Natal that, if a new office is established it should not be established at the expense of the already flourishing office.

- ◆ The Directorate should have clear and sound guiding principles. It is not professional to engage in a programme without guiding principles. The Directorate is engaged in decentralizing staff to regional offices without properly

laid down principles. There should be clear guiding lines with regard to how staff is decentralized. Officials should not be forced to regional offices just because they are young and it is believed young people do not have commitments.

There are not terms of reference for planners and as a result planners do not know exactly what it is expected of them when they get to the regional offices. It is up to the Directorate to see to it that, staff at all levels is educated on the benefits of decentralization before it can even start to think of decentralizing.

- ◆ Posts should be created and advertised in the respective districts. It is not proper for the Directorate to advertise a post in Maseru only to find out that, the position is in fact in the district. People apply not knowing that they will eventually leave for a completely different district.
- ◆ The Directorate should speed up the process of amending legislation to enable physical planning functions to take place effectively. Both pieces of legislation that guide and control physical planning are weak and ineffective. A lot of development takes place without regard to the law in Maseru, so in the rest of the country it is less stringent with regard to developments.

5.2.3 Problems outside the Directorate

There are a number of problems which need to be ironed out before the process of decentralization can effectively take place. There are problems outside the Directorate but which impact negatively on the Directorate if not properly sorted out.

If the regional offices are exactly the same as the head office then the same physical planning functions should be provided:

- ◆ The officials who are sent to regional offices should be willing to relocate despite the conditions in the regional offices. There is a general tendency for officials to dislike going to remote areas for obvious reasons. Regional offices are situated in places where there is lack of adequate services. For officials to leave a place like Maseru, to a less urban one, they need some sort of incentives to motivate them. The incentives which are provided now are not satisfactory, these are in the form of housing.

It can be learnt from the experience of Kwa-Zulu Natal that, people do not want to leave for a place which has little to offer. The Directorate should decentralize people who are already well qualified so as to be able to delegate some authority to them. In Kwa-Zulu Natal, a Director who has the same authority as the other Directors in other offices heads each office.

- ◆ The Directorate must have a feasibility study to try and determine whether it is really necessary to decentralize physical planning functions. It might be possible that only a satellite office might be necessary. Putting up new offices in the regional offices and eventually to all districts is going to cost the Lesotho government a lot of money which might be used for other development purposes. It would be on the advantage of the Lesotho government to weigh the advantages and disadvantages of decentralizing physical planning functions. If there are more disadvantages than advantages then another option should be sought.

- ◆ The Directorate must see to it that all officials irrespective of where they are based should have equal chances of training and assessment. Generally officials allege that, when it comes to training and promotions, only officials in the headquarters are likely to be nominated. If this attitude is not rooted out, officials will always refuse to be decentralized and that will always affect the Directorate negatively.

In a nut shell it can be concluded that, decentralization is the best way of administering developments. However, if it is not properly implemented, it can have negative consequences which will eventually render it ineffective.

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Appendix 1

Interviews for senior staff

1. What is government trying to achieve by decentralizing?.....
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.....
2. Other than the Department of Local Government (L.S.P.P.) what other departments have been decentralized?.....
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3. What functions have been decentralized?.....
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4. How well are they being provided.....
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.....
5. What are the lines of control and organization now, how does this differ from in the past and how does this affect the effectiveness of the planning service?.....
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.....
.....
6. Do you think the government has enough adequate human resources to effectively carryout the decentralization process?.....
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7. Do you think the government is fully committed to the decentralization process?.....
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8. How well is decentralization proceeding – i.e. is it complete, or in process?.....

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9. What is the experience with it – i.e is it operating smoothly or are there problems?.....

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10. What problems are there?

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11. Is decentralization of planning resulting in a better planning service?.....

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12. Who is moving to periphery offices?.....

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13. Has this affected commitment of staff?.....

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14. How is it affecting the planning service?.....

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15. How do you think decentralization should be enhanced?.....

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Appendix 2

Questionnaire for decentralized staff

1.1 Name.....

1.2 Occupation.....

1.3 Gender.....

1.4 Marital status.....

2.1 How long have you been working for the department of L.S.P.P.?

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.....
.....
.....

2.2 When were you transferred here?.....

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.....
.....

2.3 What was the criteria used to have you transferred?.....

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.....

2.4 Are you in the same position that you were in Maseru?.....

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.....
.....

2.5 How many clients on average do you service a day?.....

.....
.....
.....

2.6 Do you have all necessary resources to carryout your work in this office? (please elaborate).....

.....

.....
.....
2.7 Do you under certain circumstances have to refer your clients to Maseru?.....
.....
.....

2.7.1 If yes, under what circumstances?.....
.....
.....
.....

2.8 How far away do your clients have to travel to get here?.....
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.....
.....

2.9 Do you think your clients are satisfied with your being here or they'd rather go to Maseru?.....
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.....
.....

2.10 What is lacking that you think might enhance your work?.....
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.....
.....

2.11 Other than your normal pay is there any form of incentive that you get (e.g.housing allowance).....
.....
.....
.....

2.12 Do you work well with other sections of the department? (e.g. Lands/surveys).....
.....
.....
.....

2.13 Does it take the same time as it would take in Maseru to service a client? (e.g. processing a building permit).....

.....
.....
.....

2.14 Do you think your being here helps the communities that you are supposed to serve in any particular way?.....

.....
.....
.....

3.1 In your own opinion, do you think deconcentration should be carried out further to other districts?.....

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.....
.....

3.2 What do you think should be done to improve on this idea of deconcentration?.....

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.....

3.3 Are you happy that you are transferred here?.....

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.....
.....

Appendix 3

Questionnaire for clients

1.1 Name.....

1.2 Occupation.....

1.3 Where do you live?.....

2.1 What service do you want?.....

2.2 How often do you come here?.....

2.3 Prior to 1996, you had to go to Maseru for the same services, do you think the establishment of this office has helped you in any way?.....
.....
.....

2.4 Is the level of service similar to that which you get in Maseru or is there difference?.....
.....
.....

2.5 Does it take you the same time to get a service here as it would have taken you from Maseru?.....
.....
.....

2.6 Do you sometimes go to Maseru for the same service?.....
.....
.....

2.7 Have you ever been referred to the office in Maseru for any reason?.....
.....
.....

2.8 Are you (clients) satisfied with the establishment of this office?.....
.....
.....

Appendix 4

Structure of Lands Surveys and Physical Planning

Survey Division

The Survey Division is Lesotho's National Mapping Agency. It is responsible for all topographic and cadastral mapping. The Survey Division has a mapping capability employing surveyors, photogrammetrists and cartographers, however, most new mapping is created by commercial mapping companies in South Africa. Most cadastral surveys are completed by private license surveyors with the Survey Division retaining a quality assurance role.

Urban Development Division

The Urban Development Division is responsible for:

- Facilitating access to infrastructure for the people of Lesotho;
- Developing technical guidelines for the provision of infrastructure;
- Design and co-ordination of infrastructure projects;
- Supervising construction of projects within the Ministry of Local Government;
- All engineering works of above projects;
- The Division also administers a system of improvement loans

Housing Division

The Housing Division is the smallest of them all. It is just a small team of people responsible for the creation and implementation of national and local housing policies. Each of the divisions mentioned above is headed by a Chief Officer who reports to the Commissioner of Lands. The Commissioner of Lands is responsible to Principle Secretary to the Minister of Local Government.

